It’s hard to believe it’s already been a year since we were first introduced to COVID-19. A year ago, none of us had a stash of face masks in our car, office, purse, briefcase and everywhere else we can think of. A year ago, most of us weren’t attending depositions, hearings and trials via Zoom. There’s no question that a lot has changed in the past year. Not only has everything around us changed, we have all changed too—some of us more willingly than others. We’ve had to learn, grow and adapt to our new “normal.”

As we move into 2021 and continue with social distancing and virtual everything, make sure you are taking time to care for yourself and for those around you. Without seeing each other in-person, it can be difficult to know when someone is struggling or having a hard time. It’s easy to get overwhelmed with emails and deadlines and all that practicing law entails without a global pandemic. That’s why now more than ever, we need to reach out and check on our friends and colleagues. If you would like more information or resources for handling stress, anxiety, depression, addiction and more, please check out the Alabama Lawyer Assistance Program’s website through the Alabama State Bar.

If you need help or you’re concerned about an attorney friend or colleague’s wellbeing, you can call the Alabama Lawyer Assistance Program anonymously on the 24-hour hotline at 334-224-6920. ALAP will then reach out and see if they can set up a meeting with an ALAP employee or trained committee member. All information is strictly confidential.

Let’s continue to work together to survive and thrive in 2021!

-Ashley Penhale
NEW MCBA BOARD MEMBERS TAKE OFFICE

The Montgomery County Bar Association announces new Officers and Board Members for 2021. MCBA was established in 1915 and is a voluntary association of legal professionals in Montgomery County, Alabama. The affairs of MCBA are managed by its Board of Directors with the assistance of Executive Director Suzanne Duffey. MCBA's mission is to advance professionalism, promote practice development, encourage public service, foster camaraderie among its members, and support access to legal services for all.

The new Officers who serve one-year terms are Ashley Penhale, President, Tim Gallagher, Vice-President, and Ali Hawthorne, Secretary-Treasurer. Ashley is the Director of Programs of the Alabama State Bar. Tim is a Shareholder with Sasser, Sefton & Brown, P.C. Ali is a Principal with Beasley Allen. Larry Golston, a Principal with Beasley Allen, is serving as Immediate Past President.

The new Board Members who serve three-year terms are Aigner Kolom, Bryan Morgan, Stewart Vance, and Claire Veal. Aigner is an Associate Attorney with Beasley Allen. Bryan is the Director of Career Development at Thomas Goode Jones School of Law. Stewart is the Founder and Managing Partner for the Vance Law Firm. Claire is a Staff Attorney for Justice Greg Shaw of the Supreme Court of Alabama.

Other members of the MCBA Board of Directors who continue to serve are Amanda Senn, Deputy Director of Enforcement and General Counsel for the Alabama Securities Commission; Effie Hawthorne, Assistant General Counsel for the Alabama Board of Medical Examiners; Matthew Ward, Assistant Clerk for the Supreme Court of Alabama; Peyton Faulk, Staff Attorney for the Family Sunshine Center; and Tim McCollum, Assistant Attorney General for the State of Alabama Law Enforcement Agency.
Greetings Young Lawyers!

I am thrilled to serve as your new section President for the next two years. I wanted to start off by thanking my predecessor, Brannan Reaves, for all of the advice and leadership he has brought to our section over these past two years and especially in these unprecedented times. He served our Section in a positive way. The Young Lawyers Section (“YLS”) will continue to serve our members, serve the community, and help young lawyers in the River Region become successful in their careers.

I am pleased to announce the Officers and Board Members who will serve our section over the next two years:

• Landon Eley – Vice President (Rushton Stakely)
• Johnna Ingalls - Secretary/Treasurer (Serious Injury Law Group)
• Miland Simpler – Board Member (Ball Ball Mathews Novak)
• Chris Richard – Board Member (Gilpin Givan)
• Courtney Horton – Board Member (Beasley Allen)
• Chase Estes – Board Member (McPhillips Shinbaum)
• Tyner Helms – Board Member (Beasley Allen)
• Brannan Reaves – Past President (Hyundai Motor Manufacturing Alabama)

The Board has met over the past two months to discuss the direction and goals of the YLS. Personally, I have set a goal of reaching out and recruiting new members for the YLS. So many prominent members of the Montgomery County Bar Association started in the YLS. I would like to continue that trend by inviting new members to join our ranks. Please email me or contact any of our Board Members if you know of any young lawyer who would like to get involved with the YLS. As a reminder, the requirements to be eligible for the YLS are as follows:

The member shall (1) be either thirty-six (36) years of age or younger or licensed to practice law in the State of Alabama for less than three (3) years, and (2) is a member in good standing with the Montgomery County Bar Association.

Lastly, I hope everyone had a safe and wonderful holiday season in addition to welcoming in the new year. As the COVID-19 vaccines get administered to more and more people, we plan on starting back our beloved social events. In the meantime, we will be having our March Madness Bracket Tournament this month. Look for a YLS email with all of the details and prizes before the Tournament begins on March 18, 2021.

Happy Lawyering,
Charlie Hawthorne
WOMEN’S SECTION UPDATE

The MCBA Women’s Section annual meeting was December 10, 2020, and elections were held. Congratulations to the following women who were elected as officers and Board Members:

- Morgan Beckman – Vice President
- Erika McKay – Secretary/Treasurer
- Jessica Brown – Board Member
- Claire Veal – Board Member
- Brittney Bragg – Board Member
- Lakia Scott – Board Member
- Lashandra Warren – Board Member
- Aigner Kolom – Past President

The Women’s Section is excited to kick off the new year with its first community service project. Express O Love is a non-profit organization designed to help parents in need by ensuring that every child has an adequate supply of diapers and wipes. It is Montgomery’s only diaper bank and allows parents to pick up diapers from the diaper bank every third Wednesday of the month. We invite you to join us in reaching our goal of collecting 2021 diapers between March 1st and 12th. We are collecting any size diapers and diapers bags/boxes can be opened or unopened. You can donate through our Amazon wish list by clicking here or by e-mailing me to schedule a donation pickup.

The Women’s Section is waiving dues for the year 2021. If you would like to be a member, please click here to e-mail us.

Best Regards,
Jordan Speake Jenkins, President
MONTGOMERY COUNTY BAR ASSOCIATION
WOMEN’S SECTION’S

DIAPER DRIVE

HELP US KICK OFF THE NEW YEAR BY RAISING 2021 DIAPERS FOR EXPRESS O LOVE DIAPER BANK
MARCH 1st - 12th
- Accepting all sizes (NB - Pullups)
- Accepting unopened or opened bags/boxes of diapers
  - In most need of sizes 5 and 6

VISIT OUR AMAZON WISH LIST
BOARD OF BAR
COMMISSIONERS UPDATE

Alabama State Bar
415 DEXTER AVENUE
POST OFFICE BOX 671
MONTGOMERY, AL 36101

MEMORANDUM

TO: Board of Bar Commissioners

FROM: Justin C. Aday, Acting Secretary

RE: Board Meeting Summary Notes – January 22, 2021

DATE: February 22, 2021

1. Administrative – Following the invocation by Commissioner Mark Debro and roll call, the revised agenda was approved.

2. Recognition of Guests – President Methvin recognized special guests including Associate Justice Will Sellers, Clerk of the Supreme Court of Alabama Julia Weller, Judge John Carroll, Michael Upchurch, and Ryan Robichaux.

3. President’s Report – President Methvin informed the Board of the passing of Dr. Scotty McCallum. Dr. McCallum was the father of Past President and former Executive Director Phillip McCallum and father-in-law of Commissioner LaBella McCallum. President Methvin asked commissioners to keep the McCallum family in their thoughts and prayers.

President Methvin informed the Board that Commissioner Parker’s father is currently hospitalized. He also reported that Autumn Caudell’s sister-in-law passed away.

President Methvin reported that Doris McDaniel is retiring from the bar. Ms. McDaniel has worked for the bar for eight years, first in CLE and most recently with the VLP. Prior to her time at the bar, Ms. McDaniel worked for another state agency. President Methvin thanked Ms. McDaniel for her service to the bar and wished her well in retirement. President Methvin also introduced Savannah Deininger who was hired to take Ms. McDaniel’s place with the VLP.

President Methvin reported that he recently gave a presentation to a civic group on the importance of the court system and the legal profession in Alabama. He reported that he had received positive feedback from the presentation and that the Lawyer Public Relations Task Force will modify the presentation to be given to civic organizations across the state. He encouraged commissioners to reach out to the task force with suggestions of any civic group in their area so that the task force can schedule a presentation. He reported that it was his goal to have the task force speak to at least one civic organization in each county by the summer. Mr. Methvin reported that the task force is also looking at some advertising opportunities via digital media and other means.
President Methvin reported that he had received an email from a bar member being critical of one of the nominees for the Lawyers Hall of Fame. He reported that more information would be forthcoming for the Board to consider whether to eliminate the Lawyers Hall of Fame category honoring a lawyer who has been deceased more than 100 years.

President Methvin reported that he believes the issue has been resolved with hiring Ellen Brooks as Interim Executive Director and that he hopes she will be able to start soon.

Mr. Methvin reported that the MCLE Commission has met and decided to extend the waiver on the requirement that 6 CLE credits be from live programs. The waiver will be effective for 2021, and the MCLE Commission will also require that attorneys may not receive credit from completing the same on-demand program in consecutive years.

President Methvin reported that he has appointed Commissioners Tompkins, Sefton and Bell as co-chairs of the Governance and Internal Operations Task Force. He said that he hopes to appoint the other members of the task force in the coming days.

President Methvin reminded commissioners that March 15, 2021, is the deadline for nominations for the Commissioners’ Award, Award of Merit, Tony McLain Professionalism Award, and Bill Scruggs Service to the Bar Award. Mr. Methvin asked commissioners to send any nominations to Acting Secretary Justin Aday.

4. **President-Elect Report** – President-elect Taze Shepard updated the Board on the bar’s on-demand CLE platform. He stated that there are currently 27 courses on the platform, including several ethics hours. He commended President Methvin for his vision in assisting Alabama lawyers by making free CLE programs available as a member benefit. Mr. Shepard reported that in 2020 there were over 20,000 hours of CLE credit earned on the platform and that lawyers continue to take advantage of the platform in 2021.

   Mr. Shepard reported that the CLE Review and Revision Task Force has begun its work and will soon poll target groups on the future of CLE in Alabama. He reported the task force is digesting information on CLE requirements in other states and that he expects the task force to submit its final report by April.

5. **Acting Secretary Report** – Acting Secretary Justin Aday reported to the Board that day-to-day operations of the bar continue to run smoothly. He reported that planning continues for the February bar exam and that a good plan is in place to administer the exam in person. Mr. Aday reminded commissioners about the 2021 bar elections and he stated that information is in the meeting materials with qualifying deadlines and the commission seats that up for election.

6. **FY2021 First Quarter Financial Report** – Director of Finance Merinda Hall reported that the fiscal year is off to a good start with revenues down only 1% compared to the first quarter in the prior year. Mrs. Hall reported that 80% of the bar’s total expected revenue has been collected already. Mrs. Hall reported that expenses are down 12% compared to the previous year, most notably in personnel costs related to reduced staffing levels and retirements. Mrs.
Hall reported that the annual financial audit has been completed and the bar received an unmodified opinion. The Board voted to approve the FY2021 First Quarter Financial Reports.

7. **Cost of Living Adjustment (COLA) for ASB Staff Employed Two Years or Longer** – President Methvin reported that this discussion item was carried over from the previous meeting. He asked that commissioners make their comments brief so that everyone who wishes to speak has an opportunity to do so. After discussion of this item, President Methvin reminded the Board that this is a discussion item only and would be on the agenda as an action item at the next Board meeting.

8. **Legislative Update and Report on Economic Impact Study** – Legislative Counsel Suzi Huffaker reported to the Board that the legislative session starts on February 2, 2021. She stated that the bar will once again provide weekly legislative updates and that she encourages commissioners to stay informed about the session.

Mrs. Huffaker reported that the Economic Impact Study got off to a slow start due to the pandemic. She stated that the survey is being expanded to include more attorneys and that the bar will be sending the link instead of the University of Alabama. She reported that the results will still go to the University of Alabama only and remain confidential. Mrs. Huffaker encouraged commissioners to be looking for the survey and respond.

9. **Legal Food Frenzy Update** – VLP Director Linda Lund informed the Board that the Legal Food Frenzy will take place April 20 – May 4, 2021. She stated that this year’s competition would once again be held online only and participants would be making monetary donations to benefit the food banks in Alabama. She asked commissioners to have anyone interested in volunteering to work on the Legal Food Frenzy to contact her.

10. **Proposed Revisions to the Rules Governing Election & Selection of President-Elect and Members of the Board of Commissioners** – Judge John Carroll, co-chair of the Elections Rules & Revision Task Force, reported to the Board that the task force has approved a set of recommended revisions to the bar’s election rules. Judge Carroll reported that the task force spent considerable time reviewing the election rules and procedures of other states in developing the current recommendations. He explained the major changes that are being recommended, including a transition to less regulation of candidates and the adoption of a set of best practices that guide the conduct of candidates in bar elections.

President Methvin explained that the qualification deadline for President-elect candidates is February 1, 2021. He stated that if only one candidate qualifies the changes to the election rules would be voted on at the March meeting, and if more than one candidate qualifies a special meeting will be held to vote on the changes to the election rules.

11. **Election, Ethics & Government Relations Law Section Bylaws Changes** – Ryan Robichaux, chair of the Elections, Ethics & Government Relations Section, reported to the Board that the section has approved changes to its bylaws. Mr. Robichaux indicated that a summary and complete set of the revisions were provided in the meeting materials. He stated...
that the revisions are meant to allow the section to operate with more flexibility and work more efficiently.

12. **Rule 7 Series (Advertising Rules) Revisions** – Michael Upchurch, co-chair of the Disciplinary Rules and Enforcement Committee stated that the committee is continuing its work and trying to report out the best set of rules for the Board’s consideration. He stated that the current form of the rules was provided in the meeting materials, but that he expects additional changes. President Methvin thanked Mr. Upchurch and the committee for their hard work and said that he looks forward to having a final set of rules to be voted on by the Board.

13. **Reduction of Occupational License Fee from $325 to $300** – President Methvin stated that he thinks it is appropriate to reduce the occupational license fee from $325 to $300 for the license year beginning October 1, 2021. He stated that the reduction would be for one year and that the Board should reconsider the amount of the license fee on an annual basis. He stated that the reduction of the occupational license fee and the corresponding reduction of the special membership fee will result in a reduction of revenues of approximately $400,000.

14. **Executive Director Search** – President Methvin reported that the Executive Director Search Task Force has met to begin organizing for its work. He stated that January 15, 2021, was the deadline to receive applications or the position and that 80 applications were received. He reported that of the 80 applications, approximately half were from out-of-state applicants and approximately half are non-lawyers. Mr. Methvin reported that he will leave it to the task force as to whether one or multiple candidates are presented to the Board for consideration. He stated that the task force will continue to review other aspects of filling the position, including compensation and residency requirements, and provide additional information for consideration by the Board.

15. **Commissioner Update – Manish Patel** – Commissioner Patel informed the Board that times are tough in his circuit, as they are at many other places around the state. He stated that there has been one jury trial in the 22nd Judicial Circuit since the pandemic began, due to the fact that there is an older courthouse that doesn’t have sufficient space for distancing and other precautions. Commissioner Patel said that he hopes things will improve soon so that the practice of law can begin to get back to some sense of normalcy.

16. **Commissioner Comments Regarding Livestreaming Executive Council Meetings** – Commissioner Brinkley was recognized to address the Board regarding livestreaming of Executive Council meetings. Mr. Brinkley stated that he had researched the statutory authority of the Board and the requirements of Alabama’s Open Meetings Act. Mr. Brinkley concluded, in his opinion, that the Board is in violation of the Open Meetings Act by not giving notice of Executive Council meetings or taking minutes of such meetings. He encouraged the Board to consider livestreaming Executive Council meetings and requiring minutes of those meetings in order to keep the Board more informed and comply with the Open Meetings Act.

17. **Executive Session** – The Board went into Executive Session to discuss matters covered under Section 35-25A-7(a)(3), *Code of Alabama* (1975), including legal ramifications of litigation.
and potential litigation. The executive session was held and the regular session resumed immediately thereafter.

18. **Appointments to the Judicial Compensation Commission** – President Methvin reported that the terms of Broox Garrett and Tatum Turner on the Judicial Compensation Commission are expiring. He stated that Mr. Garrett and Mr. Turner have both indicated a willingness to continue serving on the Judicial Compensation Commission, and that no other nominations have been received to date. The Board approved the appointments of Broox Garrett and Tatum Turner to the Judicial Compensation Commission.

19. **Remaining Action Items Carried Over to Next Meeting** – The remaining action items on the agenda were carried over to the next regularly scheduled Board meeting on March 19, 2021.

JCA/
ADMINISTRATIVE ORDER

As we continue to be mindful of the safety of employees and the public during the COVID-19 Pandemic, we have decided to cancel the following jury trial terms:

March 8, 2021
March 29, 2021
April 19, 2021

Jury Trials will resume May 3, 2021.

It is further DIRECTED that this order be spread upon the minutes of the above referenced court.

DONE and ORDERED this the 11th day of February, 2021.

/s/JOHNNY HARDWICK
JOHNNY HARDWICK
PRESIDING JUDGE
SAVE THE DATE

RACE
JUDICATA
10K | 5K | 1-MILE FUN RUN

MAY 8, 2021

SAVE THE DATE

SPECIALTY COURTS
(DRUG COURT, MENTAL HEALTH COURT, & VETERANS COURT)
VIRTUAL CLE

WEDNESDAY, APRIL 7, 2021
The MCBA Award for Service and Achievement annually recognizes a Montgomery lawyer who has distinguished him or herself through service to the bar and the community. The Award honors a lawyer who demonstrates the highest standard of professionalism and is respected by his or her peers for their outstanding legal ability. Judge Jimmy B. Pool is the 2020 recipient of the Award for Service and Achievement.

Judge Pool has distinguished himself through service to the bar and the community for the past 46 years. Judge Pool has had a distinguished career as a Montgomery County prosecutor, in the private practice of law, and currently as a Circuit Judge. He has always found time to generously volunteer his time to help others in need.

Judge Pool is a Past President of MCBA who established the MCBA Annual Charity Event. He has always found time to help local charitable causes, like Mercy House, and community service organizations, like Leadership Montgomery. His numerous awards include the Pro Bono Award, the Al Sansone Service Award, Charles Langford Statesman Award, and Howell Heflin Award.

Judge Pool’s attitude is summed up by his answer to a question by a WSFA reporter when he was sworn in as a circuit judge. Judge Pool was asked what citizens could expect in Judge Pool’s courtroom – Judge Pool stated: “We are here to help people, whatever it takes to get the help for the people that come in front of us. That’s what we are going to do. Formalities aren’t going to be the rule, helping people will be the rule.”
ANNOUNCEMENTS

FORMER MONTGOMERY DISTRICT ATTORNEY JIMMY EVANS DIES

James Harold “Jimmy” Evans, 81, departed this life on February 15, 2021. A Montgomery native, Jimmy graduated from Huntingdon College before earning his law degree from the University of Alabama and an LLM from New York University.

Jimmy returned to Montgomery, where he set up a private practice of law and served as Municipal Judge for the City of Montgomery. In 1973, Jimmy was appointed to fill the unexpired term of then District Attorney Dave Crosland. Jimmy would serve in that capacity until 1990, when he was elected Alabama Attorney General. Jimmy will be remembered for his years of fighting public corruption at the local and state levels as well as his tireless efforts on behalf of crime victims, to ensure that they had a voice in the criminal justice system.

Countless lawyers in Montgomery and beyond began their careers under the tutelage of Jimmy, who was a presence to be reckoned with in the courtroom and a fearless advocate for those who had been victimized. Jimmy leaves behind three nephews, a niece, and their families as well as countless friends whose lives were touched by his mentorship and kindness.
Hill Hill Carter Welcomes Michael M. Eley to Firm

Hill Hill Carter Franco Cole & Black, P.C., is pleased to announce Attorney Michael M. Eley has joined the firm in its Montgomery office. His practice will focus primarily on workers’ compensation issues for individual companies, self-insured funds, and insurance companies.

David Byrne Named 2021 President of Middle District Federal Bar Association

The Middle District of Alabama Chapter of the Federal Bar Association has named Beasley Allen lawyer David Byrne as the 2021-2022 President. Byrne joined Beasley Allen in 2001, handling complex environmental cases in state and federal courts throughout the United States. His practice is now focused on claims against pharmaceutical and medical device companies.
ANNOUNCEMENTS

Beasley Allen Announces Third Location Opening in Mobile, Alabama

Beasley, Allen, Crow, Methvin, Portis & Miles, P.C. has announced a third office, opening January 2021 in Mobile, Alabama. The Mobile office will be headed up by Frank Woodson as Managing Attorney-Mobile. Frank has been with Beasley Allen since 2001. Before coming to Montgomery, Frank practiced in Mobile for 17 years, from 1984-2001. During his time in Mobile, Frank served as President of the Mobile Bar Association Young Lawyers Section and served on the Executive Committee.

Jones School of Law Graduates & Students Available for Interviews

Thomas Goode Jones School of Law graduates and students are readily available for Alabama lawyers to interview for any open Clerk or Associate positions.

For more information, contact Bryan Morgan, Director of Career Development, at (334) 386-7905 or bmorgan@faulkner.edu.
Hey everyone!

I am serving on the Alabama State Bar Lawyer in Every Classroom Committee this year. Our committee is responsible for recruiting lawyers to teach this year’s ABA Law Day theme, “Advancing the Rule of Law Now,” to middle school students (6th-8th grades) in-person or virtually on Friday, April 30, 2021. Lawyers will be provided lesson plans and resources on the theme that you can use to teach the class. Where possible, the committee will try to assign two attorneys per classroom to help facilitate the discussion. It is a lot of fun and is easy to do! I’m sure the teachers will appreciate our help, if only for a class period, given all that they have been managing during the pandemic.

If you are willing to teach a class in the county where you live, click here and fill out the Attorney Volunteer Form on or prior to March 12.

Also, if you know any middle school teachers and/or principals, please forward the attached flyer to them and ask them to sign-up to participate in Law Day by visiting the website.

Thank you for your consideration!

Felicia Long
INTRODUCING THE NEW MCBAR.ORG

We're excited to welcome our members to the new MCBA website built from the ground up with you in mind! We are ecstatic with the results, and we think you will be, too. If you haven't already, please visit the site and log into your profile to see all the new options available to our members.

VISIT THE SITE

For more information, please contact Suzanne Duffey at (334) 265-4793.
ADVERTISING OPPORTUNITIES

The Docket, the official publication of the Montgomery County Bar Association, Inc., is published six times a year.

MCBA is happy to offer its vendors and sponsors a variety of advertising opportunities that reach hundreds of attorneys and legal professionals across the Montgomery area. There is no better way to advertise or share with the legal community in Montgomery than MCBA.

**MCBA ADVERTISING RATES FOR THE DOCKET**

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<th>Advertisement Options</th>
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- All advertisements are subject to approval by MCBA’s Board of Directors.
- All advertisements must be paid in advance.
- All payments for advertisements must be submitted to MCBA’s physical location.
- Please contact MCBA for any questions or additional information.

For more information, [click here](#) to visit the Advertising page on our website.