



**P** PRIMERUS™

# STARE DECISIS

DECEMBER 2025

A PUBLICATION OF  
THE PRIMERUS YOUNG  
LAWYERS SECTION

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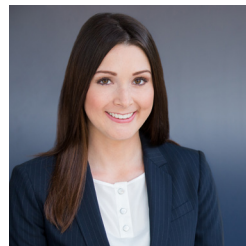
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## YOUNG LAWYERS SECTION UPDATES

### 2026 Young Lawyers Section Networking Calls

The schedule will be determined on a call-by-call basis instead of in advance like past years.

### 2026 Young Lawyers Section Conference

February 25-27, 2026

#### Meeting Location

[Hank's Social Hall](#)

10 Hayne St., Charleston, SC 29401

#### Primerus Room Block

[The Ryder Hotel](#)

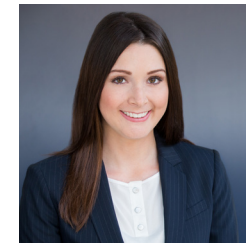
237 Meeting St., Charleston, SC 29401

Registration is now [open](#)! Visit the [Primerus website](#) for more information.

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# CHAIR COLUMN



## KATHRYNE E. BALDWIN

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Kathryne Baldwin is a partner at Wilke Fleury LLP where her practice focuses on corporate and business law with a specific focus on litigation. She obtained her undergraduate degree in philosophy of science and logic at California State University, Sacramento. Kathryne is a graduate of University of Pacific, McGeorge School of Law. During law school, Kathryne was a member of the nationally ranked McGeorge Mock Trial Competition Team and a semi-finalist finisher in the regional competition as a second year in 2015 and a finalist as a third year in 2016. Kathryne also served as a board member to the McGeorge Women's Caucus organization during all three years of law school, her final year as president. Additionally, Kathryne was a member of the Federal Defender Clinic representing indigent clients charged with misdemeanors in federal court.

One of the greatest privileges of serving as chair of the Young Lawyers Section has been watching our group come alive – both virtually and in person. If you have joined one of our recent bi-monthly networking calls, you've likely noticed something that makes me especially proud: new faces. Each call brings fresh energy and new perspectives, and I have found that getting to know our colleagues in these informal settings makes it that much easier to collaborate, share referrals, and build business relationships that span borders and practice areas. Our section is proof that professional connection does not have to be transactional – it can be rooted in real relationships.

This year's conference in Fort Worth, Texas was another shining example of that. It gave us the chance to reconnect with familiar colleagues and extend our network even further. A heartfelt thank you to Shayne Moses and Tim Howell of Moses, Palmer & Howell, L.L.P., and Jay Downs of Downs & Stanford, P.C. for their warm welcome and support. Events like this don't happen without people who believe in the value of community. Their panel discussion was a standout moment, one that acknowledged the importance of generational perspective while embracing the insight of rising professionals. The feedback was overwhelmingly positive, and I think it is safe to say we left Fort Worth

feeling energized and seen. And of course, no mention of the conference would be complete without recognizing Amber Vincent, of Alyn-Weiss & Associates, who continues to be a guiding light for those of us just beginning their journey into personal branding and legal marketing.

Our strength as a section lies in our willingness to show up – for each other, for our clients, and for our shared growth. I look forward to seeing even more of you on our upcoming calls and, of course, in person at our next conference. Until then, keep showing up and reaching out – you never know what collaboration, connection, or friendship might be just a Zoom call away. **P**







# WORD TO THE WISE



**MEGAN E. EASTER**  
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Megan Easter offers a unique perspective as an attorney who took a somewhat unconventional approach to entering the practice of law. Megan brings a forward-looking perspective to estate planning that is considerate of the changing needs of young families and the millennial generation. Megan’s primary areas of concentration include estates and trusts, family law, and general corporate and business practice.

During what is often some of the most difficult and vulnerable experiences for clients, Megan’s people focused approach to family law and estate planning is an invaluable resource. She seeks to develop authentic connections with her clients and has the ability to recognize unique situations involving complex family dynamics.

Megan was born and raised in La Jolla, Calif. and currently resides in the Federal Hill area of Baltimore. She enjoys participating in various sports with the recreation leagues of Federal Hill and is an avid Ravens fan. She is a member of the Federal Hill Neighborhood Association.

**HOW DID YOU BECOME A LAWYER?  
HAS THE PRACTICE OF LAW MET  
YOUR EXPECTATIONS?**

I had a somewhat unconventional entrance into the legal profession. While growing up, I always considered becoming a lawyer, but I did not go to law school directly from undergrad. After graduating from college, I applied for and got a job as the receptionist for a law firm which was my introduction into the legal field. After working as a receptionist, I became a legal assistant and began the law school application process. After being admitted to law school, I continued to work full time at the firm as a paralegal while attending law school at night. I became an associate upon completing my law school degree and passing the bar exam. The legal field has definitely met my expectations given my gradual progression into the profession, because I have been able to experience it from every level.

**DESCRIBE YOUR PHILOSOPHY  
ON CLIENT RELATIONSHIPS AND  
MANAGEMENT.**

Client relationships, both new and old, are very important. At the end of the day, it’s our clients who keep us employed so it’s imperative to understand their needs and make sure that those are met. Some of the best referrals come from clients, so keep your current clients happy if you want to continue those relationships and acquire new ones in the future. The more contact you have with your clients the better, because it helps you to understand the full picture and it helps your clients feel that their needs are being met. That being said, it’s not all business, sometimes our clients are dealing with the emotions related to their case and we must help them balance that. I like to say I’m not just an attorney at law but also a counselor at law, because at times we need to counsel our clients, not just provide legal advice.

**WHAT IS YOUR EXPECTATION OF  
ASSOCIATES WHEN IT COMES TO  
BUSINESS DEVELOPMENT?**

I encourage business development among associates, but I don’t think it should be required. I find it’s best if the mentoring partner includes the associate(s) in their business development so the associate can create their own plan and determine what kind of business development works best for them. Some may develop business by networking, speaking engagements, writing articles, podcasts, getting involved in their community or various organizations, or a combination thereof. So, it’s best to let the associate determine their own path for business development, because it doesn’t look the same for everyone. However, I emphasize the importance of partners assisting their associates with creating a business development plan.




WHAT ARE YOU AND FELLOW PARTNERS LOOKING FOR IN ASSOCIATES AS IT RELATES TO WORK PRODUCT, PARTNER RELATIONSHIPS, AND COMMUNITY INVOLVEMENT? WHAT MAKES AN ASSOCIATE STAND OUT?

I find that each area of law has its own nuances so what we're looking for in associates may vary but generally, we are looking for hardworking, personable, and well-rounded individuals, because that's what you need to be to succeed in the legal profession. Each associate will have their own strengths and weaknesses, so an individual that can self-identify those and apply them appropriately will find success. Someone who can demonstrate critical thinking and strong interpersonal connections would be a standout associate.

WHAT LESSONS OR MISTAKES DID YOU MAKE (OR WITNESS OTHERS MAKE) AS AN ASSOCIATE? WHAT ADVICE DO YOU HAVE ON HOW ASSOCIATES CAN AVOID SIMILAR MISTAKES?

One of the first lessons I learned from a partner was to never make assumptions. We are attorneys so proof and facts are of the utmost importance. Also, I've seen many new attorneys think that they know more than they do – don't make this mistake. Law school doesn't teach you everything; do your research, double check your work, and ask questions. Senior colleagues are great resources for associates, so if a mentor is not assigned to you, I would suggest seeking one out.

WHAT ADVICE WOULD YOU GIVE YOURSELF WHEN YOU WERE NEW TO THE PRACTICE OF LAW?

Ask questions. It sounds silly, but seriously, don't be scared to ask questions. I was concerned that if I asked too many questions that I may come off as unintelligent, but that is far from the case. Ask thoughtful questions and ask clarifying questions. Having a full understanding of what is being asked of you is important and will result in a better work product. 

# WORD TO THE WISE



**MANI GUPTA**  
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Mani Gupta, joint managing partner at Sarthak Advocates & Solicitors, leads the firm's litigation and insolvency practices. She advises on corporate disputes before courts, tribunals and in arbitration, handles arbitrations in construction and power projects, and supports financially distressed clients through RBI corporate debt restructuring. She was invited for expert depositions on the Registration (Amendment) Bill, National Academic Depository Bill, Higher Education and Research Bill, and the Consumer Protection (Amendment) Bill.

Mani has been recognized by Legal500, IFLR1000, Benchmark Litigation, Asialaw, and Legal Era for dispute resolution, restructuring, and insolvency.

HOW DID YOU BECOME A LAWYER? HAS THE PRACTICE OF LAW MET YOUR EXPECTATIONS?

Becoming a lawyer was simply a matter of chance for me. I can't honestly say that I became a lawyer for any altruistic purpose, the decision to pursue a career in law was born out of self-interest. At the time (circa 2002), I was contemplating which career options got people good jobs in India; law was emerging as a growing field at that time, particularly due to the evolution of undergrad law programs.

Initially, when I was a corporate lawyer, the expectations versus reality were not mismatched. But I took a complete shot in the dark later in my career and pivoted to litigation. Unfortunately, I find that there are several barriers to entry and progression (especially for women and first-generation lawyers in India). Therefore, there are days when I do question whether this is the right place for me.

DESCRIBE YOUR PHILOSOPHY ON CLIENT RELATIONSHIPS AND MANAGEMENT.

This analogy was given to me by our former CEO, and I think it is one that resonates with me: Client relationships involve a revolving door and the client can choose to walk out at any time. Partners have the role to ensure that the door keeps them coming back (even if they think of leaving). Like all lawyers, I like new, shiny things, but I think the trick is to remember to balance chasing new clients, with nurturing existing relationships and strengthening them so that they give more.

WHAT IS YOUR EXPECTATION OF ASSOCIATES WHEN IT COMES TO BUSINESS DEVELOPMENT?

In the initial years of an associate's career, I feel that they must be a sponge and absorb as much knowledge and skill as they can. It's only when an associate has worked on matters sufficiently to understand the lifecycle of, say, a transaction or a court-litigation or arbitration, can they understand which pain points need to be addressed. At the same

time, it is important to build your brand from day one. For this, I feel that associates should make the best use of opportunities – such as collaborating on articles with partners (or peers), attending seminars and conferences. These opportunities help the firm to grow and allow the associate to learn business development firsthand.

WHAT ARE YOU AND FELLOW PARTNERS LOOKING FOR IN ASSOCIATES AS IT RELATES TO WORK PRODUCT, PARTNER RELATIONSHIPS, AND COMMUNITY INVOLVEMENT? WHAT MAKES AN ASSOCIATE STAND OUT?

I believe that associates should take pride in their work and rarely think of partners as safety nets. It is also essential that the work product should be easy to understand and meet the client's requirements. There can be a tendency to be overly cautious, but clients need practical knowledge and solutions. I also ask my team to "manage up" – essentially, remind the partners of deadlines, client commitments, etc., to keep things flowing smoothly. In India, we do not really have any mandatory





requirement for community involvement for lawyers, but as part of Sarthak, associates are expected to be involved in the community.


In my career, the associates who have really stood out are those who have been willing to go the extra mile, push the envelope, and push themselves! One other quality that I value is being a team player.

**WHAT LESSONS OR MISTAKES DID YOU MAKE (OR WITNESS OTHERS MAKE) AS AN ASSOCIATE? WHAT ADVICE DO YOU HAVE ON HOW ASSOCIATES CAN AVOID SIMILAR MISTAKES?**

I think my biggest mistake was thinking that to run a successful firm, you need to ONLY be a good lawyer. Having set up my own firm, I now see how many cogs (some of which have very little to do with lawyering) need to function well to run a successful practice. I think associates should view their role as allies in the running of the firm. If the practice you join is just a workplace for you – a place to hone your skills and to make money – you are not making full use of the opportunity. The real learning is in knowing all aspects of the practice, including how to build a successful one.

**WHAT ADVICE WOULD YOU GIVE YOURSELF WHEN YOU WERE NEW TO THE PRACTICE OF LAW?**

If I could impart any wisdom to my younger self, it would be:

- Learn to fail; everyone can learn to succeed.
- Remember to laugh.
- Don't sweat the small stuff.
- Build positive relationships – with yourself and others.
- Cultivate at least one hobby. 

# WORD TO THE WISE



**JACK E. PIERCE**

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Jack Pierce's practice focuses on business and real estate litigation. He is certified by the Minnesota State Bar Association as a Civil Trial Law Specialist and is a proud member of Minnesota's Academy of Certified Trial Lawyers.

For over 25 years, Jack has litigated matters on behalf of his clients throughout the country, representing plaintiffs and defendants. His trial experience includes both jury and court trials.

Because of his vast trial experience, Jack has seen the effects litigation can have on a business, its owners, and individuals that are not directly tied to the cost of litigation. Litigation is an emotional process as well, particularly for those experiencing it for the first time. Jack prides himself on explaining each step of litigation to his clients throughout the process to know what to expect before it happens. He recognizes that litigation can be costly, and he advises his clients on the cost/benefit of taking particular actions during the lawsuit. Jack does not litigate for the sake of litigating.

Jack volunteers at a local area high school as its mock trial coach as part of the Minnesota State Bar Association's Mock Trial program. When not at the office, you can find Jack on a golf course or at home with his dog.

**HOW DID YOU BECOME A LAWYER?**

I started out undergrad as a premed student. One semester of organic chemistry made me realize I needed to change direction. Had a political science professor who told me I would make a good lawyer and took his advice.

**HAS THE PRACTICE OF LAW MET YOUR EXPECTATIONS?**

In some respects, yes. The intellectual stimulation in making an argument has exceeded my expectations. Preparing for trial and then pivoting during trial and having the pivot work is very rewarding. Where it has not met my expectations is a more recent phenomenon – the last 15 years or so. There is not as much collegiality as there was when I started practicing

and, whereas one of the first questions you would ask opposing counsel is how can we work this out (is usually still my first question), some lawyers are more interested in the fight than the resolution.

**DESCRIBE YOUR PHILOSOPHY ON CLIENT RELATIONSHIPS AND MANAGEMENT.**

As a litigator, you have to set expectations early. You have to clearly communicate what they need to hear and not want they want to hear. Even though my practice is commercial litigation, you still have to have empathy for what the client is going through. When I tell a client what they need to hear, I try to do so in a way that is not so "legalistic" but instead recognizing that I am telling them what they need to hear and not what

they want. If they made a mistake, and they know it, they are already upset with themselves. Acknowledge it, don't dwell on it, and work to find a solution.

**WHAT IS YOUR EXPECTATION OF ASSOCIATES WHEN IT COMES TO BUSINESS DEVELOPMENT?**

Honesty. Not every associate wants to develop their own book of business. If that is the case, just tell me up front. This doesn't mean that you are not as valuable as a lawyer as someone who wants to develop their own business. If you tell me you are a go-getter, but really are not, I'll figure it out. If you do want to develop your own book, then tell me how I can help.





WHAT ARE YOU AND FELLOW PARTNERS LOOKING FOR IN ASSOCIATES AS IT RELATES TO WORK PRODUCT, PARTNER RELATIONSHIPS, AND COMMUNITY INVOLVEMENT? WHAT MAKES AN ASSOCIATE STAND OUT?

The most important legal quality for an associate of mine is being able to not only recognize but express that you do not know it all. You do not have the same experience I do given I have been practicing for thirty-one years. Please ask me if you do not know. I would rather spend three hours with an associate explaining how to do something than having to reinvent the wheel after they have gone down the rabbit hole of what some professor told them in law school was the “right” way to deal with a situation. And to that point, ask questions. Just because a partner gives you a project does not mean the partner was entirely clear with his or her instructions. If you do not know, ask.

For partner relationships, our firm has the philosophy that day-to-day everyone in the firm are just employees and we the partners often have to wear our partner hats more often than not at times when we do not want to. Don’t treat me any differently than you treat a paralegal or a legal admin assistant. I am more concerned with how an associate treats our support staff than how they

treat me. I know they are going to be respectful of me because I “sign” their paycheck. An associate who does not treat the entirety of our staff with the same amount of respect will not last long in our firm.


For community involvement, it is entirely up to the associate. By that I mean, I do not expect you to do something that is not in your comfort zone. On the other hand, if you really want to get involved in something that is near and dear to your heart, we will do all that we can to foster that. At the end of the day, it is just a job. Recognizing that it is just a job makes you a better lawyer. What makes an associate stand out to me is someone who wants to learn and wants to be the best lawyer they can; however, that same associate hopefully has the mindset that what makes them important is not being a lawyer, far from it. What makes them important is being a good parent, spouse, friend, etc. Recognizing that priority makes you a better lawyer.

WHAT LESSONS OR MISTAKES DID YOU MAKE (OR WITNESS OTHERS MAKE) AS AN ASSOCIATE? WHAT ADVICE DO YOU HAVE ON HOW ASSOCIATES CAN AVOID SIMILAR MISTAKES?

I have always been a litigator. And when I first started, I took things too personally. A client of mine may have made a mistake and I would exert too much energy finding a way to argue

or prove that the sun rises in the West and sets in the East instead of recognizing I wasn’t there when the client made the mistake and my job is to address what is real instead of using the magic lawyer hat to make it go away. As to the advice, and this comes from a litigator’s perspective, “you weren’t there.” You did not take the action that resulted in your client having to sit on a Zoom call with you for seven hours trying to explain away what happened. Be honest with the client, and honest with yourself, discuss the issue and how to resolve it if it can be resolved, if it cannot be resolved, discuss how you are going to advocate for them and how you are their partner.

WHAT ADVICE WOULD YOU GIVE YOURSELF WHEN YOU WERE NEW TO THE PRACTICE OF LAW?

What should happen doesn’t matter. I have won cases I should have lost and vice versa. Just because you lose a case it does not mean you were wrong. It may be that the judge or jury was human and they made a wrong decision. Happens in the law, happens in life. Don’t dwell on it, learn from it, and so long as you did all that you can, it doesn’t mean it is your fault that it did not go the way you thought it should. Short answer after the long-winded one (I am a litigator): give yourself some grace. 

# MASTERING MEDIATION: THE LAWYER’S ROLE IN SHAPING SUCCESSFUL OUTCOMES



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Jackson Morawski is an associate at Landye Bennett Blumstein LLP in Anchorage, Alaska. Jackson’s practice is focused on construction and real estate litigation and on advising public, private, and tribal entities across Alaska. He is licensed to practice in Alaska and Oregon.

Jackson attended law school at the University of California, Berkeley, School of Law, where he graduated with pro bono honors and a certificate in business law.

Before becoming an attorney, he worked in business affairs in the entertainment industry, where he was involved in producing multiple Emmy Award-winning TV series.

Jackson loves the practice of law because he enjoys the everyday challenge of helping people solve problems big and small.

At the end of 2024, as I looked ahead to my litigation calendar for the next year and a half, I had seven cases set for trial. Within the next nine months, every single one of those cases settled and all but one of those settlements was reached through formal mediation. The takeaway? Mediation works. And learning to navigate mediation can be just as important as honing your trial skills.

It’s no surprise that most cases resolve short of trial – the cost of litigating a case to a final judgment is enormous. But if you find yourself in litigation, chances are you’ve already tried and failed to work things out directly with the other side.

That’s where mediators come in. A neutral, professional third-party can help facilitate a compromised resolution of disputed claims between parties already at an impasse. Unlike arbitrators, mediators don’t adjudicate claims or impose a binding resolution on the parties. The mediator’s role is that of an intermediary, a go-between, and sometimes, a punching-bag, with the intention of finding a resolution amenable to both parties.

While most mediations follow the same general formula, unlike a trial, a mediation need not adhere to a jurisdiction’s rules of civil procedure (or any rules at all), so their exact conduct can vary significantly from one session to the next.

However, just like at trial, lawyers play a pivotal role in shaping each mediation, and in guiding their clients through the process. Understanding your role in mediation – and playing it to the best of your abilities – will help you plan for and participate in your next mediation more competently and confidently. This article explains how lawyers can maximize their effectiveness in mediation: by preparing the case, preparing the client, and guiding clients through the day.

THE LAWYER’S ROLE: COACH, NOT GLADIATOR

The lawyer’s role in mediation is very different from your role at trial. Instead of being your client’s







champion – sent forward to do battle with the opponent on an open field (the courtroom) – the lawyer in mediation is more like a coach or an advisor.

That doesn't mean you stop being an advocate. In mediation, the best lawyers shift between two roles: most of the time serving as an advisor and guide to the client but stepping forward as an advocate in key moments to frame arguments for the mediator, challenge weak points in the other side's case, and give voice to client frustrations. Knowing when to lean into each role is when mediation lawyering goes from science to art.

Aside from an initial joint session where all parties convene in one room to hear the ground rules and exchange pleasantries, each side spends the bulk of most mediations in separate rooms. This means that most of the total time of any mediation session is just the lawyers and their clients, in a room together, with occasional visits from the mediator.

Unlike trial, the client is in the driver's seat for mediation. There are only a couple decisions to make: What will our next offer be? Can we accept the other side's proposal? As lawyers, we can't make the final decision for the client. We have two major jobs: (1) preparing to put our best foot forward; (2) guiding our client on the day-of.

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**PREPARING THE CASE AND THE CLIENT**

Preparation for a successful mediation has two components: preparing the case and preparing the client. Preparing the case involves drafting your side's mediation statement. Depending on the preference of the mediator, the mediation statement (also called a mediation brief, a mediation summary, or a position statement) can be either confidential (shared only with the mediator) or open (shared with the other party as well as the mediator).

The mediation statement is your opportunity to show your best cards. It's your chance to convince whoever reads it – the mediator, the other side, or both – that you've got the stronger case. This is also your chance to get the mediator on your side. It's your chance to convince the mediator that when they go into the other side's room, they should tell the opposition how much trouble they're in if this goes to trial, and that they'd better compromise today.

The mediation statement is also your chance to tell your client's story. For some clients, telling their story feels just as important as the money involved. This could be their last chance to air their grievances or clear their good name. If your client doesn't feel like they've had a chance to tell their story, they may leave even a successful mediation feeling deflated and unsatisfied. At worst, your client

might not accept an objectively reasonable settlement offer if they don't feel like they've said their piece.

Use the mediation statement to tell the story your client wants to tell. If your client feels like they've been taken advantage of or otherwise wronged, say that! Remember: the rules of evidence don't apply. You don't have to surmount the barriers of foundation or relevance. There's no prohibition on hearsay or character evidence. The mediator won't assign much settlement value to claims based on inadmissible evidence, but your client might feel better just for having gotten those points across to someone.

Preparing your client for mediation is just as important as preparing the case. Many non-lawyers have never participated in mediation before and won't know what to expect. You need to set your client at ease by clearly explaining how the process will work. This is also your chance to set expectations. You should always prepare your client for an unreasonable, even insulting, opening offer by the other side. It's the nature of mediation that the first few offers or demands are often wildly over- or under-stated.

I once had a mediation where, after the mediator conveyed the other party's opening offer, my client stood up without a word and started putting his jacket on. I asked where he was going, and he said that if the other

side was going to start like that, he might as well leave now because they had no intention of behaving reasonably. We got him to take his jacket off and sit back down, and in a few hours the case had settled for an amount he could live with. The more groundwork you lay in advance, the less likely your client is to put his jacket on and walk out before lunch.

**GUIDING THE CLIENT DURING MEDIATION**

Once you've submitted your mediation statement, prepared your client, and tempered their expectations, most of the hard work is done. But the day of the mediation is where the rubber really meets the road.

Unlike the frenetic pace of trial days, a good chunk of the average mediation day is spent waiting. Large portions of the day are usually spent in a conference room with your client while waiting for the mediator to come back with news from the other side. It can be simultaneously boring, anxiety-inducing, and exhausting. The dead air is inevitably filled with speculation about what the other side will say. But no matter how well you've prepped your client, there's almost always some surprise.

Your role on the day-of is to help your client navigate the back-and-forth, and ultimately, to help them understand the implications of making, accepting, or rejecting each offer.

This should always involve a frank discussion about the costs of further litigation and the uncertainty inherent to trial. If you haven't yet had the hard conversation about what trial will actually cost, have it now. It's imperative to the ultimate decision of whether (and for what amount) settling the case makes financial

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sense. It's also vital to convey how unpredictable trial outcomes can be, and how even the best cases can fall apart if the judge or jury don't side with you for whatever reason.

It's also important to explain that a trial verdict isn't the end. The possibility of an appeal always hangs like a specter over any victory, and if your client is seeking a money judgment, there may be collectability issues that delay or reduce the actual amount they can recover. Reaching a mediated settlement is the quickest and cheapest way to achieve finality.


While your role on the day of mediation is mostly as an advisor, there are still opportunities to be an advocate. If the mediator takes issue with your arguments or your damage calculations, this is your chance to advocate for your position. If the mediator brings back a bad offer, convince them why they should go back and get the other side to put more on the table. Whether or not it changes the mediator's mind, it will show your client that you're fighting for them, and it will help them feel like their story has been told to its fullest.

A seasoned mediator once told me that he doesn't feel like he's done his job unless both sides are mad at him by the end of the day. As a lawyer, you can give voice to your client's frustrations at a lowball offer or an outrageous demand by the other side. The best mediators won't hold it against you because they know that

a fair settlement is one that neither side likes, but both can accept. Finally, it's important not to insert yourself into the ultimate decision. Whether to agree to a settlement and on what terms is the client's decision. It's not your money or your liability. The client may regret agreeing to the settlement terms if they feel like they were pressured into it by their lawyer. Your role is to give your client the context necessary to make an informed decision, not to make that decision for them.

**MAKING MEDIATION WORK FOR YOU AND YOUR CLIENT**

Most commercial litigators will participate in vastly more mediations than trials over the course of their career. Learning to navigate mediation is a crucial tool that will help you achieve real, tangible success for your clients. It may not be as glamorous as standing up in front of a jury (when was the last time you saw a mediation portrayed on TV?), but seeing your client's relief when they walk out of mediation with a check or a stipulation to dismiss can be just as satisfying.

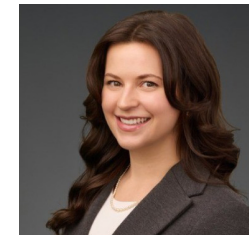
Mastering mediation isn't just about resolving the present case. Each session can strengthen long-term client relationships and help build your skillset for resolving the next dispute. Just like courtroom litigation, it takes practice, careful preparation, and an instinct that can only be honed with experience. 





# THE PEOPLE V. ARTIFICIAL INTELLIGENCE

## AI AND THE NEXT GENERATION OF ATTORNEYS



### HAILEY LIMBRICK

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Hailey Limbrick is a junior associate at Kozacky Weitzel McGrath, P.C., where her practice focuses on commercial litigation, contract disputes, insurance law, and transportation law. She brings a multidisciplinary background to her practice, with prior experience in both transactional and litigation work.

Upon graduating from law school, Hailey worked as a corporate transactional attorney at a mid-size law firm in Chicago where she represented lenders and borrowers in the healthcare industry in various financing transactions including purchases, loan modifications, refinancing, and revolving loans. Before becoming an associate at KWM, Hailey served as a law clerk for the firm for nearly two years. During law school, she gained valuable experience through a range of roles, including clerking at a healthcare transactional firm, interning in-house for a large healthcare organization, and serving as a legal assistant at a boutique commercial litigation firm.

Before law school, Hailey graduated summa cum laude from Loyola University Chicago with a Bachelor of Business Administration in marketing. Hailey earned her J.D. from DePaul University College of Law, where she ranked second in her class and was admitted to the Order of the Coif. In addition to her J.D., she earned a certificate in health care compliance. While at DePaul, she served as a staffer for both the DePaul Journal of Health Care Law and DePaul Law Review, where her student Note, *Hate Speech, Insurrections, and Fake News: "No Problems Here," Says Fifth Circuit*, was published. She also served as a teaching assistant for the law school's Academic Success Program and was the recipient of six CALI Excellence for the Future Awards for earning the highest grade in each respective course.

The legal profession is on the cusp of a technological revolution. Just a mere decade ago, law firms were hesitant to incorporate artificial intelligence (AI) into their practices, but now these technologies have become integral to the practice of law. Even amongst

industry leaders such as Westlaw and LexisNexis, AI is now a central tool for legal research, e-discovery, drafting, and even document review.

According to a 2023 Wolters Kluwer survey, 73% of lawyers planned to

use generative AI platforms for their legal work in the next year, which underscores the profession's broad acceptance of this technological shift.<sup>1</sup> Although AI can certainly improve efficiency and reduce costs for businesses, its rise in popularity

<sup>1</sup> WOLTERS KLUWER, *The Wolters Kluwer Future Ready Lawyer Report: Embracing Innovation, Adapting to Change*, (2023) [www.wolterskluwer.com/EN/know/future-ready-lawyer-2023#download](https://www.wolterskluwer.com/EN/know/future-ready-lawyer-2023#download).



signals far more than just a drive for productivity. Rather, it reflects a fundamental change in how legal work today is both perceived and practiced.

The message to law firms is clear: AI is the future. Law firms must decide whether they are prepared to embrace it or risk obsolescence. But this rapid transformation in the legal field is presenting a conundrum for junior associates. Admittedly, AI can automate many of the tasks that are ordinarily reserved for junior associates such as legal research, due diligence, contract drafting, and document review. Though these tasks seem elementary, they have in the past been deemed core experiences where junior attorneys learn the basics of a law firm and sharpen their skills and judgment on their paths to becoming senior associates, partners, or even judges one day.

But one salient question looms: If AI performs the foundational legal tasks of a junior attorney, how will young lawyers develop the nuanced reasoning, critical thinking, and creativity essential to lawyering? Moreover, could dependence on AI stunt their growth and leave behind a generation of attorneys that are ill-prepared for the complexities of legal practice?

COGNITIVE OFFLOADING

Central to these concerns is the phenomenon of “cognitive offloading,” which simply refers to our growing tendency to delegate mental tasks such as research, analysis, and basic judgment, to computers and algorithms, as opposed to performing these tasks ourselves.<sup>2</sup>

On the surface, this may appear innocuous. However, evidence points

to a significant negative correlation between frequent AI use and critical thinking amongst lawyers (and people in general), suggesting that cognitive offloading may be a leading culprit.<sup>3</sup> One study showed that students who relied heavily on AI for research and writing were substantially less skilled in independent analytical reasoning than those required to solve problems unaided.<sup>4</sup>

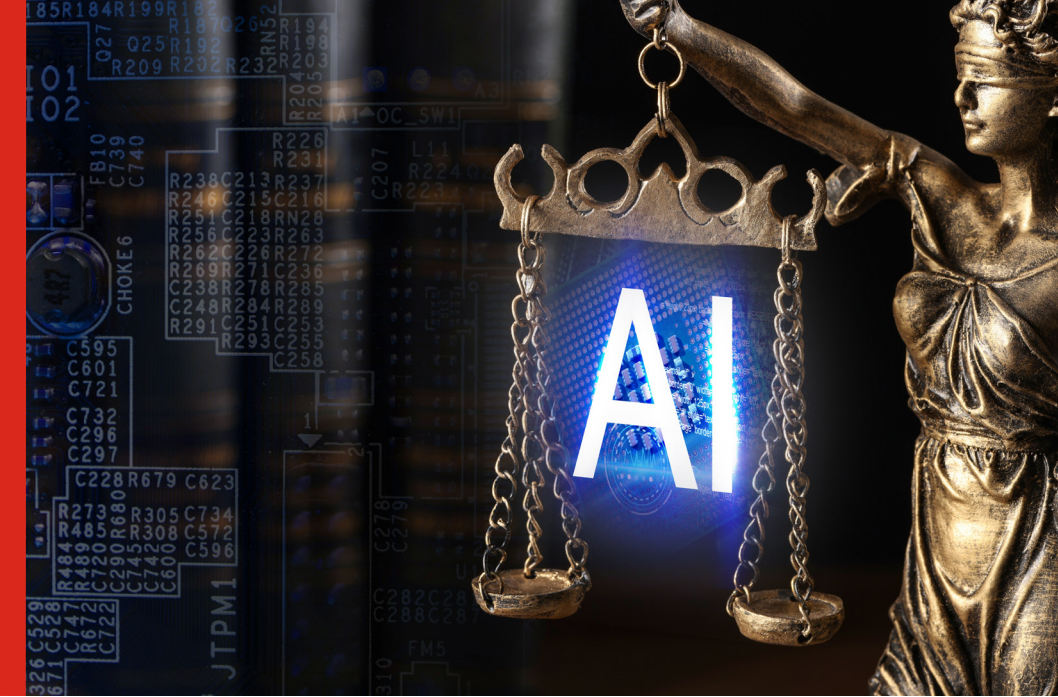
Thus, cognitive offloading may streamline legal work, but it does so at a considerable cost. By eliminating the friction and struggle often involved in critical thinking, it risks hindering the very processes that produce rigorous, creative lawyers. Rather than probing into sources, identifying ambiguities, or testing competing legal theories, a junior associate might simply defer to AI and accept its generated answer, whether it is right or wrong. Research indicates

that the more we trust AI to handle a particular task, the less critically we engage with the underlying issue.<sup>5</sup>

THE EROSION OF CURIOSITY AND SKEPTICISM

As AI rapidly transforms the practice of law, there is a growing concern that a vital quality in lawyers – intellectual curiosity – is quietly slipping away. Being a successful lawyer demands far more than memorizing rules or crafting arguments; it requires a relentless drive to investigate thoroughly, a natural skepticism, and an enduring curiosity for uncovering novel legal solutions. “Thinking like a lawyer” requires pushing beyond surface-level answers, scrutinizing evidence, and questioning assumptions. Yet, the rise of AI may indeed be threatening this critical curiosity. As AI technologies become more accessible, the means of discovery encourages a passive approach where asking AI for the answer replaces active inquiry.

“Metacognitive laziness,” which occurs when one hands over not only the task but the thinking itself to AI, is making us less curious, less engaged, and less inclined to challenge the information we receive.<sup>6</sup> The customary skepticism of a lawyer is slowly being eroded by the ease of querying AI for instant, gratifying responses. Overreliance on AI is eroding one of the most uniquely human traits, our curiosity.<sup>7</sup> The erosion of skepticism is particularly



concerning because regardless of its accuracy, AI generates answers in a polished and authoritative tone that often leads to one taking whatever AI says at face value.

Young lawyers may become conditioned to accept AI-generated text without question. This risk is not theoretical, as seemingly-reliable platforms like Lexis+ AI was found to generate inaccurate legal information in at least 17% of queries while Westlaw’s generative AI tools returned errors in up to 34% of tasks.<sup>8</sup> Mainstream AI like ChatGPT performed even worse, hallucinating between 58-82% of the time in benchmark legal queries.<sup>9</sup> Overreliance without critical evaluation opens the door to professional risk, client harm, and even disciplinary action.

DECAYING LAWYERING SKILLS

Nonetheless, the integration of AI into the legal profession offers substantial benefits, especially for young lawyers navigating a demanding workload. AI platforms can analyze thousands of documents in mere seconds, which is a task that ordinarily could take hundreds of hours of a junior associate’s time. This efficiency allows firms to reduce both internal and external client costs by automating repetitive tasks. Moreover, AI may present junior attorneys with the opportunity to focus on higher-value work early on in their careers, which will allow them to hone their problem solving, creativity, and communication skills that still remain difficult for AI to replicate.

However, the risks associated with overreliance on AI can impact how

2 Michael Gerlich, *AI Tools in Society: Impacts on Cognitive Offloading and the Future of Critical Thinking*, MDPI, (Jan. 3, 2025) [www.mdpi.com/2075-4698/15/1/6](https://www.mdpi.com/2075-4698/15/1/6).  
3 Joseph Regalia, *Brains, Bots, and Briefs: Rethinking Legal Practice in the Age of AI*, (Jan. 23, 2025). Available at SSRN: [ssrn.com/abstract=5040033](https://ssrn.com/abstract=5040033) or [dx.doi.org/10.2139/ssrn.5040033](https://dx.doi.org/10.2139/ssrn.5040033).  
4 Jill Barshay, *University Students Offload Critical Thinking, Other Hard Work to AI*, THE HECHINGER REPORT, (May 19, 2025) [hechingerreport.org/proof-points-offload-critical-thinking-ai/](https://hechingerreport.org/proof-points-offload-critical-thinking-ai/).

5 Dennis Crouch, *AI and Cognitive Laziness for Lawyers*, PATENTLY-O, (May 2, 2025) [patentlyo.com/patent/2025/05/cognitive-laziness-lawyers.html](https://patentlyo.com/patent/2025/05/cognitive-laziness-lawyers.html).  
6 Dr. Diane Hamilton, *AI Perceives, But Does It Think? What AI Teaches Us About Curiosity*, FORBES, (Feb. 6, 2025) [www.forbes.com/sites/dianehamilton/2025/02/06/ai-perceives-but-does-it-think-what-ai-teaches-us-about-curiosity/](https://www.forbes.com/sites/dianehamilton/2025/02/06/ai-perceives-but-does-it-think-what-ai-teaches-us-about-curiosity/).  
7 *Id.*  
8 Faiz Surani & Daniel E. Ho, *AI on Trial: Legal Models Hallucinate in 1 out of 6 (or More) Benchmarking Queries*, STANFORD UNIVERSITY HUMAN-CENTERED ARTIFICIAL INTELLIGENCE, (May 23, 2024) [hai.stanford.edu/news/ai-trial-legal-models-hallucinate-1-out-6-or-more-benchmarking-queries](https://hai.stanford.edu/news/ai-trial-legal-models-hallucinate-1-out-6-or-more-benchmarking-queries).  
9 *Id.*





young lawyers develop essential lawyering skills. Notably, as AI handles issue spotting, summarizes holdings in case law, and produces legal arguments in briefs and motions, there is a significant risk that junior attorneys will rely too heavily on these shortcuts. This reliance may lead to an erosion of analysis skills and legal reasoning muscle memory that every attorney needs in order to practice law.

But this challenge extends beyond law firms, as many law students today are now completing research, drafting, and analysis with the assistance of AI. As a result, today's law school graduates may enter the legal profession without the same depth of skills that their predecessors developed. In this realm, the weakening of core competencies is beginning long before a new lawyer steps foot into a firm. Even in a firm where AI is not utilized, the impact is already being felt.

**CO-EXISTING WITH AI: ADAPT, BUT DON'T SURRENDER**

The rise of AI in law need not be the demise of great lawyering. For young lawyers, the danger is not that technology will replace them outright. Instead, it is the overreliance on such that will slowly and quietly dim the very abilities that set exceptional lawyers apart from the rest. If these traits erode, so too does a lawyer's value.

In the same respect, AI can be a powerful tool if approached with caution, intention, and a refusal to surrender one's own intellectual freedom and rigor. Young lawyers today have a unique opportunity to

stand out not by simply resisting AI, but by mastering it while leveraging their uniquely human skills that no algorithm can mimic.

This begins with learning the functions and flaws of AI thoroughly but never trusting it blindly. AI can synthesize and generate data with exceptional ease, but its output is meaningless if the result is flawed. As such, young lawyers should treat AI's generated output as the first step, as opposed to the last, in a larger process. They must also cultivate a feeling of curiosity when utilizing AI. This means reading beyond the generated output: independently researching the law, fact checking, and asking themselves *why* and *how* as opposed to just *what*. It is imperative that attorneys maintain a healthy level of skepticism, as AI oozes confidence even when it is wrong. Its output should never be taken at face value.

Even as AI continues to take over simple tasks, young attorneys must prioritize the work that AI threatens to eliminate. Sharpen legal research skills, craft arguments without relying on a prewritten template, and attempt to work through a problem without first seeking assistance. Such actions improve the muscle memory of analytical thinking and will aid in the development of pattern recognition which can be useful when issue spotting in a case or in a legal document. The brain is a muscle, and like any other part of the body, it must be exercised in order to reach its full potential.

In tandem with this, junior attorneys should also seek out opportunities where a human's touch, not speed,

make all the difference. Engaging with clients, observing negotiations and settlement conferences, and participating in brainstorming sessions with other skilled attorneys, are all instances where a lawyer's wit and judgment are simply irreplaceable and technology does not generate the same results. There is an arsenal of soft skills that will only grow in value as AI becomes more prominent in the legal space. In fact, studies indicate a 71% increase in demand for adaptability; 56% for problem-solving; 53% for creativity; and 52% for refined communication skills.<sup>10</sup> AI's inability to replicate these aptitudes presents the young attorneys of today with an opportunity to stand out by mastering those skills that firms will prize the most in the future.

AI is no longer an emerging trend. It has become a permanent force, reshaping the legal profession from the bottom up. For young attorneys, the ability to not only survive but thrive, will not come with complacency as changes to the industry arrive. Instead, lawyers today must lean into these trends and learn how to adapt. Lawyers who excel in this market will be the ones who question AI's output, challenge its assumptions, and remain committed to doing the analytical work themselves. When used in this fashion, AI can become an extension of their judgment and knowledge rather than a replacement for it. In doing so, young lawyers will not only preserve their hard-earned skills, but also position themselves as indispensable in a profession that still, and *always will*, depend on human insight. **P**

# AUTHORITY TO RENDER CARGO MOTOR CARRIER CROSS-BORDER SERVICES IN MEXICO



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Pablo attended law school at the Universidad Panamericana in Mexico City, graduating with honors in 2017. His practice is focused on corporate, real estate, customs, transportation, mergers and acquisitions, agriculture, and ranching matters.

Pablo's previous professional experience includes working in other law firms in Mexico City, as well as within the offices of a Mexican notary public.

One of the first questions that carriers should pose when they intend to extend their business abroad the United States is if they have the possibility of obtaining an authority to render motor carrier services in other countries. As in many aspects of law, the answer is not black and white, but the general rule is that United States carriers may obtain the authority to render motor carrier services of international cargo in Mexico.

**BACKGROUND**

Following the entry into force of the North American Free Trade Agreement (NAFTA), Mexico and the United States agreed to eliminate restrictions on the services of international freight transportation between the two countries, but with the understanding that cabotage and domestic services

were kept as reserved just for the national carriers of each country.

As part of the actions carried out, in 2007 Mexico published an accord creating a temporary modality for cross-border motor carrier services of international general freight between Mexico and the United States of America (First Accord). The First Accord granted, for the first time, to the United States carriers the possibility of obtaining a provisional permit to carry out international freight transportation. Such provisional permits were part of a pilot program and were initially granted for a maximum term of only one year.

After Mexico and the U.S. agreed on a new program to continue with the efforts of allowing international freight transportation between the two countries, in 2011 Mexico published

a new accord creating a temporary modality for the service of cross-border motor carrier transportation of international general freight between Mexico and the United States of America (Second Accord). In contrast with the First Accord, the Second Accord allowed United States carriers the possibility of obtaining a provisional permit; and if they complied with all legal requirements, they were granted the possibility of obtaining a permanent permit.

Considering that NAFTA was replaced with the United States, Mexico and Canada Agreement (USMCA), and that Mexico adopted internal regulatory policies to simplify and modernize legal procedures, in 2024 Mexico published a new accord to regulate the permanent international cargo transportation permit (Permit) for U.S. and Canadian carriers in Mexico

10 THOMSON REUTERS, How AI is Transforming the Legal Profession, (Jan. 16, 2025) [legal.thomsonreuters.com/blog/how-ai-is-transforming-the-legal-profession/](https://legal.thomsonreuters.com/blog/how-ai-is-transforming-the-legal-profession/).



(Current Accord). Unlike the First Accord and the Second Accord, the Current Accord does not consider provisional permits, as it just contemplates permanent permits.

**SCOPE OF THE PERMIT**

According to the Current Accord, the Permit allows carriers to carry out the operation of motor carrier international transportation services of general cargo, including specialized freight, which includes the transportation of hazardous materials, wastes, and residues, as well as the transportation of over-sized and over-weight goods.

As defined in Article 59 of the Mexican Law on Roads, Bridges, and Federal Motor Transportation, international transportation of cargo is considered to be transportation that is carried out from a foreign country into Mexican territory, or from Mexican territory into a foreign country.

It is important to mention that the Permit expressly excludes domestic services in all its forms, which means that foreign carriers are not allowed to render transportation services between two or more points within

the Mexican territory, otherwise the respective Permit could be revoked.

On the other side, the following transportation services are expressly excluded from the Permit: i) passengers; ii) tourism; iii) funds and securities; iv) industrial cranes; v) auxiliary vehicle towing and rescue services; and vi) domestic services in all its forms.

**REQUIREMENTS TO OBTAIN THE PERMIT**

In order to obtain the Permit, the applicant must first file its request for the obtaining of the Permit, along with certain supporting documentation and information in Spanish. Such request only covers one (1) vehicle, but once the applicant obtains its Permit, it can request the registration of additional vehicles.

The documentation and information that must be filed is summarized as follows: i) corporate documentation of the applicant; ii) information of the applicant’s legal representative; iii) transportation documentation related to the domestic authority of the applicant; iv) documentation related to the applicant’s vehicle to be

registered; and v) information related to the applicant’s drivers.

Once the application has been requested and the corresponding fees have been paid, Mexican authorities will review the application and in its case will issue the Permit to the applicant, which will allow the applicant to render motor carrier cross-border services in Mexico.

Note that the obtaining of the Permit may require constant communication, follow-up, and visits to transportation authorities.

**CONCLUSION**

It is possible for a United States carrier to directly render motor carrier cross-border services without the intervention of another carrier. Furthermore, even though there are limitations and exclusions, in general, cross border transportation services is a possibility in Mexico. **P**







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