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Trends in Law:

A photograph of a woman's face in profile, looking down, with her hand holding a pair of scales of justice. The image is overlaid with a semi-transparent yellow filter. The woman's hair is styled in a bun. The scales are held in her right hand, and the pans hang down. The background is a solid yellow color.

A woman's
perspective.

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Jessica Kirk Drennan

Jessica Kirk Drennan is a family and matrimonial attorney with 26 years of litigation experience. She has an AV rating from Martindale Hubbell and is listed as a Super Lawyer. She is a Fellow of the American Academy of Matrimonial Lawyers, a Board-Certified Advocate of the National Board of Trial Advocacy and a Lifetime Fellow of The Birmingham Bar Foundation. Jessica has also authored a book, *Divorce in Alabama*, and has earned her certification as a domestic relations mediator.

Jessica is as dedicated to her community as she is to family and matrimonial law. In 2015 Jessica won the AG Gaston Award issued by the Birmingham Business Alliance. She has also served as the Chair of Birmingham Bar Association Volunteer Lawyer's Program, the Chair of the Family Law Section of the Alabama State Bar Association, President of the Women's Network and Member of the Boards for Children's Village.



Candace B. Peeples

Candace B. Peeples (Candi) is the owner of the Birmingham firm Peeples Law. Candi believes that every case has the potential to settle out of court and strives to exhaust all possible avenues of settlement while fully understanding that a trial on the merits of the case may be the only option in some matters as well. Candi has concentrated her boutique styled practice solely in the traditional areas of Family Law since 2000. These include divorce, child custody/support, alimony, property division, post-divorce modification or enforcement actions, adoption, and assisted reproductive technology, including gestational surrogacy.

Candi is a fellow in the American Academy of Matrimonial Attorneys (AAML) and has also achieved Board Certification as a family trial advocate by the National Board of Trial Advocacy. A past chair of the Alabama State Bar Family Law Section, Candi presently serves as the Chair-Elect of the American Bar Association Section of Family Law.



Kathryn Gentle

Kathryn Gentle was born and raised in Mountain Brook, Alabama, and obtained her J.D. from the University of Alabama School of Law. After going through her own divorce, Kathryn dedicated her practice to tax resolution and was determined to gain the understanding and experience necessary to become a skilled family law attorney. Having gone through her own divorce, Kathryn understands the emotional and financial turmoil families experience when dealing with these types of issues. Kathryn understands that each client and family is different, and their needs should always be considered when determining the best course of action for their case. For 20 years, Kathryn has been devoted to helping clients navigate emotional and stressful situations perpetuated by tax liability, divorce, and family law issues. Her tax experience and knowledge has become a key skill in resolving complex cases regarding division of assets with high marital estates and locating hidden assets.



Yawanna McDonald

Yawanna McDonald, a partner at Campbell Partners, focuses on Business Torts, Corporate Litigation, and Trial areas. Further, Yawanna's representation includes trust and estate litigation, probate and estate administration, and other general litigation matters representing both plaintiffs and defendants. In her trust and estate litigation practice, Yawanna represents heirs, beneficiaries, personal representatives, and trustees in small to multi-million-dollar estates and trusts. Due to Yawanna's personal connection with her clients, she also handles prosecution and defense of claims, including, but not limited to, torts, grandparent visitation rights, and contractual disputes.

Q&A

What is the hot topic in your area of law right now?

Jessica Kirk Drennan (Kirk Drennan Law): Trial by Zoom. While jury trials may still be postponed, bench trials in domestic relations cases are not. The domestic relations courts opened up last August and our judges have worked hard learning how to use the Zoom platform effectively. At first they were just hearing emergency issues and motion hearings, but they are now regularly conducting virtual

trials. This creates new and exciting challenges for family law litigators. You have to first have the correct technical support to run the Zoom application without interference or interruption. You then have to familiarize yourself with the platform itself, learning how to manipulate the screen view, video and audio, as well as knowing how to utilize the mute button. Also, attention to details such as your background, the lighting in the room, and the camera angle can make a huge difference in the effectiveness of your presentation. There are also more practical considerations such as how to prepare your client and other witnesses to use the technology and testify effectively; how to use exhibits in a digital format in a manner that allows the court to access a particular exhibit quickly and without confusion; how to present pictorial evidence and/or video evidence. Trying a case virtually is truly forging a whole new frontier, and like any good litigator, we are all eager to conquer it.

Kathryn Crawford Gentle (Crawford Gentle Law): Our attorneys handle divorce and family law matters as well as tax-resolution cases. A topic that has continued to evolve in the divorce/family law area is alimony awards have continued to become smaller and less frequent, partially because two income-earners have increased in households. Also, Alabama enacted a statute governing the length of time for which alimony can be awarded to a payee spouse. A larger majority of clients can no longer expect a significant alimony award simply because they did not work for several years while the children were young or if they had a short-term marriage. Another hot topic in tax is the effect COVID-19 has had on communication with the IRS, the time it takes to accomplish resolution for the client, and whether enforcement is being reinstated against taxpayers who owe balances to the tax collector. I assist individuals and businesses who have fallen behind on taxes they owe by negotiating settlement agreements

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"I became an attorney in order to speak up for those who cannot speak for themselves."

— Yawanna McDonald, Campbell Partners

or setting up payment plans that are affordable. Because of COVID-19, the IRS temporarily waived monthly payments and implemented a stay on any enforcement action. As of today, the formal stay on enforcement action has been lifted. While it may not be collection as usual, it is a good time for taxpayers to work out a plan of repayment while the government is still showing compassion for the hardships that may have occurred because of the pandemic.

Candace Peeples (Peeples Law): The impact of COVID-19 in family law cases has been dramatic in many ways. First, many courthouses have been closed to in-person hearings, with the exception of emergencies. Some are beginning to open up narrowly. This has delayed many divorces, along with requests for temporary support and custody. In addition, there are several areas that have had to be re-evaluated by parties seeking a divorce, such as finances. A significant part of your divorce hinges on dividing assets, a lot of which may be tied up in retirement and investment accounts or business interests. If you are further in debt because of this COVID-19 crisis, you are going to have to negotiate how those debts get allocated and paid. Also, many parents have been dealing with children being home 24/7, regardless of their age, and braving the new world of e-learning. The lack of school and activities has multiple ripple effects on parenting time and transitions. Most Alabama judges have ordered that the parties' regular parenting-time schedule shall continue, and possession and access of the children shall not be affected by school closures from the pandemic. It's more critical than ever to work together with your spouse to create the best path for your children's well-being.

Yawanna McDonald (Campbell Partners): I wouldn't say there is currently a hot topic in my practice area, as I work on many different types of cases. However, all my cases boil down to helping individuals and/or companies right a wrong, and being an advocate when they cannot speak for themselves. Through the pandemic, some clients became concerned that the practice of law would not be as efficient or effective. However, although COVID-19 has slowed some cases due to jury trials being postponed, it also led to empowerment in the virtual practice. Depositions and hearings have continued to move forward with the use of video technology, which has allowed me to continue to advocate for my clients and move cases forward.

Why did you decide to become an attorney?

Gentle: I have never been afraid of conflict, and my grandmother used to tell me that I could argue with a phone post. The law is open to interpretation, which allows for arguments on both sides of an issue. As a divorce and family law attorney, I am constantly faced with new

stimulating situations that challenge me mentally and emotionally. It is important to me to make a difference in people's lives, and I believe as a lawyer I can do that. I am able to take my strong-willed personality coupled with my desire to help people to promote public good and make an impact on the way the world runs and how an individual functions in that world. As an extrovert, I found a career that allows me to interact with other people daily and continue to learn. I actually loved studying in college, and finding a career that affords me the ability to expand my knowledge on a daily basis, whether it is from the ever-changing law or from other people, has been such a blessing. After going through my own divorce, I experienced the emotional and financial hurdles families encounter when dealing with these types of issues. My experience was paramount in establishing the way I handle divorce and family law cases because I understand that each client and each family is different, and their needs should always be considered when determining the best course of action for their specific case.

Peeples: I attribute my decision to becoming a lawyer to my personality, and my innate desire to help people. I remember back in high school being drawn to organizations and ways I could express my thoughts and help people. I became involved in the mock trial program sponsored by the State Bar, and instantly knew it was my passion. I loved advocating for an issue or a client and being able to use that forum to achieve the client's goal. It was a feeling of success and motivation that led me to pursue that throughout college and into law school without veering.

McDonald: I became an attorney in order to speak up for those who cannot speak for themselves.

Drennan: I have always had a desire to help people solve their problems. Alongside that I was also fascinated by economics, which is quite a divergence of interests. When I went to Newcomb College at Tulane University I was dreaming of both Wall Street and the law. Then one semester I took Law and Economics, and that class caused me to laser focus on the law. You could never have convinced me at that point that I would become a practicing family and matrimonial attorney. However, at my first job out of law school, the senior partner gave all the family law and divorce files to me, and I instantly fell in love with the people and the work. I realize now that it was truly a match made in heaven, because the work combines my love of solving people's problems with my love of economics in an ever-fascinating way.

How has COVID-19 affected your area of practice?

Peeples: All relationships involve a certain degree of conflict, and it's normal to argue more during stressful

times. From worrying about your health and the health of your loved ones to facing increased financial uncertainty, all the classic marital stressors have been amplified by the events of 2020. For some couples, pandemic friction has involved a few more fights about the laundry or the savings account. For others, lockdown has exposed issues that run deeper and offered ample time for reflection, leaving them to wonder about pursuing separation or divorce. With many couples stuck in the house, homeschooling children and facing added financial uncertainty, it should come as no surprise that the pandemic is placing additional strain on relationships that were already struggling. Additionally, support systems have become more difficult to access. Venting to friends over coffee or spending a night on the town just isn't an option right now. If you've been using these outlets to manage stress – or, perhaps, to avoid dealing with deeper problems – you may find yourself suddenly in the position of having to confront your differences head on. Although the recognition of real, substantive problems in a marriage can be a sobering moment, it is also a necessary and hopeful turning point on the road to a healthy future. One of the pandemic's brighter spots may be that it prompts a refocusing on values and what really matters, clarifying when the healthiest and wisest path forward for two people involves separation or divorce.

McDonald: COVID-19 and the year 2020 as a whole helped me keep life in perspective. Although I miss physically seeing the judges and my colleagues, I am pleased that we have been able to continue serving through technology, without compromising any value and services.

Drennan: COVID-19 has affected the divorce practice in many ways. The pandemic has caused increased psychological stress among married and divorced families. This has not only increased the number of divorce cases but also modification cases. Most importantly is that the animosity between parties has increased. As the uncertainty in the world increases, people are striving for change in the hope of achieving peace and happiness. Also, the increased financial uncertainty caused by lost jobs, closed businesses and other pressures has not made the situation any better. Another way COVID-19 has affected my area of practice is difficulty in co-parenting. Many parents are not in agreement on how to handle their children's education (remote learning or in person), participation in extracurricular activities (individual or group activities), visitation schedules (travel versus no travel; well child versus sick child) or how to implement the CDC guidelines on COVID-19 prevention. These differences have led to parents withholding visitation or seeking emergency orders to protect their children from existing orders. There is also a severe backlog of cases that is

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causing delays, along with other factors such as difficulty obtaining discovery, persons getting sick and having to be quarantined, and/or a person's ever-changing financial position. COVID 19 has also required practitioners to learn to operate remotely interviewing clients and holding hearings and trial via Zoom. There has been a steep learning curve on the use of this technology since there are many factors that go into a successful Zoom presentation, such as appearance, background, equipment, lighting and technical support.

Gentle: COVID-19 stalled my tax resolution practice for a period of time. With the IRS and state taxing authorities shut down and all collection action ceased, there was nothing I could do to help taxpayers resolve their debts. Ever since collection action has been reinstated, I have found that my relationships with the many revenue agents I speak with has become more personable. The agents are more compassionate and understanding about the struggles the taxpayers face or have faced. For this reason, I have been able to negotiate more realistic repayment plans and/or settlement offers in a shorter amount of time, which is of great benefit to the taxpayer. COVID-19 also had an impact on domestic relations cases, family law cases, and the court system in general. In several counties, most hearings are still being held virtually. While I miss the human interaction, the courts and lawyers have been amazing at utilizing Zoom platforms in order to keep the cases progressing. Even though I consider myself technologically able, I have had to learn to use livestream platforms and make evidence digital where I would have used paper in the past. While I am loud by

nature, learning to enunciate my speech through a mask and conform to all the rapid changes has been exciting and produced daunting challenges.

How does your firm help support women attorneys?

McDonald: My managing partner, Andy Campbell, has set the tone here at the firm. He is extremely supportive of women attorneys and making sure that the women attorneys are not only in the room, but also seated at the table. There is no belief that the women at the firm have to pick between family life and career, or that women have to take a back seat to anyone.

Drennan: Most of the lawyers in my firm are women. The firm provides an environment that is free from sexual harassment and gender bias. Additionally, while the firm adheres to regular office hours, flex hours are also allowed when needed by our attorneys who care for young children or aging relatives. We try to provide a workplace that challenges our women lawyers to succeed through independent thought and action, while providing them with the necessary resources and support, including eliminating the worry of being penalized for having family responsibilities or time periods in their lives where being top billers can't be the priority. The firm, even though small, also provides paid time off each year, which can be used for vacation or sick leave, numerous holidays, individual health and dental insurance, and paid maternity leave. The firm also has a retirement plan. All these things provide financial security for employees, which is also important for success. Lastly, we check in with our attorneys and

staff often to make sure they have what they need to be fulfilled emotionally and professionally.

Gentle: My statistics are only anecdotal, but it seems family law tends to have more female practitioners than other areas. Most women in this field are very supportive and frequently exchange ideas on new case law and practice pointers. I have many mentors who I contact often who have greatly enhanced my practice and encouraged my career as a female attorney. While Crawford Gentle Law is a boutique firm, all my employees are females. Historically, the legal industry has been tough on woman, with a lot of social and professional pressure directed at them. Through the years I have been challenged on my knowledge, ability, attire and demeanor. Being the youngest and only female of three children, my mother and father taught me to be tough, be respectful, and never waiver in my beliefs. With two older brothers, wanting to be seen and heard resulted in me refusing to take no for an answer. By having a child and a career, I hope my firm sets an example for other female attorneys that balance can be achieved. Our firm atmosphere is hard-working but lenient in understanding that life happens. I am a member of the Women's Section of the Alabama State Bar, and have helped mentor women law students in an effort to help promote the advancement of women in the legal profession.

Peoples: Our first priority is to help the attorneys in our firm succeed at their own individual goals in life, and achieve happiness through a good work-life balance. Some of us have children and want to be present with our own families while still being extremely responsive to

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"We try to provide a workplace that challenges our women lawyers to succeed through independent thought and action."

— Jessica Kirk Drennan, Kirk Drennan Law

our clients. We prioritize mobile work environments and urge our women attorneys to constantly seek ways to fully represent our clients, while also getting fulfillment from the joys of our own families. Through amazing developments in mobile work technology such as Zoom, Dropbox and other such programs, we are finding we can actually better represent our client and support our women attorneys. Our firm also strongly encourages and supports our women attorneys in becoming involved in organizations in their community that are important to them. Volunteering in an area that is meaningful to you not only helps the people the organization serves, but also helps the person volunteering more than they could ever give back to the organization.

Do you have a mentor or someone who has positively shaped your legal career?

Drennan: The first three were all male: Tom Radney for his passionate advocacy, Judge Ray Martin, for a piece of good advice well taken, and Charles Anderson for a challenge later met. There are also so many women who have influenced me, both big and small: professor Pam Bucy, Ruth Ann Sullivan, Diane Davis, Robin Burrell, Judy Crittenden, The Honorable Janie Shores, and Nancy Wagnon. Now, Nancy Wagnon is the only woman on this list who is not a lawyer, but anybody who know her understands what an unforgettable and motivating woman she is. All is possible with Nancy.

Gentle: Immediately out of law school I clerked for three male judges in Haralson County, Paulding County and Polk County, Georgia. These judges were amazing mentors for me. I still remain in touch with retired judge Michael Murphy from Haralson County. When I finally realized that I wanted to turn my legal career toward domestic and family law, I began independently sitting in on court hearings and trials. I actively sought out more experienced attorneys, introduced myself to them, and asked for guidance. I cannot remember a time where someone ever turned me away. When I began practicing domestic law, former judge Sonny Ferguson and former judge Gary Pate were on the bench. I remember that their chamber doors were always open when I had a question. I would go to them after a case, ask what I did wrong or right, and soak up their positive feedback or constructive criticism. No one should ever be afraid to ask for help. My philosophy is that there will always be someone who knows more than you, someone who has done it better, or someone who has done it when you have not. Learning from the experiences of others has been the most valuable training I have ever

had. Today, after practicing 20 years, I still have multiple mentors who I call weekly for advice, tips or to just bounce ideas off of. Knowing that there is a community is another reason I love being a lawyer.

Peoples: The one who immediately comes to mind is Governor Albert Brewer. I was lucky to meet him early in my first year at the Cumberland School of Law. First-year students were assigned to have dinner in the homes of faculty during orientation week, and I went to his home. I met his wife, Miss Martha, and saw how greatly her love for him was. Later, he taught my classes in law practice management and legal ethics. We were often awe-struck just listening to him tell stories of a historical and important nature that impacted the way we looked at our future practice. His kind but strong spirit helped show me how it was not only possible but firmly within our reach to be both a fierce advocate while maintaining a strong sense of character. I was also blessed to call much more than just my legal professor. He invited me to his church and I accepted. Having spent my entire life as a Methodist, attending a Baptist church was a different experience. Gov. Brewer and I had lengthy, logical and spiritual conversations about religion. He allayed my concerns about recognizing the distinction of how important one's upbringing could be, while still valuing and reaffirming your beliefs. He was a mentor in every sense of the word, but he was also my confidant and my friend. His passing several years ago was heartbreaking. He was pivotal in molding my career, and was one of my strongest confidants and friends. I knew he was proud of who I had become because he told me, and that meant the world to me. Truly understanding how to successfully advocate for your client, and yet retain who you are inside, is his greatest gift to me.

McDonald: I have not had one person fill the role of mentor, but I've been able to garner guidance and support along the way from many attorneys both male and female, including but not limited to Andy Campbell and Judge Helen Shores Lee.

What's been the most memorable case or project you have worked on?

Gentle: All my cases involve very personal aspects of life where emotions are elevated. It is important for myself and my staff to remember that and take the time to offer personalized service, intimacy, and guidance through our client's difficult time. With my Tax Resolution cases, it is always gratifying knowing that I helped save a client's

business and/or reduced their tax liability so they can get back on their feet and continuing operating. In the domestic and family law cases, the most memorable cases are those where we are able to help negotiate a fair settlement between the parties, keeping hostility at a minimum. Lately, we have had an increase in the number of family law cases that involve domestic violence issues. Prior to the COVID-19 shutdown, I was working towards having a continuing education class that would help educate attorneys on signs to look for and ways to assist victims of domestic violence. Being able to help protect a victim and assist them in gaining the confidence to leave an abusive relationship is tantamount with my desire to practice domestic and family law. It is always memorable when I can provide a victim with the resources they need to be safe and restore their well-being.

Peoples: My most meaningful cases are the ones where I can help parties work together to reach a compromise through mediation to resolve their case. Divorces are stressful and can cause all sorts of emotional and physical problems. Many couples opt for divorce mediation to resolve their divorce issues in order to avoid the stress of a costly and lengthy divorce trial. Mediation is quicker, less expensive and private. There is no stress of having to face a judge in a formal courtroom setting and talk about your personal financial issues and your personal family life.

McDonald: This is a hard question to answer because all cases are memorable in some fashion. Each case has some impact, as the client's goals and objectives push us to work for success in the case, whether its grandparent visitation, righting some monetary wrong, or just standing up for my client's rights and making sure that they're protected. It's all memorable and satisfying when I have helped my clients.

Drennan: I once represented a young lady who was represented by another attorney in the beginning of her case. By the time she hired me, she had been kicked out of her home by her husband and was living in a car with no support of any kind and a medical condition that prevented her from working. She was truly in a desperate situation. It was very fulfilling to assist her in getting the support she needed to get back on her feet and receive a fair property division so she could start anew. In another instance, I assisted a family where the children had been alienated from their mother. When you come across a true case of alienation, it defies all logic. And the tragic consequence of alienation is the destruction of the alienated child.

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**Jessica Kirk Drenna (Left)
and Derek Drennan (Right)**

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That child loses many loving relationships when they are alienated from a parent, including other siblings, family members and members of the community. I fought tooth and nail alongside my client, never giving up until my client eventually won custody of the children. However, what truly made it memorable was seeing that child's life restored and watching that child flourish and achieve full potential through the years following the court's decision.

What are some hallmarks of a good attorney-client relationship?

Peeples: First is the complexity of the case. A critical component in obtaining value for your legal dollar is matching a lawyer and firm relevant to your need. Just like you do not need a brain surgeon to sew up a simple cut, you probably do not need a large firm with an international presence to handle drafting a prenup. Having an attorney who knows his or her skill sets, is able to identify issues beyond it, and thereupon steer the client in an appropriate legal direction is key. A second hallmark is being a good devil's advocate. No one really wants to be questioned or criticized, particularly by his or her own counsel. Nevertheless, this is exactly what a good advocate does. With any proposed legal course your counsel typically understands the desired outcome. However, in most situations, even the best laid legal plan has foreseeable and unforeseeable permutations. A good advocate should sort these out, be critical, and ask, "What if?" In other words, you are paying a skilled lawyer to disagree and challenge a course of action before it is executed to make sure the downside potential is worth the risk. The last hallmark is

fundamental trust. In some regard, all these other areas are based on a fundamental trust in your attorney. Without this, the representation falls short. You should be confident enough to share your inter-most secrets and fears. There is probably nothing you can say that your counsel has not heard many times before, and failure to let your lawyer know this is a recipe for disaster.

McDonald: Trust, respect and honesty

Drennan: Mutual respect. Once that is established, most everything flows from there. A lawyer should be respectful to their client and show patience in answering legal

questions, as well as explaining the basis for the manner in which they believe the case should be handled. To discuss these issues, the lawyer must develop good lines of communication with the client and create an environment where the client feels comfortable exploring the decisions and opinions of the lawyer to gain a better understanding of the process. In answering the client's questions on these matters, honesty is key. Always be honest with a client, even if you have made a mistake. Covering up a mistake does nothing but create two. Another hallmark is transparency in billing. Money is the last thing that should come between a lawyer and their client, and that will not happen if you set forth clear billing practices, and issue

—Kathryn Crawford Gentle, Crawford Gentle Law

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"My most meaningful cases are the ones where I can help parties work together to reach a compromise through mediation to resolve their case."

—Candace Peeples, Peeples Law

regular invoices with itemized services and statements of account. That way the client knows exactly what they have paid for and where they stand financially with the firm.

Gentle: The main hallmark is trust. The client has to trust that I have their best interests at heart and will fight for that. Also, I have to trust that my client will follow my advice. If there is a breakdown in that relationship, we won't be on the same page and pursuing the same objective. Another hallmark is knowing your client. No two clients are the same. Every family and situation are different. It is important that I listen to my clients and develop a specialized plan that for their needs. We will help you navigate the process from start to finish while keeping you informed about your case and your options. Additionally, our clients must communicate with us. I expect a client to tell me when something less than desirable happens. Learning about an incident that may be harmful to the case at trial can be the most damaging. Everything a client tells me as their attorney is privileged, and that means the good, bad and ugly. If I do not know about it, I cannot help to fix it. Being blindsided by an incident at court destroys my ability as your lawyer to control the presentation of such information.

What are some questions individuals or companies should regularly ask their attorneys but often don't?

McDonald: I often wish that individuals would seek out the advice of counsel before they run into an issue. We see a lot of cases that are a result of ignorance of the law and misunderstandings between the parties that could have easily been resolved on the front end.

Drennan: Have ongoing discussions with your attorney throughout the case about his or her overall approach to ensure that you are on the same page and in agreement with the approach. Understanding the why behind the steps your attorney is taking can save you time, frustration and money. Discuss what expert witnesses may be needed to prove your case and the expected cost of the same. Explore all options available to resolve your case including options not involving litigation such as mediation, arbitration and/or non-mediated settlement offers or conferences. Include in your discussion the pros and cons of each option including costs. If you are entering into a contract of any kind, always ask about the tax consequences of the agreement especially where selling, transferring or liquidating assets is involved. If the contract is a settlement agreement, the tax consequences of a transaction will affect the net value of the consideration due to you or from you, and it can be vastly different from the gross value. Lastly, never be reticent about discussing your attorneys' billing

practices. This is something that you should understand up front and understand thoroughly. This will prevent misunderstandings later in the representation that could cause discord between you and your attorney or even lead to having to find new counsel.

Gentle: Is what I'm asking for reasonable or realistic? Many people come to an attorney's office having heard what happened in their friend's divorce or saw what happened in court in the movies or on TV. Often those occurrences have little to do with how cases work in the real world. Unfortunately, some attorneys simply tell clients what that client wants to hear. This can result in a client having loftier ideas of how their case should turn out, which typically leads to disappointment. The client and attorney need to have a discussion about what a realistic resolution to the case is and be on the same page about how to pursue the client's goals. Who makes the final decisions in my case? When there are multiple attorneys or staff working on your file, it is hard sometimes to know who is controlling the outcome. How much is this going to cost? Since every case is different, the cost of each case varies. However, we send out monthly billing statements, so you always know where your money is going and how it is being spent. We provide honest opinions about your options and the cost that may be incurred. A client should always ask their attorney what the hourly rate is of the attorney, how often statements are sent out, and what all a client will be billed for.

Peeples: Are you a generalist or a specialist? Since the legal field covers a broad swath of industries and subject matters, it's exceedingly rare to find a lawyer who is well-versed in several sects of law. Typically, they tend to focus on a specific legal field. It's important to find a lawyer whose area of expertise matches your specific needs. If you're going through a divorce, a tax lawyer won't be of much help. So, although you can obtain the services of a general practitioner of the law, it's often better to select the best fit for your case. Do you have previous experience handling a case such as mine? It's not just the amount of experience that matters, but the relevant experience. Ask for details, examples or cases that are relevant to your own. Query about outcomes, issues they faced or what they would have done differently knowing what they know now. How do you negotiate? How your lawyer approaches dispute resolutions matters deeply. Since contracts are the lifeblood of any settlement, they demand a facilitator. Many people falsely believe that you want a cutthroat bulldog who won't settle for anything but the very best deal for their client, or who will draft a one-sided agreement in the hopes that the other party won't quibble. This is wrong. A great lawyer will work to

draft fair-and-balanced agreements that are wins for both sides. At the same time, they'll work tirelessly to shield you from being taken advantage of. Integrity matters.

How can law firms successfully advance their diversity and inclusion initiatives?

Drennan: It starts with recruitment and hiring. You should develop diverse networks as an educational tool as well as a resource for candidates. Ensure that your hiring team is diverse, and the applicants are narrowed to a diverse set of finalists. When interviewing the finalists, focus on what the candidate could add to your work culture as opposed to whether they fit within the existing culture. You will not get very far in creating diversity if you aren't willing to branch out. Once hired, ensure that all employees are educated concerning cultural, religious and identity diversity to promote understanding and inclusion. Then have management focus not only on providing equal access to resources and opportunities but also providing equity in the development of the individual. Different individuals will need varying types of support to be successful in reaching common goals and expectations for all employees. These variances can be caused by differences in education, work experience, age, gender, culture or other differences. Everyone is not the same, so the support provided should not be one size fits all.

Gentle: I think unconscious bias – on the part of attorneys, clients and judges – plays a large role in firms being able to advance their diversity and inclusion initiatives. Increased education in this area will continue to ensure that all cases are treated equitably regardless of the race, gender or sexual orientation of the judge, attorneys or parties. I put an emphasis on culture and try to serve as a role model for beginning attorneys as well as my peers, with the hopes that others in my profession will imitate my actions. I like to make sure that all attorneys within my practice arena are included. I also work to create an environment in which everyone is welcomed, and differing perspectives are seen as a means to strengthen the bond with all attorneys in the domestic relations and family court. I seek to involve all attorneys to collaborate on new ideas and methods to help me and my collaborators have the opportunity to grow professionally. We can all be included by our actions and individual ideas, because the practice of law helps us to bond, collaborate and grow to be our best.

Peeples: One of the most important ways is to be intentional, particularly through recruitment efforts. This is key to improving diversity in law firms. Committing to diversity-aligned recruiting practices can drastically and



Candi's practice is limited exclusively to Matrimonial & Family Law. Candi believes that every case has the potential to settle out of court and strives to exhaust all possible avenues of settlement while fully understanding that a trial on the merits of the case may be the only option in some matters as well. She is a fellow in the American Academy of Matrimonial Attorneys (AAML) and has also achieved Board Certification as a family trial advocate by the National Board of Trial Advocacy. A past chair of the Alabama State Bar Family Law Section, Candi presently serves as the Vice Chair of the American Bar Association Section of Family Law.

She is a certified domestic and appellate mediator who facilitates private party mediations, as well as attorneys lead sessions. Chosen early in her career as one of the Birmingham Business Journal's "Top 40 Under 40," Candi graduated from the University of Georgia and earned her law degree cum laude from Samford University's Cumberland School of Law in 2000.

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organically contribute to producing a diverse culture within a law firm. Diversity-aligned recruiting not only means recruiting diverse candidates at more recognized and traditionally esteemed law schools, but also taking a chance on candidates who attend law schools that are not top ranked. There are many law schools that produce exceptional practitioners, but top law firms never even consider these schools. Law firms should deliberately expand the scope of their reach when it comes to recruiting. We should also recognize and acknowledge our own implicit biases. Through my work with the American Bar Association Family Law Section, we have tried to educate and empower our members to recognize how the experiences of one person can impact the experience of the group. Once we grow to understand these implicit biases, we can help people grow by creating safe spaces for them to voice their feelings, fears and challenges, while at the same time offering solutions to how to challenge societal norms and their impact on all of us.

McDonald: By not only acknowledging that diversity is needed, but by actively seeking to hire diverse individuals and help guide the career paths. Many times law firms will state that they desire to hire diverse candidates, yet they don't do anything to attract diverse candidates. Or the law firms will hire diverse candidates, but the internal structure of the law firm is not set up in a way to support those individuals, such as by having a lack of mentors.

What are some new trends that are shaping your practice area or the legal field?

Gentle: The most obvious trend is the implementation of virtual proceedings. This can impact how quickly a case is heard and the ability to get the court's intervention in an emergency situation. Additionally, the advancement in technological integration continues to grow. I am finding that research, trial preparation, e-billing and case management has all been improved, which results in greater efficiencies. I have also noticed an increase in what appears to be the number of attorneys practicing – or dabbling – in domestic, family law and tax resolution.

Peeples: One of the most exciting areas shaping the practice of family law is the sub-specialty of assisted reproductive technology law, or ART. This is a general term referring to the third-party techniques or medical methods used to achieve pregnancy without insemination by sexual intercourse. The technology is used for reproductive purposes primarily in couples with infertility issues, fertile couples with genetic issues, and also by same-sex couples. The practice of family law is in many ways transitioning to more of these type arrangements than traditional adoptions. We represent parties in the surrogacy agreement phase of this emerging area of law so that each party may state their intentions and their responsibilities to one another. We also represent families in the legal parentage phase of the process to obtain court orders that state that the intended parents are the legal parents of the children based on the contractual agreement of the parties. Our firm is a leader in Alabama in this field of law, and we take great pride in assisting families and surrogates in helping couples build a family.

McDonald: The virtual practice of law is continuing to be the way we practice due to COVID-19. However, virtual practice has many benefits. I hope that some virtual hearings and depositions continue, as it reduces travel time and allows for more efficiency.

Drennan: The most influential trend is the ability to practice remotely through technology. Even if you still have a brick-and-mortar law firm, the clients are becoming more and more comfortable meeting via Zoom or other technology. It is often more convenient for them, as it does not require finding sitters for their children or other dependent family members. It doesn't require that they leave their own work or alter their plans to be out of town. Additionally, the courts have turned to Zoom technology to keep cases moving. Initially, the courts were only handling emergency cases, but over the past year they are now hearing motion hearings as well as conducting trials. Over the past year we have invested in technology that proficiently supports the Zoom application utilized by clients, organizations and the courts alike. We created a Zoom room for lawyers and clients to use for meetings. Another trend is the desire for alternatives to litigation. More and more this is one of the first questions asked in a client consultation. Clients do not necessarily want to go through the lengthy process of a fully litigated divorce due not only to the time and expense involved but also the emotional toll it takes on everyone involved. It is important as a family lawyer to be proficient in resolving cases through mediation, self-directed settlement and litigation to ensure that your client receives the representation he or she desires.



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