



## NBA Veterans Continue to Serve

by: George C Paine II

This is an extraordinary time in our country. We are engaged in an enduring war in the Middle East requiring repeated extended deployments for our soldiers each year. With reduced funding of the military, their ranks are reduced, they have more frequent deployments, and there is horrendous pressure on the families they leave behind.

Consequently, one of my projects in retirement has been to help raise money for the benevolence fund of the 5th Special Forces Group (Green Berets) at Ft. Campbell to assist these brave warriors and their families. The Fifth Group's area of operation includes hot spots frequently seen on our nightly news throughout the Middle East, Persian Gulf, and Horn of Africa, so they are constantly deployed. With all the pressure on them, the chaplain of the 5th Group sadly told me that the divorce rate for Special Forces soldiers is above the national average.

Through my contact with the 5th Group, I became aware of a remarkable lawyer, Josie Beets, and a project to address a problem that is extremely important to military personnel and their families – that is, to provide temporary admission to the bar for military spouses who are lawyers stationed in Tennessee and fully accredited elsewhere.

Josie is a licensed lawyer and the wife of a JAG officer assigned to 5th Group. As any veteran knows, soldiers are stationed without choice wherever the Army decides to send them and hopefully their spouses and family accompany them.

Josie is not permitted to practice law in Tennessee although she is licensed and in good standing with the Louisiana bar. Upon coming to Ft. Campbell her first predicament was to consider the expense of a bar review course and then whether to take the bar exam. When her husband is reassigned this August to another state, she will be faced with the same issue yet again.

The Military Spouse JD Network (MSJDN) was founded by two military spouse attorneys in 2011 to fight for common sense licensing accommodations at the state level that would allow a military spouse the chance to continue her or his legal career while married to a member of the Armed Forces.

When Josie came across MSJDN in late 2011, she said it was as if someone had thrown her a life preserver in a stormy sea. She had married her military husband in 2008, and Ft. Campbell was their first reassignment after rural Ft. Polk, LA. Coming to Clarksville, TN, she wondered, "Would she have time to register to take the bar? Should she take a bar review course? Would she ever work again? Why did she go to law school and take on hefty student loans? And how many times in her husband's career would she have to repeat this?"

These questions are unique to military spouse attorneys, 95% of whom are women. Only 34% work full time in a job requiring a law license despite the fact that 80% maintain an active license. Four out of five military spouse attorneys report their spouse's military service has negatively impacted their legal career. They face a potential average income loss of \$33,745 per year compared with their civilian attorney counterparts.

Arriving in Tennessee in the summer of 2012, and unemployed, Josie drafted a 50-plus page report outlining the need for military spouse attorney ac-

commodation – noting how eleven other jurisdictions had done so and how Tennessee could join these enlightened states. She reached out to legal leaders to find someone interested in adopting a similar rule in Tennessee but initially had no luck and became discouraged.

In August 2014, Josie submitted her report and request to the Tennessee Board of Law Examiners. The proposal was still pending when a group of NBA military veterans learned of the request in January. Needless to say, given their own experiences in the military, an accommodating rule was to them the right thing to do legally and one that was critical to support of military families during this time of war. How better could Tennessee lawyers show their support of our military?

On January 26, NBA Veterans Committee member James Mackler sent out an email to our veterans asking them to endorse the proposal pending before the Board of Law Examiners (BLE). Within 48 hours there were 42 positive responses and currently there are 62 veterans on the list including 12 state and federal, current or former judges. NBA military veteran members Bob Tuke, former Judge Lew Conner, former Judge Robert Echols, former NBA president and BLE member Lee Barfield, Frank Grace and I contacted and wrote to the BLE board members, including NBA and BLE members, Chair Julian Bibb and Bill Harbison. Since that time, the NBA has been actively advancing the cause.

For example, In February, NBA veterans Martha Boyd and Kathy Pohlid introduced Josie to the board of Lawyers' Association for Women, who unanimously supported the proposal and sent a letter of support to the BLE on February 23rd.

Also in February, I contacted Mike Cody, former Tennessee Attorney General, about support from the Memphis bar; and David Harris, his law partner at Burch, Porter

and Johnson prepared a resolution for submission to the Memphis Bar Association using the NBA member created information. The resolution was adopted unanimously at the MBA board meeting on February 26th.

NBA immediate past president and veteran Charles Grant, who has been an indispensable part of the effort, submitted the proposal to the NBA board at its March 3rd meeting and they voted to support the idea and President Ed Lanquist would notify the BLE of their action.

Martha Boyd of Baker Donelson put Josie in touch with Meghan Morgan Baker Donelson's Knoxville office, and veterans are now working to gather support for the proposal in that city, using the materials prepared in Nashville.

To say this proposal is critical to the support of our military families is an understatement. Temporary Tennessee licensing for military spouse attorneys means changing military spouse attorneys' lives for the better, allowing them to practice their chosen profession, maintaining their legal skills, and mitigating the challenges of military family life.

The proposed rule would allow for a three-year temporary admission of a qualified attorney married to an active duty service member. It requires the applicant to have passed at least one bar exam and be in good standing with no disciplinary history in all jurisdictions where they are admitted. The rule also would allow the attorney to extend the admission for additional three-year terms provided they qualify. If the attorney does not qualify for the extension, they must obtain a license under the existing provisions of the Tennessee Board of Law Examiners in order to practice in Tennessee.

Josie is an outstanding example of the importance of this effort. A year ago her husband came home from a deployment to Afghanistan. While he was gone, she solo-parented their two young children, trying to keep their father a presence in their lives, while also navigating a full-time job and an hour-long commute to Nashville where she is in a non-practicing lawyer position with the Tennessee Bar Association. She does this because she loves being a part of our profession.

With the support of the NBA and the Tennessee legal community, we can make it possible for military spouse attorneys to continue their legal careers and, at the same time recognize, and support the service of military families throughout Tennessee.

To quote Josie, "The enthusiasm and work to effectuate this rule by veterans of the Nashville Bar Association has been overwhelming. It is deeply appreciated in the home of every military family as a reminder that their sacrifices are acknowledged by the bench and bar of Tennessee. By their actions they are truly saying 'thank you for your service.'"

If any veterans would like their name added to the list of supporters to submit to the Tennessee Supreme Court, please contact James Mackler (jmackler@bonelaw.com) or me (georgepaine2@gmail.com). ■



*George C Paine II is a retired bankruptcy judge, former NBA board member, and decorated and wounded Army Vietnam veteran.*