

Changing Faces in Real Estate

According to the American Bar Association's Market Research Department (April 2016), the overall composition of the legal profession in United States is now 36 percent female and 64 percent male. While studies by the ABA's Commission on Women in the Profession suggest that female lawyers still have a way to go in achieving parity with their male counterparts in terms of compensation and equity partner status at law firms, it is beyond dispute that women have significantly changed the face of the profession—for the better, we might add—over the last 40 years. The same is true for women who practice real estate law. To highlight this fact, we reached out to half a dozen real estate practitioners, who just happen to be women, and asked them to provide a glimpse into their work lives.



Angela Stephens, Partner at Stites & Harbison

Why did you choose a career in real estate law?

I knew I wanted to be involved in the construction industry since I was a freshman in high school. My love for construction grew when I had the opportunity to co-op with Messer Construction while obtaining a civil engineering degree, and that love was further developed as I had the opportunity to work with David Ratterman and Joe Hardesty on numerous construction cases in law school.

How do you go about building a trusting relationship with your clients?

My ultimate goal is to be my clients' trusted advisor, and I strive to reach that goal with every client through direct communication about the risks, benefits and cost of every legal matter facing my clients.

What is something interesting about you that is not on your CV?

My family and I have been to Walt Disney World at least 12 times in the past 5 years. I am always impressed at the level of service provided by the "Cast Members" and the constant Disney Imagineering that takes place behind the scenes, so that there is always a new experience each time you visit the Walt Disney World Parks.

What is the most rewarding thing you have done in your legal career so far?

I have been blessed with many opportunities to help subcontractors and contractors get paid for the labor, materials, services and equipment that they have provided to a variety of construction projects across the country. In addition, I really enjoy visiting structural steel fabrication shops and construction projects that are in progress.

What was the best advice you ever received about the practice of law?

“Sleep on it.” When faced with a difficult issue, or when responding to an email that may not convey the level of professionalism that I expected, I was told by my mentor to draft the document or response, and then “sleep on it.” I have found that by sleeping on it, I will often think of new ideas or ways to better advocate my client’s interest.

How do you keep up with the changes in the law and your profession?

I am active in the American Bar Association’s Forum on Construction Law, which provides three national CLE programs a year on new developments in construction law. I have also found that speaking to various trade organizations is a great way for me to stay on top of current trends in the construction industry.

What would you say is your favorite part of your typical day?

The best part of my typical day is engaging in problem-solving discussions with clients that either eliminate or mitigate the problem raised.

What would surprise most people about your job/career?

I have the opportunity to travel to many great destinations across the country for work. In 2015, I traveled to 11 different states on 20 different trips. Through August of 2016, I have traveled to 14 different states on 23 different trips.

What qualities do you think a good lawyer should have?

Good lawyers are good listeners and can drill down behind what opposing counsel or the opposing witness is not saying. I am a strong believer that good lawyers are very organized and push each matter to an effective and efficient conclusion.

If you were not practicing law, what would you be doing?

If I was not practicing law, I believe I would be working for a construction company.

How have you seen women’s role in the legal community change since you left law school?

More women are becoming in-house counsel, and, therefore, more women are making the decision on who to hire as their outside counsel. In addition, more women are rising to become Partners and Equity Members of law firms, including Stites & Harbison.

What has been the most rewarding part of being able to work at Stites & Harbison?

The most rewarding part of working at Stites & Harbison is the support I have received to pursue my career in construction law and my work with steel fabricators across the country. In addition, not only does the firm support the construction work, but because Stites is a full-service law firm, the other service groups at Stites often lend much-needed legal support to my construction clients.

How much of the work you do is a team effort?

Everything I do takes a team. I am very thankful to be supported by an amazing team from my assistant Cherie Wickham (who should be given the award of Secretary of the Year every year!), to my paralegal Connie Cassady (who keeps the wheels turning during my busy travel schedule), to the other lawyers at Stites & Harbison who step in to provide quick client service when I cannot provide a same-day response.

**Colleen English Balderson, Partner at the English Law Group****Why did you choose a career in real estate law?**

I worked at my dad's law firm during the summers in high school and I never thought I would want to do real estate law. However, I fell in love with property during my first year of law school. When I graduated from law school I knew I wanted to do real estate law, but I had no idea how much I would love it. I'm a people person and I get to work with a lot of the same agents and loan officers; so much of the business is about relationships. It's a perfect blend of law and people.

How do you go about building a trusting relationship with your clients?

Doing trustworthy things. It's hard to build trust, but if you keep doing the right thing, trust builds. I take a lot of pride that some many people trust me with such an important transaction.

What is the most rewarding thing you have done in your legal career, so far?

The most rewarding thing I do is give people peace of mind. Whether it's explaining foreclosure alternative, probate or closing documents, I find it very rewarding to leave people with a clearer understanding of the law. I have worked with a lot of people who were facing foreclosure and just didn't understand the process. It was extremely rewarding to educate them on their options and the process.

What was the best advice you ever received about the practice of law?

Be honest and candid. It's pretty simple, but not always easy. Sometimes you tell people things they don't want to hear. However, if you act with honesty and integrity then you don't have to worry about doing the wrong thing.

How do you keep up with the changes in the law and your profession?

Lots and lots of reading. I take CLEs when offered and read a lot of the daily updates sent from different industry publications.

What is your favorite part of a typical day?

I love closings. I truly enjoy people and I love to see home buyers and sellers on such a big day. Usually it's a very happy experience.

What would surprise most people about your job/career?

It's much more than telling people where to sign documents in a closing. So much of real estate law is like figuring out moving puzzle. There is also a tremendous amount of teaching involved. Educating Realtors and lenders on the legal issues, and educating clients.

What qualities do you think a good lawyer should have?

Integrity, intelligence, logic and respect for the law and people.

What are the biggest changes you have seen in the real estate industry?

There are two major things that changed since I've been in practice. First, we've seen the role of attorneys in the closing change. When I started there were not as many non-attorney title companies, and most people doing the closings were attorneys. Now, it seems like non attorneys are getting more and more into the title business.

The biggest changes I have seen are the constant changes in regulations. We just had a huge overhaul of primary closing document. It is all said to be in the name of the consumer protection. However, even with the constant changes, it seems like consumers are more and more irritated and confused with the process.

What advice would you give a new attorney wanting to work in real estate law?

Find a good mentor. This type of law is very different than litigation or any other area. There are lots of laws (RESPA) pertaining to how to legally get business. A good mentor will help you not only learn about the law, but how to get business within the parameters of RESPA.

If you were not practicing law, what would you be doing?

I think I would like to teach if I was not practicing law. I love teaching Realtors and loan officers about the law, but I've also always been interested in theology and social justice issues. I think that teaching religious education and ethics/social justice at one of the local catholic high schools would be very rewarding.

What has been the biggest change you have seen in the residential closing industry?

When I got out of law school the real estate industry was just about to burst. Within my first two years of practice the market crashed and the recession set in. It has been interesting to see firsthand how the real estate market effects all aspects of the economy. First we saw a huge

increase in refinances, then modifications and short sales. Thankfully, the market has leveled out and there are not as many homeowners in need of the foreclosure alternatives.

What has been the most rewarding part of being able to work with your father, Bob English?

When I started working with my dad he had been practicing law for 40 years. He is a wealth of knowledge and has seen profound changes in the industry. He is a visionary and risk taker, as he was the first title company to move to the suburbs. I always knew my dad was ethical and honest, but I had no idea to what degree until I started working with him. He is highly respected for not only his accomplishments, but for his integrity and honesty. Working with my dad for the last 10 years and becoming his partner has been one of the greatest privileges of my life: Sharing thoughts, knowledge and love of the law.

How much of the work you do is a team effort?

Most of it. Everyone at our office has a unique role, but we are all needed to make the closing happen. There are so many things that need to come together to get something closed, and everyone works together to make that happen.



Cora Taylor, Partner at Pitt & Frank

What qualities do you think a good lawyer should have?

The ability to listen and lots of patience!

What has been the biggest change you have seen in the residential closing industry?

The biggest change I've seen in our industry is in regards to compliance and best practices. Largely due to recent TRID regulations, the cost and preparation time required for each closing has increased dramatically.

How much of the work you do is a team effort?

Everything we do at Pitt & Frank is a team effort. We do not view clients as individuals belonging to each attorney, but rather all clients are viewed as equals under the Pitt & Frank umbrella. Both staff and attorneys have each other's backs and will go to great lengths to ensure client satisfaction.

What is your favorite part of a typical day?

My favorite part of my typical day involves the people I meet and the clients I serve. Although the closing process itself is rather routine, the parties are never the same and I find great pleasure in meeting new faces day in and day out.



Danielle Wilson Barr, Underwriting Attorney at Fidelity National Title Group

What is something interesting about you that is not on your CV?

I listen to all types of music and love going to concerts with my friends and family.

What is the most rewarding thing you have done in your legal career so far?

I started my legal career as a felony prosecutor and specialized in the Special Assault Division, which handled domestic and sexual abuse cases. Working with a victim from the beginning of a case until a conviction was secured was very rewarding and life changing for me.

What was the best advice you ever received about the practice of law?

Soak up all the knowledge from the old-timers while they're still around and always be nice to the clerks.

What is your favorite part of a typical day?

Picking up my kids from school and getting to watch them participate in their after school sports and activities.

What would surprise most people about your job/career?

For a "desk job", it is actually very interesting and rewarding. It's fun to be able to help find a solution for a title problem and still get the closing done in a timely manner.

What qualities do you think a good lawyer should have?

Detail orientated, organized and a sense of responsibility.

What are the biggest changes you have seen in the real estate industry?

I was hired in the claims department by Fidelity National Title Group during the peak of the housing crisis when the foreclosures were producing a large volume of title claims. We handled owners' claims directly in the office and it was tough to see firsthand what was happening to so many families across the country who were left homeless. Now that the market has settled out and lending has increased, it is fun to be part of the new housing market.

If you were not practicing law, what would you be doing?

Traveling across the country in a van with my daughters. I would love to visit as many National Parks with them before they grow up.

What has been the most rewarding part of being able to work at Fidelity National Title Group?

The networking. FNTG has some of the most experienced attorneys in the business and I am fortunate to be able to access these attorneys on a daily basis.

What are the most common area of claims and how can attorneys avoid them?

In Kentucky, the most claims come from search and exam errors. This would include missed liens, mortgages or conveyances. Searching the parties by a variety of name spellings would help eliminate the risk.



Denise Payne Wade, Staff Attorney at the Kentucky Real Estate Commission

If you were not practicing law, what would you be doing?

If I were not practicing law, I would be mediating and facilitating conflicts, including relationship/interpersonal conflicts.

What has been the most rewarding part of working for the Kentucky Real Estate Commission?

The most rewarding part of my time at the Kentucky Real Estate Commission has been reaching settlement in the majority of cases assigned to me and providing legal updates about license law violations to educate instructors and licensees. Another rewarding part is the use of information in my legal updates to create education courses.



Jennifer Fields, Attorney at Borders & Borders

What is your favorite part of a typical workday?

I still love closings. I know that some people think the work is repetitive and therefore dull. But each closing is different and we get to be a part of a big moment in someone's life – whether they are buying their first home or moving to be close to the grandkids. I love learning each person's story.

What is the biggest change in the residential closing industry?

I know that most people would say TRID, and that might be the biggest recent change. But I think the most significant change was allowing non-attorneys to handle closings. Since the Kentucky Supreme Court's decision, many title companies have sprung up that have very little, if any, contact with an attorney and I think we are seeing lots of issues that have resulted from individuals with no training being allowed to conduct what can be a very complicated transaction. I acknowledge that some closings and titles are simple, but some are not. Legal training allows you to identify which is simple and which is complicated and how to resolve legal issues. The issue is that because there is no required training or education for those conducting closings, issues get missed and have to be cleaned up later on by an attorney. It's making our work a lot harder.

What has been the most rewarding part of your time at Borders & Borders?

Hands down, the relationships. Whether it is becoming a part of the Borders family by working with them, or developing lifelong friendships with clients, the relationships are the greatest reward of being a real estate attorney. I love being able to use my skills to help others. As a real estate attorney, we are always putting something together; we never have to tear things apart. Many lawyers have to spend their days tearing things down. I love that we don't.