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District Attorney's office keeps getting younger

By Keren Rivas / Times-News
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GRAHAM — Morgan Whitney has been with the district attorney's office for two years.

He has spent most of that time handling misdemeanor cases and those involving juveniles in district court. He is now ready to move to something new.



Peter Schumacher / Times-News
Assistant district attorneys Amelia Knauff, left, and Meredith Bishop talk during a session Thursday in Alamance County District Court. Bishop, 26, joined the district attorney's office on Nov. 1.

Friday will be Whitney's last day in Alamance County. He has taken a job as a prosecutor in Orange County. He will be handling felony cases there.

"I look forward to the trial experience," says Whitney, who considers this move a lateral transfer.

Whitney's departure is the fourth the district attorney's office has had so far this year.

Seasoned prosecutor Gene Morris left last month after 8 1/2 years of service; Lori Goins left in May after serving for about 3 years and Alex Bass left in January after 11 years.

"I've had more turnover in the last 3 1/2 years than I've had in the first 7 years," says District Attorney Rob Johnson. "I had, collectively, a fair amount of experience."

Bass, Goins and Morris had a combined prosecutorial experience of more than 40 years. Not so with their replacements.

Bass was replaced by Craig Thompson, who worked as a criminal defense attorney for 23 years. Goins and Morris have been replaced by young attorneys who have just graduated from law school. The same goes for Whitney's replacement, Jeffrey B. Connolly of Durham, who will start Nov. 19.

Recruiting young attorneys seems to be a trend. Of the 10 assistant district attorneys who work with Johnson, six have less than five years of experience.

Johnson says it is fairly common. Statewide numbers corroborate this statement.

Out of 521 prosecutors currently serving in the state, more than half, or 280, have less than 5 years of experience, said Page Dorer, director of the North Carolina Conference of District Attorneys.

She says the turnover rate is "a huge problem" the conference has been trying to address for years, adding that it's one of the main topics that will be presented before the legislature this year. Dorer says the first five years are tough for many reasons.

ONE OF THE reasons attorneys leave the job within the first five years is money.

"North Carolina prosecutors are the lowest paid government attorneys in the state," Dorer says. The starting salary for an assistant district attorney is in the mid-\$30,000s, considerably lower than the more than \$50,000 the Attorney General's office pays to its new attorneys.

"That is a problem for all of us ... the fact that the starting rate is so paltry compared with other positions in the state," Johnson says.

This, added to the fact that the cost of law school is getting more expensive, Dorer says, makes it almost impossible to live within that budget.

Another reason why attorneys leave the district attorney's office is caseload. When the caseload is too heavy, Johnson says, "At some point they start figuring out something else to do."

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Whitney says that since January, he has been doing heavy district court and juvenile court rotations. In his new job, Whitney will be working only in superior court. He says the caseload in Orange County is less than the one in Alamance County.

Caseloads are going up across the board, Dorer says. Ironically, she adds, having new people coming to the office affects how efficiently cases are moved through the dockets. She says her office is constantly offering training for the newcomers to help them ease into the job.

Morris' replacement, 26-year-old Meredith Bishop of Durham, says that at this point in her career she is not letting financial matters dictate what job she takes.

"I've always wanted to work in the DA's office and prosecute," Bishop says. She adds that she applied for this position because it is close to her hometown, Hillsborough.

"I feel I can identify with some of the issues that are going on in this county," Bishop says.

So far she loves her job. "Everybody is doing a good job at training me," she says and adds that she plans to stay "as long as I continue to grow as an attorney."

Paul Soderberg, who replaced Goins in May, has similar plans. "I want to be the best trial lawyer I can be," says the 28-year-old graduate from the University of Detroit Mercy School of Law.

Like Bishop, this is Soderberg's first full-time law position. After graduating from law school in 2006 and before coming to Alamance County, Soderberg worked for the John Edwards presidential campaign.

"I've heard that some of the best attorneys come from the DA's office," he says. He adds that's where attorneys learn how to build cases. He says he has already gained some experience in that area. He had his first trial two weeks ago in superior court and managed to get convictions for two of the three co-defendants.

Soderberg said that it remains to be seen whether he moves to something else or makes prosecuting a career. In the meantime, he and his wife, Samantha Jarecki, have already bought a house in Gibsonville.

JOHNSON SAYS THAT many young attorneys look at the district attorney's office as a basic training ground, typically working as prosecutors for a couple of years and then moving to something else.

That, he says, might have been a satisfactory, easy practice in the past but not now. "It doesn't really work that way anymore," he says.

Johnson says the work of a prosecutor nowadays is much more complex than before and requires a lot of training. Part of that, he says, is due to procedural obligations imposed by the legislature, which change every so often.

Whitney agrees that the job is more complex than it seems.

Having worked as a clerk and defense attorney in the past, he says, "I came in and kind of thought there wasn't a lot I needed to pick up." He adds, "Before I came on board I didn't know the complexity."

He says prosecutors don't work in a vacuum. Their work revolves heavily around victims, law enforcement and other agencies, which means a lot of the work is done behind the scenes.

"A lot of people don't understand what a prosecutor has to do," he says. "It's been a great experience. I've learned a lot more than I thought I would."

Whitney, who will continue living in Graham with his wife and children, says that he will like to work in the Alamance County District Attorney's Office again in the future. "I'm going to be a lifetime prosecutor," he says. "At least that's how I feel right now."

Though he hates to lose another member of his team of prosecutors, Johnson is confident that the newest additions to his office will do a good job. Young attorneys need direction and training, Johnson says, but they also bring something to the table.

"Young people bring fresh blood, new energy, eagerness and intelligence to the office," he says. "I don't see a bunch of gloom and doom here."

In the meantime, to make up for some of the experienced prosecutors Johnson has lost, the N.C. Administrative Office of the Courts has assigned a special prosecutor/assistant district attorney for District 15A. From now on, retired prosecutor Mitchell D. Norton of Washington will be helping Johnson try pending murder cases on a contract basis.

"It's going to help a great deal," Johnson says. But, he adds, "If I had not been able to work that out, we'd have carried on. And we would have managed."

By the numbers
In North Carolina there are ...
280 prosecutors with less than 5 years of service
104 prosecutors with 5 to 10 years of service
74 prosecutors with 10 to 15 years of service
63 prosecutors with 15 to 25 years of service

Source: North Carolina Conference of District Attorneys

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