New President Offers Thanks

Paul Clark, MCBA
President 2010

You would have expected that I would employ a little more forethought, right? One might anticipate that I would actually contemplate the future. Most who know me would likely have predicted that my planning for this article, my first as President, would have started long ago. But no, I decided to put it off.

Even as I sat down to put my thoughts to paper, to write what will be the first pronouncement of the platform of my year in office as President of our Association, I had no real plan. Drafts were quickly sketched out and discarded. My feeble attempts to sound “presidential” failed miserably. My efforts to convey my gratitude to you, my colleagues and my friends, for the trust you have placed in me were wholly inadequate.

So, in my frustration—undoubtedly a result of my unmitigated procrastination—I decided to simply say, “thank you”. Thanks first and foremost to all who have served the Montgomery County Bar Association in years past as its members, its directors, and its officers. Without any self-serving pomp, they quietly grew our organization into a thriving body of congenial and civil professionals serving the needs of our community. An enormous amount of credit for the good that our Association has done and is able to do goes to those lawyers who have served this membership over the years, and for them we should all be thankful.

I would also like to thank the current directors, officers, and staff of our Association. I have seen first-hand that nothing is accomplished in our organization without the teamwork of all the members of our executive board and our outstanding staff members. We continually strive to be a truly representative group for all of our members and each of us is dedicated to building on the foundation which has been laid.

Finally, a hearty “thank-you” also goes to all those Montgomery lawyers with whom I have had the privilege to practice over the years. I was extremely lucky to find a place with the fine lawyers at Hill, Hill, Carter at the beginning of my legal career, and the examples they set lead me to become involved with this Association. Likewise, my partners and colleagues at Balch and Bingham, with whom I am incredibly fortunate to work, have shown nothing but unwavering support for my efforts in serving the Association. I take a great deal of strength from them.

In my year as your President, my personal challenge and my challenge to each and every member of the Montgomery County Bar Association is to give thanks to all those who have gone before us by sustaining the legacy of service which defines our Association. Please become involved in the efforts of MCBA to assist in providing access to legal services for those who cannot otherwise afford it and by supporting the charitable efforts our newly formed Montgomery County Bar Association Foundation.

Perhaps it is not entirely necessary to formulate a plan when others have already worked so hard to put one in place...especially when it is one which has worked so well.
MCBA Welcomes New Members

The Montgomery County Bar Association is pleased to announce the following new members:

Russell Todd Abney—Beasley, Allen, Crow, Methvin, Portis, and Miles, PC
Sheena Allen—Montgomery County District Attorney’s Office
Mary Bauer—Southern Poverty Law Center
Heather Baxley—Marvin H. Campbell Office
Sidney Belcher—Alfa Insurance Companies
Alice Ann Byrne—State of Alabama Personnel Dept.
Joseph Ladd Davis—Rushton, Stakely, Johnson, and Garrett
Archie Grubb—Beasley, Allen, Crow, Methvin, Portis, and Miles, PC
Katie Langer—Montgomery County District Attorney’s Office
Mahaley McInnes—Webb & Eley
Neah Mitchell—Balch & Bingham
Lee McIver—Beasley, Allen, Crow, Methvin, Portis, and Miles, PC
Matthew Munson—Beasley, Allen, Crow, Methvin, Portis, and Miles, PC
Alfred Norris—McPhilips, Shinbaum, and Campbell
Charles F. Norton—Alabama Education Association
Blaine Stevens—Stirekland Kendall, LLC
Charles Turnipseed—Law Office of Charles Turnipseed
Soo Soek Yang—Beasley, Allen, Crow, Methvin, Portis, and Miles, PC

We also welcome the following attorneys back. We missed you in 2009.

Thomas Edwards    Skip Hunter
James Day          Tyrone Means
Lewis Gillis       Edwin Reed
Darron Hendley     Adler Rothschild
Edward Wayland

Have you paid your 2010 membership dues to MCBA? Remember that our members get 20+ free CLE hours a year, plus listing in the MCBA website and online pictorial directory. If you have questions about your dues, call Dot at 265-4793. Dues are due by Feb.15.
NEW BOARD MEMBERS ELECTED AT ANNUAL MEETING

The MCBA Annual Meeting at Wynlakes Country Club on January 21 was the best attended meeting in recent years. One hundred fifty members and guests enjoyed the delicious buffet lunch. The elections for the Secretary/Treasurer and two board of directors positions drew a substantial voting turnout this year.

Julie Herndon, web designer from Axcess Web Technology, showed members how they can now edit their own listings on the MCBA website, www.mcbar.org; they can change their address, phone number, email address, and photograph. A new feature of the website makes it possible for members to link their own websites to the MCBA site.

One of the most meaningful parts of our Annual Meetings was the memorial recognition of those attorneys who passed away in the previous year. Family members were invited to attend the luncheon as MCBA guests. Outgoing President, Pat Sefton recognized the contributions to the legal community of these deceased attorneys: Edward James Azar; Morris Anderson Burkett; Henry Tompkins Fitzpatrick, Jr.; Judge John C. Godbold; Warren H. Goodwyn; Robert Standring Lamar, Jr.; Henry Arthur Leslie, Sr.; Alex Andrews Marks; Turner Chapman Seale, Jr.; Maury Drane Smith; and Charles Harvie Volz, Jr.

Bill Robertson introduced Bryan Kelley, Director of Common Ground Montgomery, whose organization will be the 2010 charity recipient. Jamie Welch, Development Coordinator for Common Ground, also attended the luncheon. The Spring Charity Fundraiser will be April 22 at The Alley Station downtown Montgomery.

Paul Clark of Balch and Bingham, LLP was inducted as the 2010 President. The Secretary/Treasurer for 2010 will be Adrian Johnson of Parnell Crum. The two directors elected are Jayne Harrell Williams of Hill, Hill, Carter, Franco, Cole and Black, P.C. and Rhon Jones of Beasley, Allen, Crow, Methvin, Portis, and Miles, P.C. Congratulations to all three.

The highlight of the meeting was Bobby Segall’s toasting of the new members of the Fifty Year Club. Those members honored for fifty years of service to the legal profession are: Judge William Harold Albritton; John Sanderson Bowman; Morris Seligman Dees, Jr.; Henry Johnson Harper; Charles Perlis Miller; James Robert Solomon, Jr.; and Charles Averett Stakely, Jr. As always, it was a treat for all who attended to hear Bobby toast (or roast) each of the seven honorees. Bobby has graciously allowed us to reprint excerpts from his speech.

It is really an honor for me to help the Montgomery County Bar Association honor these people—those lawyers—who have persisted in our profession for 50 years. I have to confess, though, that when I first saw this group of honorees walk in today, I asked Suzanne to check their ID’s. They don’t look old enough to be here.

But when I saw who these folks actually are, and think of the contributions they’ve made, and continue to make, to our profession, 50 years doesn’t seem all that long—unless, of course, you’re a dog, and then it seems like 350 years. I can tell you one thing for sure we have just an outstanding class of lawyers reaching the 50 year milestone this year. They have been role models and mentors to a lot of Montgomery lawyers.

And, I’m really delighted to tell you about them (especially considering that we’ve just heard memorials about some of our great friends. Wouldn’t it be wonderful if we could have said some of those things about them when they were still alive.)...

Our first honoree is Judge Harold Albritton. Judge Albritton was a great trial lawyer before becoming a judge. Among many other honors, he was elected to membership in the American College of Trial Lawyers, and he was President of the Alabama State Bar at the time he was appointed Federal Judge. He’s the only person to serve as President of the State Bar while a judge. He was his own Bench and Bar Committee. He used to meet with himself Judge Albritton has been, and still is, a great judge. He gets straight to the heart of the issue in a case, and I promise he’s smarter than you are. He’s also immensely fair.

As presiding judge, with the help of Reggie Hamner, he built the new Federal Courthouse. Also, as judge and as citizen Albritton, he has brought almost every Supreme Court Justice to Alabama Law School to speak. (continued p.

Bobby Segall
ANNUAL MEETING CONTINUED FROM PAGE 3

Our next honoree is John Bowman. John is one of the great real estate lawyers in Alabama. He was a founding member of the old Smith Bowman Law Firm where he practiced with Maury Smith, Charlie Crook, Tommy Thaggard, Sterling Calpepper, a very young Dave Boyd, and other great Montgomery lawyers. John stayed with the Smith Bowman firm through its merger with Balch & Bingham, and he’s still practicing with that firm. John has been a real pillar of the bar—he’s a fellow of the Alabama Law Foundation. He’s also a member of the President’s Cabinet at the University of Alabama; and he’s been, and continues to be, a great asset to our Montgomery Community. Thank you, John.

Our next honoree is Morris Dees. Besides being a great lawyer who’s handled landmark cases—and controversial cases—over the years, Morris is a real celebrity. He’s had at least two movies made about him, and also several books written about him, although I think he may have written some of those himself.

When my son was a college student in Providence, RI, Morris spoke there, and Joshua says Morris was an absolute rock star in Providence. I told Josh, “I’ve known some folks over the years who wished Morris would move to Providence.”

Before beginning the practice of law, Morris was an incredibly successful businessman—running a publishing company with Millard Fuller, who later founded Habitat for Humanity and was Doyle Fuller’s brother.

In lawsuits he handled, he’s wiped out Ku Klux Klan and Neo-Nazi organizations around the country... A long time ago, I had the honor of representing the SPLC against the Klan when it was threatening to demonstrate at the dedication of the Civil Rights Memorial. While Morris and I were meeting with then Mayor Emory Folmar before court, the police chief came in and said there had been a threat on Morris’ life. Morris took that in stride. I was a wreck. The mayor told the Police Chief to drive Morris and me to court. The officer stopped in front of the courthouse, and said, “Y’all run on in.” All I could think about was the next day’s newspaper headline: “Schmuck Lawyer Killed by Bullet Intended for Dees.” I told Morris to go on in—and I would gather our files and be in—in a minute.

Our next honoree is Henry Harper. Henry’s a Montgomery guy who graduated from Lanier High School, and he’s been not only a lawyer, but also an excellent businessman in the sand and gravel business and asphalt business for many years. He’s been very successful. As a great Alabama football fan, he’s also recently made a pilgrimage to California for some game Alabama played in.

You know, I had always heard that Henry was a person of impeccable judgment. But, I recently came across a photograph of Henry with my law partner, Richard Gill, an association I’m sure Henry’s not proud of. Like with David Letterman, I started to tell Henry that I was writing a screenplay about his relationships, but I’ve thought better of that, and instead have brought along the offending photograph for anyone who’d like to see Henry during the reckless stage of his life. Henry is a person with a delightful personality, and he’s been an asset to our Bar for many years. Thank you, Henry, for your service to our profession.

Our next honoree is Charles Miller. Charlie’s been an excellent lawyer, and good guy, for around 50 years now. I’ve admired Charlie for many reasons, including his legal work and his work as a former president of our synagogue. But I’ve also particularly admired him because he has a lot of guts. Judge Frank Johnson once told Charlie to write a brief in a case and Charlie said he didn’t think a brief was necessary in the case. For those of you who remember Judge Johnson, the fact that Charlie still roams the earth as a free man is a tribute to his charm, good humor, and cool demeanor. In fact, Charlie has always been thought of as a cool guy. He used to ride around town in a great looking yellow Jaguar convertible...He has remained a pretty cool lawyer for 50 years now. Thank you for your service.

Our next honoree, Jim Solomon, is an amazing guy. He’s done literally everything a public servant can do, and he’s come out of it with the reputation of being a straight up, very bright, hardworking guy. He’s not only been our state’s Finance Director, but also he was a thirty-five year stalwart in the Attorney General’s Office. Among the many things he did in the AG’s office, Jim was the head of the Opinions Division for almost 20 years. As you guys know, every lawyer has an opinion about almost everything, but Jim’s opinions actually mattered—not as much as Judge Albritton’s opinions, but they still counted a lot. Jim’s opinions were so well regarded that when he retired, he got a great mention from Senator Sessions in the Congressional Record Among other things about Jim, he said Jim “served as a role model in the AG’s office, and was greatly loved by those with whom he worked.” Fortunately for us, retirement hasn’t slowed him down at all. He was hired two years ago by then Finance Director, and now Judge, Jim Main to help in the Finance Dept...Jim remains incredibly active in the community, and for all of that, Jim, we thank you for your 50 years of still continuing service to our profession.

Our final honoree is Charlie Stakely. I’ll tell you how great a guy Charlie is. He was asked one time to perform the wedding ceremony—in New York—for two artists who, I believe, had been part of the Montgomery Symphony...Like Jim Solomon, he’s beloved within his own law firm.

He pioneered the defense of high powered medical malpractice cases in Alabama. He’s also a Fellow in the American College of Trial Lawyers.

More important probably even than Charlie’s work in the courtroom, he’s been a true servant of our community. If people have needed help, (cont. p.5)
(cont’d from p. 4)

Charlie has provided it. He’s assisted just about every group in Montgomery from Shakespeare to Legal Services of Alabama.

Several years ago I introduced Charlie by saying these words— that apply even more today: “A recent book, only the title of which I’ve read, reminds me of the kind of human being Charlie is. The title of the book is particularly appropriate for lawyers. Roughly paraphrased, the title is: “I Had the Right to Remain Silent—but Not the Ability.” When Charlie is asked to volunteer to do God’s work, whether in his church, in our community, or in providing justice to people who can’t afford justice, Charlie has the right to remain silent—but thankfully, not the ability.” Charlie Stakely clearly has a sense of obligation, and the kind of heart that makes him a wonderful person, and a wonderful representative of our profession. Thank you, Charlie, for your service.

And, thank you to our entire class of 50 year lawyers. You all have been, and continue to be, an inspiration.

MCBA 2010 Board Members: Seated, Kim Fehl; Jayne Harrell Williams; standing, Paul Clark, Pres.; Rhon Jones; Mike Winter; Bill Robertson, YLS Pres.; Ben Schoettker; Pat Sefton, Past Pres.

Not pictured: Adrian Johnson, Kendall Dunson, and Karen Chambliss.

50-Year Honorees at 2010 Annual Meeting
Seated: Henry Harper and John Bowman
Standing: Morris Dees, Charles Stakely, Charles Miller, and Judge Harold Albritton

Pat Sefton presents a certificate commemorating the legacy of deceased attorney, Edward James Azar’s legal career to his widow, Gloria Azar.
Local Attorneys Coach Students for National Mock Trials

Submitted by Clay Barnett, Beasley, Allen, Crow, Methvin, Portis, and Miles, P.C.

A team made up of seven Junior and Senior level students from Saint James High School in Montgomery has been selected to represent the State of Alabama at the National Mock Trial competition May 5-9 in Philadelphia. The students came out on top of 66 teams from throughout the state that competed during the annual YMCA Youth in Government Youth Judicial event, held Nov. 16-18, 2009. Clay Barnett, Kevin Davidson, and Scott Green have coached this team for the last three years and have already begun preparing them to compete in the Nationals against the best from each state in the country. This team will be the second Alabama team Barnett has prepared and taken to Nationals.

The Alabama YMCA Youth in Government Youth Judicial Program is Alabama's only statewide high school mock trial competition. Students from throughout the state participate in the three-day event in Montgomery, where they try an actual case and are scored by elected student judges. Approximately 500 young people participated in the recent event. Students participate as attorney, witness, bailiff or sheriff, or are elected as a judge, as they work with their coaches to learn the judicial process.

The students who competed as part of the St. James Junior/Senior Defense Team are Zach Grate, Kristen Vigilant, Wesley Smithart, Anna Kate King, Kathryn Dismukes, Allyson Argo, and Suzanne Norman. At Nationals, teams must prepare to try the case from both the defense and the plaintiff/prosecution sides, as they will rotate sides throughout the competition.

Davidson and Green are both seasoned prosecutors with the Montgomery County District Attorney's Office. Barnett is a former prosecutor with the Alabama Attorney General's Office, meaning all three coaches will continue to draw on their courtroom skills to build this team into a true contender.

“We are excited and honored to take these kids to Philadelphia,” Barnett said. “This is a talented group, and we take our responsibility of representing Alabama very seriously. My team understands the importance of being both strong competitors and worthy ambassadors for our state. I hope members of the Montgomery County Bar will support our team, as the kids must raise about 90% of their travel and lodging expenses. That said, contributions from area attorneys is vital, and I thank folks in advance for their financial support.”

MCBA is fortunate to have a plethora of talented members who graciously give of their time. Kim Oliver Ward is one such person, assuming the CLE Coordinator job for this year. Kim is a graduate of the University of Miami where she earned her Bachelor Degree in Business Administration. She earned her Juris Doctorate at the University of Alabama Law School.

Kim’s professional experiences are varied; she has worked as a National Bank Examiner in New Orleans, Vice President of a bank, Assistant Attorney General in the Criminal Appeals Division, Director of the Volunteer Lawyers Program and Director of Continuing Legal Education at the Alabama State Bar. She now is in solo practice.

Kim’s husband, Robert C. Ward, Jr., is an attorney with Rushton, Stakely, Johnston, and Garrett. They have two sons, ages ten and twelve. In her free time, Kim enjoys traveling, reading, and spending time with her family.

We appreciate Kim’s volunteer spirit and all that she is doing to bring quality CLE programs to our members.
Pro Bono service fulfills moral and professional responsibilities

By Tom Methvin, President, Alabama State Bar

Many times during the past few months, I have used this space to share information about the State Bar’s Volunteer Lawyer Program (VLP). I’ve presented you with information about Access to Justice, and funding for Legal Services Alabama. This column has been filled with facts, figures and statistics about the number of poor in the state who desperately need our services. This month, I want to move away from the cold hard facts a little bit, and tell you why I chose to emphasize the importance of free legal services for my year as Bar President.

The decision to perform pro bono work is different for every lawyer. What is truly unique about the VLP is that we are the only ones who can do what we do. We have a monopoly on the practice of law. If we do not help the poor with legal problems, who will? Because of our position in society, we must help. To whom much is given, much is required.

It’s true that participation in the VLP is one way we can fulfill our professional responsibility to make legal counsel available to the poor. But very rarely is this kind of obligation going to spur someone to meaningful action. If you’re just going through the motions to check off a box, it is doubtful pro bono work will really become a part of your life.

I truly believe that pro bono work makes a difference, not only in the life of the client, but in the life of the lawyer. Several times since taking office in July, you have heard me talk about “the least of these,” when talking about VLP service.

The words “the least of these” doesn’t mean that the people are of little worth. It means that these are people of little means, the forgotten of society. They do not have the resources to help themselves. These are the people we are reaching through our Volunteer Lawyers Program. We might help a family being taken advantage of by an unscrupulous landlord or dishonest mortgage company. Our client may be a hopeless woman, trying to escape an abusive spouse to protect her children, or someone who paid to have car repair work done that was never done.

Some lawyers look at pro bono work with a certain amount of hesitation. They worry that participation in the Volunteer Lawyers Program will take them outside their comfort zone. This is true, it can. It reminds you of the frightening daily realities so many people face. It is good for us as lawyers to see this. It can certainly make us feel good about helping these people.

It is my sincere hope that you will take the step to help. I believe you will learn that by giving of yourself and your unique abilities, you can give so much more than just legal advice. Your service provides peace of mind and a sense of hope, and an answer where before there was none.

I challenge you to go beyond obligation and find out what Volunteer Lawyer service can mean to you. If you are not already a member of the VLP, please join. For more information or to join the VLP online go to the State Bar web site at www.alabar.org.

Tom Methvin, President, Alabama State Bar

2010 Charity Fundraiser Committee with Common Ground Montgomery representatives at the Annual Meeting.

(L-R) Pat Sefton, Bryan Kelley (Director of Common Ground Montgomery), Paul Clark, Jamie Welch (Development Director, Common Ground), Bill Robertson, and Ben Schoettker.

Not pictured: Louis Calligas, Chairman of MCBA Charity Event
As has been mentioned in previous editions of The Docket, the YLS will be having our first annual meeting and social on Thursday, February 11th. The event will take place at the new Alley Station ballroom located in the new entertainment alley downtown (above Saza). This will be a worthwhile event for all young lawyers to attend, as it includes a very brief meeting followed by live entertainment and food and refreshments. We are also making this event open for all young lawyers to bring their husbands, wives, dates, etc., and we encourage you to do so. The Board felt that it would be more fun for all if we extended the invitation to be able to bring guests, and I look forward to all of you bringing someone with you to the party if you would like. We are looking forward to seeing you on February 11th.

On another note, even though we are several months away, I wanted to remind everyone that elections for YLS officers and board positions will be this September, and all of the positions will be open. The current board has done an outstanding job with the duties and responsibilities that each member has assumed. Therefore, I feel that it is appropriate to list the names of our 2010 officers and board members once again, and that list consists of:

Bill Robertson—President
Louis Calligas—Vice-President
Megan McCarthy—Secretary/Treas.
Mark Moody—Board Member
Kelly Pate—Board Member
Chris Waller—Board Member
Tripp Vickers—Board Member
Clay Barnett—Board Member

If you have any questions about the event in February or any other questions, please contact any of the YLS officers: Bill Robertson (bill.robertson@beasleyallen.com); Louis Calligas (lcalligas@balch.com) or Megan McCarthy (mmccarthy@nixholtsford.com).