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LEGAL AFFAIRS

Some local lawyers see benefits of certification

Firms say specialist designation elevates position in the field

By [JOEL HAMMOND](#)

4:30 am, March 7, 2011

Membership in the Ohio State Bar Association's certified specialists club is exclusive: Only 2.4% — 634 — of the bar association's approximately 26,000 member lawyers are certified in one of nine areas the bar offers.

And while applications and acceptances into the club have slowed in recent years, officials cite the overall membership staying steady as evidence of the program's value.

The total number of lawyers certified by the state bar association is up 15% since 2006, to 634 from 552. But, applications have slowed, from 60 in 2006 to 36 in 2011, a 40% drop, resulting in a 34% decline in the number of new certifications (38 to 25).

"We think the number of attorneys renewing their certifications is the best way to measure the program," said Kalpana Yalamanchili, director of bar services at the bar association. "We're at about 90% to 95% of the lawyers who go from their initial approval to recertification."

Local law firms, too, see the benefit. A count of listed certified specialists on the bar association's web site shows 198 who call Northeast Ohio, from Akron to Cleveland, home. That figure includes 64 in labor and employment law, the highest concentration of certified area attorneys.

That total includes Jim Wilkins, a shareholder at Kastner Westman & Wilkins in Akron and one of three attorneys at the firm certified in labor and employment law. Certifications in that area of law have jumped 15% since 2006, likely a reflection of the challenging economy and an uptick in claims from laid-off or disgruntled employees, Mr. Wilkins said.

Kastner Westman has "come through the economy unscathed," Mr. Wilkins said, because employment activity has grown. Mr. Wilkins said the firm's reputation and the certifications have played roles, too.

"(Certification) makes sense from a marketing and publicity standpoint," Mr. Wilkins said. "Ethics rules preclude you from holding yourself as a specialist unless you are certified as one; it allows me to tell clients, "Yes, I am certified, and I am a specialist."

Thirty-six Northeast Ohio attorneys each are certified in workers' compensation law and estate planning, trust and probate law. They include Steve Gariepy, co-chair of the estate planning group at Hahn Loeser & Parks' Cleveland office and one of five Hahn Loeser lawyers certified in estate planning; two others are certified in labor and employment and one in appellate law.

Mr. Gariepy said he gets many new clients from referrals, and his certification allows colleagues and others familiar with his work to be more confident in recommending him. Plus, he also often speaks to professional groups, and his credentials are more attractive with his certification attached.

"It really sets you apart," he said.

Not easy being certified

Make no mistake, though: Achieving certification isn't easy, nor is it a given. This year, for instance, 11 applicants were denied, and eight who applied last year did not achieve certification.

Requirements include:

- devoting 25% of a lawyer's time to the area in which he or she is trying to become certified;
- 36 hours of continuing legal education during the previous two years, above the normal 24 hours each lawyer must complete to remain in good standing;
- passing a written test;
- maintaining professional liability coverage; and
- n five references.

So not only is it a significant time commitment, but there's a cost element, too. According to Barbara Roman, a partner at Meyers, Roman, Friedberg & Lewis in Akron and president-elect of the Cleveland Metropolitan Bar Association, one credit hour of continuing education costs about \$100; so, the extra classroom work necessary could cost upwards of \$1,000.

Ms. Roman has focused for 25 years solely on family law, but is not certified by the state bar association, reasoning that her clients find her experience more important.

"I have 35 years of experience," said Ms. Roman, who officially assumes her duties with the Cleveland bar on June 10. "Is this certification really going to make my practice take off more? I have a very viable practice in family law now."

There's also a bit of trepidation, Ms. Roman said, especially in family law, which she said has the second-largest number of malpractice claims. Lawyers think like lawyers, she said, and board-certified attorneys may be more susceptible to added criticism if a client is unhappy.

"If I was a lawyer representing a client and they thought they didn't get good representation, then I'd consider (a malpractice claim)," Ms. Roman said. "I'd expect (certified lawyers) not to make mistakes. It's a deterrent for me to think about (when considering certification.)"

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