

Addendum

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Beyond the Frame: Art Collection Lends Firm Local Color

An art collection that started more than 20 years ago breathes life into the office of Kaufman Gilpin McKenzie Thomas Weiss PC

The firm's art collection blends modern and traditional styles, and a variety of subject matter—including scenes of downtown Montgomery, Morocco, Paris, Acapulco, flowers, fruit, columns, and abstract studies of color, form and contrast.

Although the works may differ in genre and medium, they are all created by artists with ties to the area, from Montgomery, Auburn and as far away as Atlanta, even those who were raised in the area but call somewhere else home now.

The local art gives the office a sense of place. "When we come across pieces that tie to the city, we like to pick them up," said John Ward Weiss, one of the partners at the firm.



An exquisite work of art adds drama to a conference room setting at the firm's offices in east Montgomery.



John Ward Weiss stands by one of the more than 50 works of art included in the firm's collection.

He reports that well over 50 works of art are included in the collection, not including pieces owned by the partners individually, which would swell the number to more than 70. The office space is enormous—with seven conference rooms, halls and other common areas—so there is never a sense of having stepped into an art gallery.

Weiss notes there was no conscious decision to build an art collection when the firm began in 1983. It just grew as pieces were collected over time. "We had three separate floors in our previous location, so I don't think any of us really realized how much art we had until we moved in 2005," said Weiss.

The only art commissioned specifically for the firm was the downtown Montgomery montage by Clark Walker.

Even the break room hosts local art—more than a decade's worth of Jubilee CityFest posters.

And there's room for more. "The walls go on forever, so there are lots of opportunities to build the collection," said Weiss.

—Kimberly L. Wright, Montgomery

PMAP Library Spotlight

How to Build and Manage an Estates Practice, Second Edition, by Daniel B. Evans

One of the excellent entries in the “Build and Manage” series from the American Bar Association Law Practice Management Section and the Section of Real Property, Trust and Estate Law, is Daniel Evans’s new second edition, a quick read at under 200 pages (including forms). His book takes you through all the steps needed to create a new estate practice or to more sharply focus an existing such practice.

The book progresses from suggestions on defining the type of practice you’d like to have to ones for determining the right kinds of client and how to find and attract them. It also covers the ethical issues that are likely to arise in this type of practice and gives practical advice on how to handle them. There are suggestions for fee agreements and how to best communicate with estate clients, with appropriate forms you can modify and use on the CD, which comes with the book. It even suggests how



to store and manage information within the practice, including technology which is tailored to the estate practice, and how to get the work done.

If you’d like to read *How to Build and Manage an Estates Practice, Second Edition*, or any of the other books in the Practice Management Assistance Program’s Checkout Library, contact Kristi Skipper, the program’s administrative assistant, at kristi.skipper@alabar.org.

Casemaker 2.0 Coming to a Computer Near You



April doesn’t only bring showers—you’ll also be able to sign up for a free online class for help with Casemaker’s latest edition

Casemaker is hosting two online classes for Alabama lawyers to receive help using Casemaker 2.0. The first class will be noon, Thursday, April 17th and the second will be 2 p.m., Thursday, April 24th. Members who have configured their I-Profile to receive e-mail updates on member benefits will receive a message with a link they can click on to sign up to participate. Those who do not receive an e-mail notice can still sign up to participate by logging on to Casemaker and reserving a place. Each seminar will last about one hour. For more information, call Kristi Skipper at (334) 517-2242.

We Need Your Two Cents Worth

Legal Services Alabama is participating in an exciting new fundraising effort, and we need your help. The Regions Charity Classic (RCC) has initiated a program called "Birdies for Charity" in conjunction with the Champions Tour tournament that will be held at Ross Bridge Golf Resort May 16-18.

All you have to do is paste the following link into your Web browser: <https://events.r2it.com/birdies/r.aspx?site=RegionsCharityClassic&charity=Legal%20Services%20Alabama> and complete your pledge. Pledges can be for as little as two cents per birdie, or as much as you'd like. There were 816 birdies in 2007, so your two-cent pledge would add up to \$16.32.

What a fun way to help out such a worthwhile organization like Legal Services Alabama!

And that's not all . . . Each contributor will be entered into weekly drawings for a pair of tickets to the tournament. How sweet is that?

RCC is handling all of the administrative costs of the program, so every penny you contribute goes directly to aid the neediest of Alabama's citizens. In addition, if LSA is one of the top fundraisers, RCC will double our money.

Don't put it off—make your pledge now!



The Alabama State Bar is now accepting applications by letter with resumes for the position of Director of Regulatory Programs.

DESCRIPTION OF POSITION

The Director of Regulatory Programs is responsible for regulating mandatory continuing legal education (MCLE) compliance in Alabama and for all administrative operations of three of the state bar's regulatory programs: MCLE, specialization and fee dispute mediation. This position requires an experienced lawyer with a strong professional background.

MINIMUM QUALIFICATIONS

The applicant should have a J.D. degree and be a member of the Alabama State Bar. A background in mathematics, accounting or auditing and at least one year of supervisory experience are pluses.

The Director of Regulatory Programs will be required to work with members of the bench and bar and must have strong verbal and written communications skills, a high degree of initiative and creativity, excellent problem-solving skills, good judgment, and a track record of multi-tasking. Applicant must be proficient in Word or WordPerfect. Prior experience in database entry is a plus. Applicant should have the ability to work well under pressure, with accuracy and attention to detail. Ability to work independently is essential.

Salary for the position will be commensurate with qualifications and experience. The deadline for submission is Friday May 2, 2008. Applications should be addressed and mailed to:

Keith B. Norman
Executive Director
Alabama State Bar
P. O. Box 671
Montgomery, AL 36101-0671

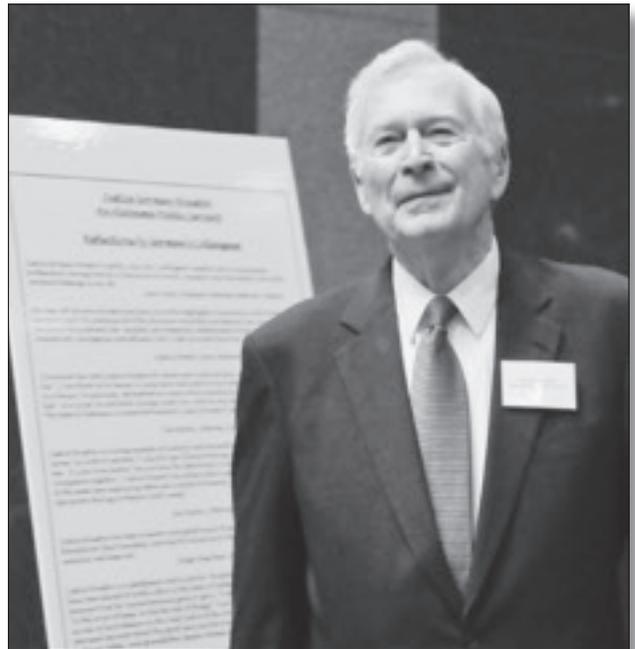
Brewer/Torbert Public Service Award Presented to Justice Gorman Houston

Justice's commitment to serve his community and state didn't end with his retirement from the bench in 2005

Justice Gorman Houston was recently presented with the 2008 Brewer/Torbert Public Service Award, given annually to an individual in Alabama who has demonstrated a substantial commitment to public service. The Alabama Appleseed Board chose Justice Houston for the 2008 award "...because of his long-standing commitment to the law and good government, as well as in recognition of his courageous and wise leadership in managing the crisis at the Alabama Supreme Court during his tenure as acting chief justice."

Justice Houston served with distinction as a justice of the supreme court from 1985, when he was first appointed, until his retirement January 13, 2005. He was elected to that position in 1986, 1992 and 1998, and during the crisis at the supreme court in 2004 he served as acting chief justice for ten months. In 2004, in recognition of his outstanding service to the bar and the judiciary, Justice Houston received an Honorary Doctorate of Laws from Huntingdon College, the Douglass Cater Public Service Award from Auburn University Montgomery and the Howell T. Heflin Award from the Mobile and Baldwin county bar associations. In 2005, he received the Alabama State Bar Commissioner's Award.

In 2005, Justice Houston joined the firm of Lightfoot, Franklin & White, where he has focused his practice on appellate advocacy in both state and federal courts. Since retiring from the bench, he has been active with several state bar committees, advocating for needed reforms in judicial elections, constitutional reform and adequate legal representation in criminal and civil matters for the indigent.



Justice Gorman Houston

Alabama Appleseed was founded in 1999 by a number of Alabama attorneys committed to public interest advocacy. Alabama Appleseed is a non-profit, non-partisan legal advocacy organization whose mission is to identify root causes of injustice and inequality in Alabama and develop and advocate for solutions that will improve the lives of all Alabamians.

IMPORTANT ANNOUNCEMENT— U.S. BANKRUPTCY COURT

The United States Bankruptcy Court for the Middle District of Alabama no longer uses a post office box. Be sure to use the physical address:

One Church Street, B-063
Montgomery AL 36104

Alabama State Bar Wins National Recognition for Law Day Poster and Essay Contest

ASB Law Day program promotes an appreciation of responsible citizenship and the benefits of a free society

The Alabama State Bar recently was named recipient of the George Washington Medal of Honor presented by the Freedoms Foundation at Valley Forge on behalf of its Law Day poster and essay contest for students in grades K-12.



Pictured above at the January business meeting and dinner of the Morgan County Bar Association are Presiding Circuit Judge Steve Haddock (8th Circuit), ASB President Sam Crosby and outgoing MCBA President Gary Phillips.



Pictured above at the bar association meeting are Bar Commissioner Nick Roth (8th Circuit), ASB President Sam Crosby and incoming MCBA President Herman Marks.

In 1958, President Dwight D. Eisenhower established May 1st as Law Day to strengthen our

heritage of liberty, justice and equality under law. This is a national day set aside to celebrate the rule of law and to underscore how law and the legal process contribute to the freedoms we share.

A total of 156 posters and 65 essays were entered by students across the state in last year's Law Day contest. ASB President Sam Crosby noted this activity lends itself to a variety of creative opportunities for students through the use of art and essays. "We want to ensure that our youth are equipped with the knowledge and skills necessary to effectively make their voices heard within our democracy," he said.

Established in 1949 by the founders of Freedoms Foundation at Valley Forge, including Gen. Dwight D. Eisenhower, the awards program recognizes large corporations, small business owners, farmers, elementary school students, teachers, and military service personnel for their efforts to make America a better place.

Notice of and Opportunity for Comment on Amendments to the Rules of the U.S. Court of Appeals for the Eleventh Circuit

Pursuant to 28 U.S.C. § 2071(b), notice and opportunity for comment is hereby given of proposed amendments to the Rules of the U.S. Court of Appeals for the Eleventh Circuit.

A copy of the proposed amendments may be obtained on and after April 1, 2008 from the court's Web site at www.ca11.uscourts.gov. A copy may also be obtained without charge from the Office of the Clerk, U.S. Court of Appeals for the Eleventh Circuit, 56 Forsyth St., N.W., Atlanta 30303 [phone: 404-335-6100]. Comments on the proposed amendments may be submitted in writing to the Clerk at the above street address by May 2, 2008.



He Took What He Learned and Ran with It



Jonathan B. Lowe

This Leadership Forum graduate didn't let over a decade of inactivity deter him from breathing new life into his county bar association

On March 3, 2008, after much work by the Executive Committee, the Winston County Bar Association reorganized itself. After a 14-year hiatus, elections were held and officers were slated for president, president-elect, secretary and treasurer.

Jonathan B. Lowe, of the firm Lowe, Mobley & Lowe in Haleyville, was instrumental in exploring and implementing the reorganization of the local bar. Lowe is a member of Class 4 of the 2008 ASB Leadership Forum, and was elected president of this newly reorganized bar association. Other elected officers are:

Scott A. Slatton, president-elect
Jackson, Mays, McNutt, Cook & Slatton LLC
Haleyville

Ann R. Richardson, secretary
Haleyville

Marcia L. Lamar, treasurer
Law Office of Scott Shipman
Haleyville

Lowe was admitted to the Alabama State Bar in 1994 after graduating from Cumberland School of Law at Samford University, where he was a member of the Henry Upson Sims Moot Court Board and the Cumberland Trial Advocacy Board. As a scholarship athlete at the University of Alabama he received his BS degree in 1991 in accounting. He is admitted to practice in all state courts in Alabama, the U.S. District Court of the Northern and Middle districts and the U.S. Court of Appeals for the Eleventh Circuit. He is a member of the Alabama Defense Lawyers Association, the Alabama Trial Lawyers Association and the Workers' Compensation Section of the Alabama State Bar and is a registered arbitrator and mediator with the Alabama Center for Dispute Resolution.

The Leadership Forum alumnus attorney who recommended Lowe says, "Jonathan is extremely well-known and respected in his local community by both the bench and bar. I strongly recommend Jonathan to the Admissions

Committee as I know he will bring valuable contributions to his potential class and will be an able alumnus of our organization."

In his own words, Lowe says, "I have served as a municipal prosecutor for the cities of Addison and Double Springs, and I currently serve as the municipal judge for the cities of Addison, Double Springs and Haleyville. I look at these as my contribution to making my community and county a better, safer and more decent place for people to live and raise their families. I want to serve in capacities that are rewarding and convey true professionalism, not only to young lawyers but also to the older ones. Often the rural areas of our bar are forgotten. I want to provide rural attorneys with the assistance they need to be competitive and successful."

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The Three C's of Professionalism

One attorney's thoughts on how to instill in the profession (and the judiciary) a sense of higher calling

In the legal profession we are now seeking to embrace this ideal of "professionalism," but what is it, exactly? To seek professionalism as a "brooding omnipresence" will lead to disappointment. Professionalism is forged one case at a time, one trial at a time, one transaction at a time, one phone call at a time. It is certainly incumbent upon each practicing lawyer to conduct himself or herself with competence, courtesy and a sense of our calling to do justice, but it is also the responsibility of the judges to keep order, to enforce the rules and to prevent anarchy from ruling over our system.

What is anarchy? It is the lack of rules. For example, if judges don't respect the *Rules of Evidence* enough to enforce them at all levels, then we, in effect, have no rules. I believe that professionalism starts at the top, with the leaders of our profession, the elected judges. I say this to our judges, "If you expect me to conduct myself both competently and as a gentleman, then you must be willing to keep order." And keep order not just as in courtroom deportment, but order throughout the legal system. Order is the essence of law, and predictability is the essence of order. Appellate rulings should not be surprises; they should be expected results when exact justice is applied to human conduct.

What follows are the "Three C's" of professionalism.

I. Competence. This is our duty to our clients, which is to:

- A. Do the work we are paid to do;
- B. Do the work correctly; and
- C. Admit when we screw it up.

II. Courtesy. This is our duty to other attorneys and to judges, which is to:

- A. Treat all people with respect;
- B. Act in a dignified manner; and
- C. Do A and B even when our client wants us to do otherwise.

III. Calling. This is our duty to justice, which is to:

- A. Recognize our calling to seek the "equal and exact justice" of which Thomas Jefferson spoke;
- B. Seek lawful (i.e., recognized) objectives even when our client wants us to do otherwise; and
- C. Promote stability and predictability in the law, so as to stave off anarchy, by:



1. Observing the rules—the *Rules of Evidence*, *Procedure*, *Discovery*, etc. (When the referee doesn't blow the whistle, the game gets out of hand; courtesy and competence go out the window).
2. Observing the precedent—precedent is where our law gets stability and gives attorneys the confidence to tell our clients that they either do or do not have a valid claim. Without the expectation that precedent will be followed, we attorneys are reduced to being odds-makers in a big crap game.
3. Observing the value of accountability—frivolous claims should be treated as such. The Litigation Accountability Act is the law and should be invoked to help attorneys (and clients) see that the judicial system is not a big crap game and that claims which fly in the face of established law will be turned away at the expense of the ones who brought them. Here again, failure to enforce the rules simply encourages the filing and continuation of frivolous cases, which must be eliminated if the word "professionalism" may ever be expected to be used in the same sentence as "attorney."

There has been too little attention paid to our duty to justice (calling) and to other attorneys (courtesy), and too much to the duty to our clients, which we have somehow perverted into a duty to win the case at all costs. The reasons for this are not new. We all want to be on the winning side, and we all want to become wealthy. The only way to instill a sense of a higher calling into attorneys is for our judges to set the example. If the law is made a puppet for political agendas and special interests at the upper-most levels of our judicial system, then don't expect to see anything better at the lowest level, where the lawyer meets the road.

—Calvin Poole, III, *Greenville*

2008 ANNUAL MEETING



The Alabama State Bar

*2008 Annual Meeting will be at the Sandestin Beach
Golf Resort & Spa in Sandestin, Florida
on July 9-12, 2008*

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