

HCBA NEWS

June 1988

President's Column

Jay A. Travis III



I appreciate the confidence which you have shown in me by selecting me to serve as your president during the 1988-89 Bar year. The responsibilities imposed upon the president of the Hinds County Bar Association seem to increase each year, and it will take the cooperation and assistance of many of you in order to meet the challenges that confront us in order to have a successful year. The Bar Association has a dual role: to serve its members and also to serve the public that we represent.

COMMITTEES

Already, twenty-one committees involving more than 130 persons have been appointed to carry out the work of our Association during the coming year. In addition, there are two ad hoc committees whose work is not yet complete, and it is anticipated that several special or ad hoc committees will need to be appointed as new matters develop. If any of you are interested in serving on a committee, please contact either the chairman of that committee or me. A list of the committees and committee chairpersons appears elsewhere in this newsletter.

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Justice Robertson Challenges HCBA Members to Read Legal Philosophy

By Linda Thompson Greaves

"You don't read enough," Supreme Court Justice James L. Robertson chastised HCBA members at April's bar luncheon meeting.

"Oh, I know you read quite a few cases and contracts and corporate charters," the Justice explained. "But you don't read enough of the great ideas in the law. These are found in law reviews and books on legal philosophy."

Justice Robertson then offered his view that today is a fun time to be a lawyer because there is so much new and original thinking by people thinking and writing about the "big picture."

In addition to his Court duties, Robertson serves as Adjunct Professor at the University of Mississippi School of Law, teaching one course a semester in legal philosophy. Drawing from his course outline, Robertson told HCBA members that the last eight or ten years have seen the rise of three very new and different schools of legal thought.

These he labeled (1) the law and economics movement, (2) the critical legal studies movement, and (3) the "principle" or "integrity" view of the law. These are in addition to the two traditional schools of legal thought, natural law and legal positivism.

Robertson pointed out that the law and economics movement had its genesis in the early 1960's in the works of Prof. Ronald Coase of the University of

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Judicial Pay Raises Approved

By Scott Levanway

The judicial pay raise issue began the legislative process on the first day of the session as S.B. 2001 and was not finally resolved until the 124th day of the 125-day session. Through the hard work and perseverance of many dedicated legislators, H.B. 890 was resurrected from the graveyard of "dead, dead, dead" bills. At the risk of offending those not named, the conferees for both the House and the Senate should be commended. Representatives Billy Lancaster, Bo Robinson and David Green for the House. Senators Alan Heflin, Bill Harpole, Glen Deweese, Ken Harper and John White for the Senate. In addition, Representatives Mike Mills, J.B. VanSlyke and Bill Jones and Senator Rick Lambert were instrumental in suspending the rules at a critical juncture and working for passage in the final days of the session.

As previously reported, the House passed an omnibus pay bill, H.B. 890, which provided for 20% across-the-board pay raises for statewide elected officials, certain appointed executive officials and Supreme, Circuit and Chancery Judges. The Senate subsequently passed S.B. 2506 which provided \$18,000 per year raises for Supreme, Circuit and Chancery Judges, plus a \$4,000 per year rent allowance. This bill later died in the House Fees & Salaries Committee, and H.B. 890 became the vehicle for judicial pay raise.

The first conference report on H.B. 890 was filed May 2, passed by the

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HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

June 21, 1988

12 Noon

\$7.50

Capital City Petroleum Club

The Speaker will be Lieutenant Governor Brad Dye.

CLE CALENDAR OF EVENTS

June 21

HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS.*

June 21

Counseling Large and Small Clients for Successful Export Transactions. Sponsored by UM Center for CLE. Oxford, MS.

July 2-15

International Studies Program. Sponsored by Univ. of MS School of Law. Dublin, Ireland.

July 22

Health Law Institute. Sponsored by UM Center for CLE. Jackson, MS.

July 22-23

Summer CLE Seminar. Sponsored by MS Association of County Board Attorneys. Biloxi, MS.

August 12

The Paper Chase - Discovery of Documents in Building Your Case. Sponsored by UM Center for CLE. Jackson, MS.

August 16

HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS.*

August 19.

Civil Liability - New Horizons; A Symposium. Sponsored by Gulf Coast Institute. Biloxi, MS.

September 26

Taxation of Partnerships and Corporations. Sponsored by MS Association of Public Accountants. Jackson, MS.

October 18

HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS.*

October 28

Administration of Small and Moderate Estates - A Practical Approach. Sponsored by UM Center for CLE. Jackson, MS.

November 2-4

Annual Fall Seminar and Conference for Miss. Prosecutors. Sponsored by MS Prosecutors College. Jackson, MS.

November 10

Corporate Litigation. Sponsored by UM Center for CLE. Memphis, TN.

November 11

Developments in the Law of Corporations. Sponsored by UM Center for CLE. Memphis, TN.

November 30 - December 1

Individual Income Tax Seminar - 1988 Tax Laws. Sponsored by MS Association of Public Accountants. Jackson, MS.

December 4-5

Individual Income Tax Seminar - 1989 Tax Laws. Sponsored by MS Association of Public Accountants. Jackson, MS.

December 9

Income Taxation for the Individual and Small Business Owner - A Basic Approach. Sponsored by UM Center for CLE. Tupelo, MS.

December 16

The Best of CLE. Sponsored by UM Center for CLE. Jackson, MS.

*Not approved for CLE credit.

President's Column *continued*

NO DUES INCREASE

Despite increasing costs in almost every item of our budget, there will be no dues increase for the third consecutive year. Further, the price of meals at the Capital City Petroleum Club has increased to over \$8.00, but your Board of Directors has decided to have the Association absorb a part of the cost of each meal in order to keep your cost at \$7.50. We are trying to be good stewards of your dues.

JUDICIAL PAY INCREASE

I want to thank Crymes Pittman, chairman of the Bench and Bar Relations Committee, for his efforts in supporting and working on the judicial pay bill. In the last days of the legislative session both Crymes and I were involved in supporting this bill, and between us we wrote or talked to all House and Senate

conferees and to the Speaker of the House. I want to thank all members of the House and Senate, including the Lieutenant Governor, who supported the judicial pay increase. The Hinds County Bar Association unanimously supported a pay increase for our judges, and we are pleased that it has now been enacted.

NEW ESTATE TAX LAW

In addition, members of the Association were active in Mississippi State Bar sections in supporting a new Mississippi estate tax which implements a marital deduction. Charles Brocato, Tom Lacey, and other Association members were active in supporting the concept of a Mississippi marital deduction and in encouraging the Legislature to adopt a new estate tax law.

LEGAL SERVICES

The Hinds County Bar continues to be active in providing support of Central Mississippi Legal Services, and I recently received a letter from Harrison D. McIver, III, the Director, extending his thanks and that of Legal Services for the

support that the Hinds County Bar Association has given to Legal Services.

ELDERLY AND HOMELESS

In an effort to determine whether the Hinds County Bar should be involved in legal matters relating to those who might be unrepresented, I have appointed two new committees: Legal Problems of the Elderly Committee and Special Committee on Legal Problems of the Homeless. The committees have been requested to study and investigate legal problems relating to each of these groups and to advise the Board whether there is a need that the Hinds County Bar should seek to address. It may be that certain problems that are being encountered are not appropriate for action by the Hinds County Bar, but if there is an area that either committee feels should be met or dealt with by the Bar, such will be brought to the attention of the Board.

I solicit any comments or suggestions which any of you may have and welcome any and all volunteers.

Justice Robertson continued...

Chicago and Prof. (now Dean) Guido Calabresi of the Yale Law School. The best known scholar in this field today is Judge Richard Posner of the U.S. Court of Appeals for the Seventh Circuit.

According to Robertson, law and economics scholars are pragmatic instrumentalists. They are concerned with the goal of economic efficiency. They believe that the common law has largely evolved with a strong tendency toward economic efficiency and urge that courts have the efficiency goal prominently in mind at all times.

Law and economics scholars consider legal thinking as a form of symbolic logic. Their efforts are designed to bring clarity where confusion and imprecision exist. He cited Judge Learned Hand's famous negligence formula in **United States v. Carroll Towing Co.**, 159 F.2d 169, 173 (2d. Cir. 1947) as an early example.

While the law and economics movement has a largely conservative political agenda, Robertson said that the critical

legal studies movement is quite liberal, even radical. However, he emphasized that the "crit" critique of law has value and should be considered separate and apart from its leftwing political agenda.

The CLS critique of law insists that our law is shot through with imprecision, incoherencies and contradictions—and that it will be ever thus. CLS scholars argue that the incoherencies and contradictions exist at three separate levels: (1) specific black letter rules, (2) principles and policies underlying black letter rules, and (3) the basic values of our society. For examples, Robertson cited from the Restatement of Contracts.

Robertson said the three most prominent scholars in the CLS movement are Profs. Roberto Unger, Morton Horwitz and Duncan Kennedy, all of the Harvard Law School. The most accessible book regarding the movement is that of Prof. Mark Kelman of the Stanford Law School, entitled *A Guide to Critical Legal Studies*, published this year.

The third new school of thought is very different from the other two. This

view is wrapped up in the work of Prof. Ronald Dworkin, formerly of New York University and now Professor of Jurisprudence at Oxford University.

Prof. Dworkin labels his school of thought "Law As Integrity." He insists that judges proceed on principles, always remembering that they are not policy makers.

Robertson described Prof. Dworkin's most recent book, *Law's Empire*, published in 1986, as the most important work in legal philosophy to be published in the last decade. He said it should be required reading for all lawyers.

Quoting from Dworkin's work, he said:

According to law as integrity, propositions of law are true if they figure in or follow from the principles of justice, fairness and procedural due process that provide the best constructive interpretation of the community's legal practice.

read the rest of Dworkin's 413-page book. And you will be absolved of your sin of not reading enough.

Judicial Pay Raises continued...

House May 4, but then rejected by a Senate vote of 31-19 to recommit for further conference. Among other features, this report provided for 20% salary increases for the judiciary. Although the deadline for filing conference reports passed, the rules were suspended and finally on May 7 a conference report was filed and adopted by both houses. The bill was approved by Governor Mabus on May 19.

The key elements of the judiciary provisions are as follows:

1. Beginning July 1, 1988, judicial salaries are increased 20% as follows:
 Chief Justice\$72,000
 Presiding Justices71,400
 Associate Justices70,800
 Chancery & Circuit Judges61,200
2. Effective July 1, 1989, all of the salaries above are increased an additional \$5,000.
3. Any circuit judge or chancellor who did not have a primary office provided by the county on March 1, 1988 shall be allowed an additional \$4,000 per annum to defray the actual expenses incurred by such judge or chancellor in maintaining an office.
4. Computation of earned income for retirement shall be based upon the reference amount of the Governor's salary as of January 1, 1992, that amount being \$75,600.

Please take time to thank those legislators that you called upon for help with this legislation. They deserve the thanks, and you will be more welcome the next time you come calling.

Thanks are also due to all of you for sticking with the program and responding to requests for grass root contacts when needed. I am certain that we would not have been successful without your help.

PRO BONO NOTES

By Phyllis M. Thornton

Jackson Lawyers Honored

Three Jackson lawyers were recognized for their outstanding contribution to low income citizens through the Mississippi Pro Bono Project. William R. Barnett, a solo practitioner; John A. Johnson, Staff Attorney and Legal Assistance Developer for Mississippi Council on Aging; and C. Victor Welsh, III of Brunini, Grantham, Grower & Hewes all received awards at the

Mississippi State Bar Annual Convention Business Meeting, June 4, 1988, in Biloxi, Mississippi.

Bruce M. Kuehnle, Jr., of Adams, Freeman, Truly, Smith & Bramlette, Natchez, and the Lauderdale County Bar Association received the distinguished President's Award at the Mississippi State Bar Annual Luncheon Meeting, June 4, 1988.

Incoming President & President-Elect Attend ABA Pro Bono Conference

Pat H. Scanlon, newly installed President of the Mississippi State Bar, and Frank O. Crosthwait, Jr., President-Elect (Indianola), along with Jackson area Pro Bono board members, R. Scott Levanway, Harrison D. McIver, III and Ben J. Piazza, Jr., attended the Annual ABA Pro Bono Conference in New Orleans on April 21-23, 1988. President Scanlon delivered the Bar Leadership Report to the General Assembly.

117,000 lawyers participate in formalized Pro Bono programs in the United States. The most recent statistics compiled by the American Bar Association Private Bar Involvement Project indicate that 25.9% of Mississippi's lawyers have joined the Mississippi Pro Bono Project panel.

*This article is dedicated in memory of Charles H. Ramberg.

Captain Equity Visits the Troubled Mississippi Gulf Coast

1988 has been roundly proclaimed as the year of economic development in Mississippi. Business, professional and political leaders have taken a collective blood oath that the Magnolia State shall never be last again. But unlike past gurus of economic revitalization, this crop of trailblazers doesn't rely on hollow press releases and promises of better times. They lead by example. Take for instance the Mississippi State Bar. Next June, the state's lawyers can engage in some meaningful self congratulation on economic development as they guzzle cocktails and wolf down flounder on the Florida Gulf Coast.

Upon hearing that Biloxi was bar convention history, certain members of my staff sensed a subtle yet distinct inconsistency. Some even climbed on the bandwagon by suggesting that this year's annual Captain Equity Convention slated for the Gulf Coast be moved to an adjoining state. cursory consideration was given to Bogalusa, Louisiana, and Pritchard, Alabama, before I put my foot down.

"Absolutely not," I said. "It would be hypocritical and wrong. Besides, Ramada Inn-Biloxi is holding a \$50 non-refundable deposit. Case closed."

After an extensive pre-convention in New Orleans, hordes of Captain Equity conventioners descended on Biloxi's "Miracle Quarter Mile" in mid-April. We selected our flagship hotel to insure proximity to prime Gulf Coast restaurants, sports facilities and night life. As we made a harrowing left turn off U.S. 90, the heart of America's Riviera stretched out before us. Krispy Kreme Donuts, Goofy Golf and the Golden Nugget featuring "Fabulous Fanny" regally awaited our onslaught. But first, a trip to the casinos.

We were filled with anticipation upon our welcome aboard the Europa Star by an attractive woman who bore a remarkable resemblance to The Love Boat's Lauren Tewes. Could Bobby Sherman and Dick Van Patton be just around the first turn of the Lido Deck?

Our first impression centered on the attire of the passengers. I could have sworn we were in the Westward Ho waiting for a complimentary plastic thimble of cheap champagne. The women sparkled in their shiny slot machine getups. Metallic purses and pumps dominated the top deck. The men tended toward the Dixie Mafia look with

a few yuppy uniforms sprinkled in for good measure. All in all, it was a convivial group that sipped on late afternoon libations as the converted oil rig supply ship headed for international waters.

We waited for the casino to open in the crowded, dimly lit dining room. As we laid siege to the buffet, we were treated to a smorgasbord of "Top 40" and country and western favorites from a flamboyant young woman who favored my idol, Tanya Tucker. Once seated, we feasted on a multi-course dinner of shrimp remoulade, broiled catfish fillets and honey-glazed ham, with appropriate offerings of crunchy steamed vegetables and broiled tomatoes, as well as a variety of salads and bread. By this time, the Tanya-like singer had been relieved by a one-man band who would later wear funny hats and lead the passengers in Europa Star bingo on the cruise back to port. All agreed that the food was better than acceptable, but not up to the \$65 tariff. The only notable exception was the catfish which had the unmistakable taste of rich Delta bottom land. But it didn't really matter; no one had come to eat anyway.

The casino was small, smoky and expensive. Nobody seemed to mind. Blackjack, craps and roulette tables with \$5 and up minimums were mobbed for the three-plus hours that were allotted for gaming. The Captain opted for video poker before being driven topside for air and a look at the lights of the Gulf Coast where in a scant twelve hours I would polish off three Krispy Kremes before finishing out of the money in Goofy Golf.

Next year's convention? Well, maybe there is something to this new spirit of regional cooperation.

The Captain would like your comments. Send cards and letters to:

Captain Equity
HCBA Newsletter
Post Office Box 22845
Jackson, MS 39225-2845

[Editor's Note: The deadline for Captain Equity's Reader's Poll of Metro Jackson Lunch Spots as printed in the last issue of this newsletter has been extended to July 15, 1988. Copies of the form may be found at the Mississippi College Law Library and Hinds County Chancery Clerk's and Circuit Clerk's offices.]

HCBA Committees Appointed for 1988-89

President Jay A. Travis III has appointed 21 committees to serve during 1988-89.

The committee chairmen, vice chairmen (or co-chairmen) are:

Bench and Bar Relations

Crymes G. Pittman, Chm. and John H. Downey, V.-Chm.

Bicentennial of Constitution

Bob Williford, Chm. and Leslie Joyner Bobo, V.-Chm.

Budget and Finance

Richard Montague, Chm. and A.M. Edwards, III, V.-Chm.

Bylaws

Armin J. Moeller, Jr., Chm. and Lee Elgin Perry, V.-Chm.

Continuing Legal Education

X.M. Frascogna, Jr., Chm. and John C. Henegan, V.-Chm.

Judicial Poll

Harold D. Miller, Jr., Chm. and Robert S. Addison, V.-Chm.

Legal Aid Committee

John R. Hutcherson, Chm. and John L. Maxey, V.-Chm.

Legal Economics

John Land McDavid, Chm. and George Fair, V.-Chm.

Legal/Medical Liaison

Steven D. Orlansky, Chm. and Joseph L. McCoy, V.-Chm.

Legal Problems of the Elderly

Steve Edds, Chm. and Walker L. Watters, V.-Chm.

Legislative

Michael J. Malouf, Chm. and Clifford C. Thompson, V.-Chm.

Long Range Planning

Judith J. Johnson, Chm. and W. Swan Yerger, V.-Chm.

Membership

Robert T. Gordon, Jr., Chm., William C. Smith, Co-Chm., and Patricia Bennett, V.-Chm.

Newsletter Editorial Board

Ben J. Piazza, Jr., Editor and Chm. and Linda Thompson Greaves, Co-Editor & Co-Chm.

Professional Ethics

Josh Green, Chm. and Kathryn Hester, V.-Chm.

Program

J. Jerry Langford, Chm. and Peyton D. Prospere, V.-Chm.

Public Relations

Leonard C. Van Slyke, Jr., Chm. and Patrick F. McAllister, V.-Chm.

Small Firm Practice

W. Roger Jones, Jr., Chm. and Richard C. Roberts, III, V.-Chm.

Social

John M. McCullough, Chm. and J. Carter Thompson, V.-Chm.

Special Committee on Legal Problems of the Homeless

Henry Chatham, Chm. and Lisa Bourdeaux, V.-Chm.

Unauthorized Practice of Law

Julie E. Chaffin, Chm. and George F. Woodliff, III, V.-Chm.

Anyone interested in serving on these committees should contact HCBA President Jay Travis or the appropriate committee chair.

1988 Regular Session Legislative Report

1. COMMERCIAL:

SB 2919: Amends the Uniform Commercial Code to clarify when a sum payable is a sum certain. Signed by the Governor 4/15/88.

2. CORPORATE/PARTNERSHIP:

HB 529: Revises the Mississippi Business Corporation Act which passed during the 1987 Session. Signed by the Governor 4/18/88.

HB 530: Revises the Mississippi Business Corporation Act which passed during the 1987 Session. Signed by the Governor 4/18/88.

HB 993: Amends a portion of the Mississippi Limited Partnership Act which was enacted in 1987. Signed by the Governor 4/20/88.

HB 1074: Revises the Mississippi Nonprofit Corporation Act which passed in 1987. Signed by the Governor 4/23/88.

SB 2750: Simplifies and modernizes the statutory forms of acknowledgment and adds statutory forms for corporations and persons acting in a representative capacity. Signed by the Governor 4/26/88.

3. COURTS:

HB 16: Authorizes the execution of instruments conveying personal or real property located in this state to be acknowledged in a foreign country. Signed by the Governor 4/23/88.

HB 20: Gives notaries public statewide jurisdiction. Signed by the Governor 4/27/88.

HB 890: "Omnibus Pay Bill" - provides for a 20% increase in the salaries of elected state and district officers; a 20% increase in the salaries of appointive state district officials and employees; a 20% increase in the salaries of the Justices of the Supreme Court, chancellors and judges of the circuit courts, and provides that beginning July 1, 1989, each of the Justices of the Supreme Court, chancellors and judges of the circuit courts will receive an additional \$5,000 increase in salary. Signed by the Governor 5/25/88.

HB 1071: Makes certain changes to justice and municipal court provisions which are procedural or clarifying in nature. Signed by the Governor 4/23/88.

HB 1082: Clarifies the authority of municipal judges to perform certain procedures, most of which are being performed already in many municipal courts but are not specifically authorized by statute now. Signed by the Governor 5/21/88.

SB 2109: Provides that when a state holiday falls on a Saturday, county courthouses may close the immediately preceding Friday. Also, when a state holiday falls on a Sunday, county courthouses may close the immediately following Monday. Signed by the Governor 4/18/88.

SB 2335: Increases the salaries of circuit and chancery court reporters by \$3,300 and requires court reporters to file income reports with the Office of Secretary of State. Signed by the Governor 5/18/88.

SB 2507: Increases the salaries of justice court judges by 20%. Signed by the Governor 5/4/88.

SB 2806: Revises the method for appointing persons to preside as a circuit judge, county judge or chancellor when the regular judge or chancellor is disqualified to preside for any reason. Signed by the Governor 4/23/88.

4. CRIMINAL/BUSINESS

HB 1: Authorizes the Attorney General to conduct official corruption and white-collar crime investigations that are of statewide interest or which are in protection of the public rights. Signed by the Governor 5/16/88.

HB 502: Relates to the criminal offense of shoplifting. Signed by the Governor 5/21/88.

SB 2928: Abolishes the Board of Corrections and transfers all powers, duties and functions of the board to the Mississippi Department of Corrections under the policy direction of the Governor. Signed by the Governor 5/6/88.

SB 2258: Authorizes law enforcement officers to arrest a person without a warrant when he has probable cause to believe that the person has committed, within 24 hours of the arrest, a misdemeanor which is an act of domestic violence, or has knowingly violated provisions of a protective order or consent agreement entered by a county or chancery court pursuant to the Protection from Domestic Abuse Law, that require the person to absent himself from a particular geographic area and specifically provides for an arrest for such a violation. Signed by the Governor 5/21/88.

5. EDUCATION:

HB 601: "Teacher pay raise" legislation of 1988. Signed by the Governor 5/2/88.

6. ESTATE:

SB 2210: Amendment liberalized the so-called "mortmain" provision of the Constitution. Signed by the Governor 5/3/88.

SB 2846: Clarifies state Supreme Court and lower court decisions concerning the right of survivorship in certificates of deposits. Signed by the Governor 4/27/88.

7. GOVERNMENT

HB 317: Required a referendum to be held at the 1988 November general election on whether the Constitution of 1890 should be rewritten by a constitutional convention held under the provisions of HB 317. Died in conference.

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SB 2431: County government reorganization act of 1988. Died in conference.

SB 2925: Research and Development Center is abolished from and after July 1, 1988, and its functions are divided between the Department of Economic Development and a newly created University Research Center managed by the Board of Trustees of State Institutions of Higher Learning. Signed by the Governor 4/16/88.

8. REAL ESTATE:

SB 2448: Provides that notice to lienholders of lands sold for taxes be sent by certified mail, return receipt requested, rather than by registered mail. Signed by the Governor 5/4/88.

SB 2749: Deletes requirement that all beneficiaries of a mortgage or deed of trust be disclosed if the mortgage or deed of trust discloses as beneficiary the name of an agent or other representative of the holders of the indebtedness. Signed by the Governor 4/23/88.

9. TAXES:

HB 532: Revises certain provisions of the income tax and corporation franchise tax laws. Signed by the Governor 4/19/88.

10. TORT REFORM:

HB 772: The "Litigation Accountability Act of 1988." Signed by the Governor 5/4/88.

HB 774: Deletes from present law an exemption from jury service previously allowed to physicians and attorneys. In addition, it removes the provision that allows certain statutory excuses from jury service to be made by affidavit, rather than in open court, and it removes the provision allowing embarrassing excuses to be heard in the judge's chambers. Signed by the Governor 4/25/88.

HB 775: Provides that qualified volunteers and certain sports officials are not civilly liable for personal injury or property damage resulting from certain acts in carrying out their activities as qualified volunteers or sports officials. Signed by the Governor 5/23/88.

11. WORKERS' COMPENSATION:

HB 467: Establishes the Mississippi Workers' Compensation Self-Insurer Guaranty Fund. Signed by the Governor 5/21/88.

SB 2401: Revises the definition of the term "injury" as used in the Workers' Compensation Law. Signed by the Governor 4/25/88.

SB 2081: Attempts to impose a degree of uniformity upon what is now a local privilege tax system composed of many individual rates applicable to particular types of businesses. Signed by the Governor 5/5/88.

SB 3017: Revises Mississippi Estate Tax. Signed by the Governor 5/18/88.



HCBA Membership Meeting - At the April 1988 HCBA membership meeting, Miss. Supreme Court Justice James Robertson was guest speaker and Past President Scott Hemleben received a plaque in recognition of his leadership during the past year. From left are HBCA News Co-editor Linda Greaves, President Jay Travis, Hemleben, and Robertson.

Mark Your Calendar

Please mark your calendar for HCBA membership meetings to be held during the 1988-89 year, as follows:

June 21	Dec. 20
Aug. 16	Feb. 21
Oct. 18	Apr. 18

The luncheon charge to HCBA by the Capital City Petroleum Club has increased from \$7.35 to \$8.26. However, the HCBA Board has agreed, for the present time, to keep the charge to members at \$7.50, with the balance to be subsidized through dues income.

February Bar Exam Results

Catherine L. Baber, executive assistant to the Mississippi Board of Bar Admissions, announced that 85 of the 109 persons taking the February 1988 bar examination successfully completed this requirement. This was an overall pass-rate of 78.0% that compares with previous testings as follows:

July, 1987	85.0%
February, 1987	83.1%
July, 1986	80.6%
February, 1986	77.5%
July, 1985	80.6%

The pass-rate for the first-time takers was 83.5% (76 of 91). Only 9 of the 18 retakers passed, dropping that rate to 50.0%.

Sixty-seven of the 76 applicants who graduated from Mississippi law schools passed, giving an in-state pass-rate of 88.2%. Of these, 92.1% (58 of 63) were first-time takers and 69.2% (9 of 13) were retakes.

Eighteen of the 28 applicants from out-of-state law schools passed, giving a pass-rate of 54.5%. Of these, 64.3% (18 of 28) were first-time takers; none of the 5 persons retaking passed.

In addition to the Mississippi law schools represented, the new lawyers are graduates of: Washington College of Law, Villanova, Vanderbilt, University of Tennessee, University of Arkansas, University of Alabama, Tulane, St. Louis University, Loyola, Emory, Cumberland Law School at Samford University, and Columbia.

An impressive swearing-in ceremony was held on April 28th in the Old Capitol.

The Hinds County Bar Association congratulates each new lawyer and welcomes the new attorneys to membership in the Mississippi State Bar.



Judge Sessions Guest Speaker at MC Law School Banquet

William Sessions, new Director of the Federal Bureau of Investigation, was the guest speaker at the Mississippi College School of Law's banquet for Law Day on April 8.

Sessions was confirmed by the full Senate in September 1987 to become FBI Director and received the oath of office in November 1987. A native of Arkansas, he is a graduate of Baylor Law School.

After being in private practice, Sessions served with the Criminal Division of the U.S. Department of Justice in Washington, D.C. In 1971, he was appointed United States Attorney for the Western District of Texas. He was subsequently named United States District Judge for the Western District of Texas in 1974, and was designated the Chief Judge in 1980.

Prior to the banquet, Sessions was honored at a reception at the Mississippi Bar Center sponsored by the Federal Bar Association, Hinds County Bar Association, and Deposit Guaranty National Bank.

Formation of Jackson Chapter of Christian Legal Society

By R. James Young

Founded in 1961 as a professional association of Christian lawyers, judges and law students, the Christian Legal Society (CLS) now includes over 3,500 members. It arises out of the conviction that our vocation is part of our calling from God. CLS believes that law is a vital arena for Christian witness and discipleship. A growing ministry of CLS has emerged to include the creation of the Christian Conciliation Service, The Center for Law and Religious Freedom, and a supportive Christian fellowship for students studying law.

For the past several months an ad hoc group has been meeting and forming a Jackson chapter affiliate of CLS. The next bi-monthly meeting will be held at 11:45 a.m., Wednesday, August 3, at the Capital City Petroleum Club. Hal Miller will present the program on the Christian Conciliatory Service in Mississippi. A buffet lunch will be provided at the cost of \$8.50 per person which may be paid at the door. All lawyers and interested parties are cordially invited. Those wishing to attend should RSVP by noon Tuesday, August 2, to the office of Louis G. Fuller at 948-3101.

Persons wishing to be placed on the permanent mailing list of the Jackson Chapter of CLS may contact the office of R. James Young at 969-7007.

Letters to the Editor

Since I have retired from active practice as well as my association with Ergon, Inc., I have often wondered why I should continue to pay Hinds County Bar dues. After reading the delightful article by "Captain Equity" I no longer harbor a doubt. I will continue to support the Hinds County Bar Association with my dues.

Cordially,



Harry Dale Owen

HINDS COUNTY BAR ASSOCIATION

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Correspondence regarding the newsletter should be directed to: Ben J. Piazza, Jr., P.O. Box 22845, Jackson, MS 39225-2845. Letters to the Editor must be signed but the writer's name will be withheld upon request. The Editor reserves the right to reject any letter.

Mississippi College Law Library Summer Hours

Beginning Monday, June 6th, the Mississippi College Law Library will observe the following summer hours:

Mon. - Thur. 8:00 a.m.-10:30 p.m.
Friday 8:00 a.m.- 8:00 p.m.
Saturday 9:00 a.m.- 8:00 p.m.
Sunday 2:00 p.m.- 8:00 p.m.
July 4 (Monday) CLOSED

Defense Lawyers Elect Hinds County Bar Members



Armin J. Moeller, Jr. of the firm of Miller, Milam and Moeller of Jackson has been elected the new president of the Mississippi Defense Lawyers Association. Other new officers include John B. Clark and J. Jerry Langford, vice presidents, and George Q. Evans, W. Thomas Siler, Jr., and Senith C. Tipton, directors, all of Jackson.



HCBA Board for 1988-89 - Members of the board of the Hinds County Bar Association for the coming year are: front row, from left, Jay A. Travis III, president, and Judith J. Johnson, vice president and president-elect. Back row, Tommy E. Furby, director; Scott P. Hemleben, past president; Richard A. Courtney, director; and R. Fulton Thompson, secretary-treasurer . Not pictured are Robert W. King and R. Wilson Montjoy, both directors.

Hinds County Bar Association, Inc.
P.O. Box 12314
Jackson, MS 39236-2314

FIRST CLASS

IMPORTANT
HCBA Luncheon Meeting
12 Noon, June 21, 1988