

HCBA NEWS

April 1990

President's Column

Judith J.
Johnson



This is my last month as president of the Hinds County Bar Association. I have many people to thank for their help and encouragement, especially the Board of Directors and Officers, Leonard Van Slyke, Tommy Furby, Pat Bennett, Hal Miller, Jay Travis, Rick Courtney, Richard Montague, and Hall Bailey. In addition, I want especially to thank and commend Pat Evans, who has done a masterful job as our new Executive Director.

I want to recognize and thank the chairpersons of the committees and their members who did the work I have taken credit for:

Beth Clay and the Judicial Poll Committee, who among other things had to conduct two unexpected judicial polls on short notice; Linda Greaves, who served in two capacities, as Editor of the Newsletter and Chairperson of the Hinds County Bar Association Bar Room Committee; Robert Gibbs and the Black Lawyer Involvement Committee; Don Nichols and the Law-Related Education Committee, which sponsored legislative tours for the Jackson junior high schools and an essay contest for high school students, among other things; Walker Watters and the Problems of Senior Lawyers Committee; Carter Thompson and the Social Committee, who were responsi-

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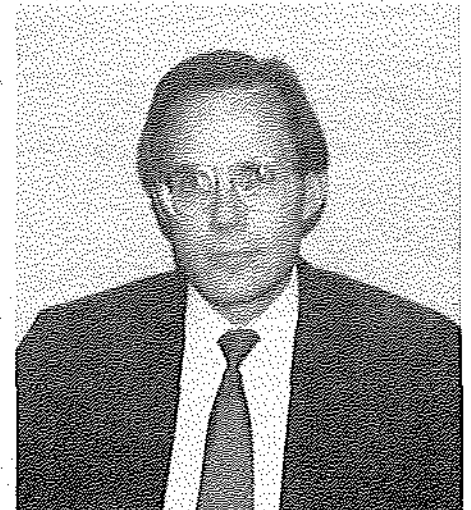
HCBA Member Appointed To Fifth Circuit

Rhesa H. Barksdale, HCBA member and partner in the Jackson firm of Butler, Snow, O'Mara, Stevens & Cannada, was appointed to the United States Court of Appeals for the Fifth Circuit on March 12, 1990. He began serving on April 1st.

Born in Jackson in 1944, he is the fourth of six sons of the late Mr. and Mrs. John Woodson Barksdale, Jr. He graduated in 1966 from the United States Military Academy. A Vietnam veteran, he served in the U.S. Army from 1966 to 1970. He rose to the rank of Captain and earned decorations including the Silver Star, Bronze Star for Valor, Purple Heart, and Vietnamese Cross of Gallantry with Silver Star.

Barksdale graduated first in his class from the University of Mississippi School of Law in 1972. He was a member of the editorial board of the Mississippi Law Journal and of the moot court team for intercollegiate competition and was selected as the Phi Delta Phi national graduate of the year. He served as law clerk to United States Supreme Court Justice Byron R. White in 1972-73.

Among civic activities, he served in 1982-85 as chairman of the Mississippi Vietnam Veterans Leadership Program. He is a layreader at St. James Episcopal Church. An avid runner, he has participated in three marathons. He is married to the former Catherine Carson Davis, and they have three children.



Reception for Judge Barksdale

The honorable Rhesa H. Barksdale will be invested as Judge on the U.S. Court of Appeals for the Fifth Circuit on Friday, June 1st. The Hinds County Bar Association will sponsor a reception immediately following the investiture. The time and place are to be announced.

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

April 17, 1990

12 Noon

\$8.90

Capital City Petroleum Club

The speaker will be Lee Roy Black, Commissioner, State Department of Corrections.

ble for our very successful Christmas party; John Maxey and the Library Services Committee; Lynn Fitch Mitchell and the Women in the Profession Committee; Katie Hester and the Professional Ethics Committee; Peyton Prospero and the Program Committee; Richard Roberts and the Small Firm Practice Committee; Ben Piazza and Fulton Thompson and the Membership Committee. I want to especially thank Fulton for his work on our pictorial directory and on the fund raising for the Bar Room. David Grishman and the Legal Economics Committee; Lisa Bourdeaux and the Problems of the Homeless Committee; Clifford Thompson and the Legislative Committee; Spencer Gilbert and the Legal Aid Committee; Eddie Edwards and the Budget and Finance Committee; Cindy Perry and the By-Laws Committee; Zeke Downey and Harrison McIver and the Bench and Bar Relations Committee. Zeke kept us straight with the judges, while Harrison planned the judicial receptions, John Henegan and the Continuing Legal Education Committee; and Belinda Stevens and the Wellness Committee, who got our Lawyers Assistance Program started.

Finally, I want to thank all of you for your support during this very challenging and gratifying year. I am confident that under the leadership of Leonard Van Slyke the Hinds County Bar Association will continue to grow in service to the profession and the public.

Addiction In A Nutshell

By Pshon Barrett, Wellness Committee

In today's society so much is being said about addiction. Everything seems to be addictive. There is chemical addiction, relationship addiction, gambling addiction, food addiction, work addiction, and an endless list of others. News reports are filled with stories about drugs, talk shows focus on addictions, and the latest medical breakthroughs seem to relate to addictions. Addiction seems to be a major contributing factor in school dropouts, family disputes and dissolutions, the rising crime rate, poor job performance and many other such unfortunate events in our culture.

Is there a solution? This article focuses on "recovery," as it has the capacity to affect the lives of individuals caught in the grips of addiction.

Recovery is a healing process which is available to people who are addicted. To those who may not have had any exposure to addictions, the process seems simple -- "stop participating in addictive behavior." But abstinence from addictive behavior is only the beginning of the recovery process.

Recovery is the process of rebuilding

the life which is saved by abstinence from addictive behavior. Any effective recovery program begins with rigorous honesty, that is, learning to live life and to relate to others authentically.

Secondly, recovery demands a personal commitment to change, a decision to do whatever is necessary to bring about such change. With this type of quality commitment comes awareness of new options for living and the courage to exercise those options.

Thirdly, and most importantly, recovery involves relinquishing control over others, circumstances, and results through the realization of our own powerlessness over the lives of others, circumstances and results.

This aspect of recovery (a process of spiritual awakening) is the cornerstone on which thousands of men and women have built happy, healthy lives free from the bondage of addiction, that is, the bondage and the pain of seeking refuge in a substance, a person, or a habit.

Hinds County Lawyers' Wives

The Hinds County Lawyers' Wives organization will host its annual membership coffee at the home of Robert and Bobbie King, 3671 Woodward Place. The May 11 affair will be held from 11:00 a.m. till 1:00 p.m. All spouses of HCBA members are invited to attend.

Annual dues of \$15.00 may be sent to Mrs. Tom Cook, 5140 Canton Heights Drive, Jackson, MS 39211. Guests are welcome at a cost of \$3.00 each. Proceeds from the coffee will be used for a scholarship for an Ole Miss Law School senior. (Each year a scholarship is given, alternately, to an Ole Miss or an MC Law School student.)

Serving as officers for 1990 are Mrs. Richard A. (Noni) Montague, President; Mrs. C. Glen (Jean) Bush, Jr., President-Elect; Mrs. A. Jerry (Susan) Sheldon, First Vice President; Mrs. Marcus (Martha) Wilson, Second Vice President; Mrs. Lewis (Ruth) Bell, Third Vice President; Mrs. Collier (Beth) Graham, Secretary; Mrs. Tom (Marlene) Cook, Treasurer; and Mrs. Barry (Angelyn) Cannada, Membership Coffee Chairman. For more information, please call Noni Montague at 981-4481.

CLE CALENDAR OF EVENTS

April 17
HCBA Membership Meeting. Capital City Petroleum Club, Jackson, MS.*

April 24
MS Construction Law. Sponsored by National Business Institute. Jackson, MS.

April 24
Cargo Loss and Damage Claims. Sponsored by UM Center for CLE and CLESN. Oxford, MS.

April 26-27
MS Conference on Child Abuse. Sponsored by MS Committee for Prevention of Child Abuse. Jackson, MS.

April 27
Fundamentals of Bankruptcy. Sponsored by Professional Education Systems. Jackson, MS.

May 10-11
A Course in Practical Legal Skills. Sponsored by MSB Young Lawyers Division and Harrison County Lawyers Association. Biloxi, MS.

May 11
MS Sales and Use Tax. Sponsored by National Business Institute. Jackson, MS.

May 12
Residential Loan Closings. Sponsored by K.F. Boackle. Jackson, MS.

May 12
MS Real Estate License Law. Sponsored by K.F. Boackle. Jackson, MS.

May 17-18
Workers' Compensation Educational Conference. Sponsored by MS Workers' Compensation Commission. Jackson, MS.

May 18
Law Office Management. Sponsored by MS State Bar. Jackson, MS.

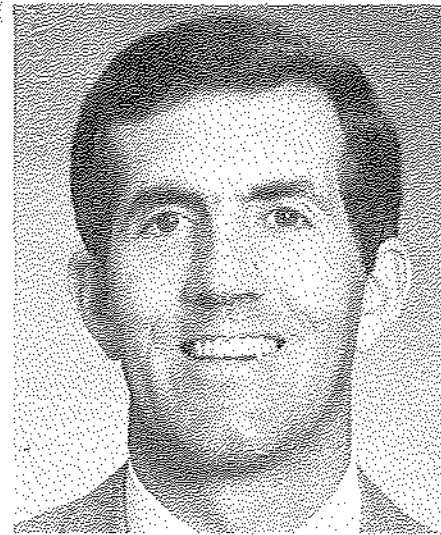
May 24-25
A Day With The Masters. Sponsored by MS Trial Lawyers. Jackson, MS.

June 19
HCBA Membership Meeting. Capital City Petroleum Club, Jackson, MS.*

*Not approved for CLE credit.

New Dean Named For Ole Miss Law School

By Carol C. West



Dean Shipley

On a lovely March morning, I reached Dean David E. Shipley in his office at the law school of the University of South Carolina, where he serves as professor and associate dean. The sunshine outside was equally matched with the enthusiasm of Prof. Shipley as I asked him to talk about Ole Miss and the Law School. His desire to know the lawyers in this state and his genuine interest in our bar activities were evident.

CAROL WEST: The standard questions for new deans relate to "Goals and Objectives." Let me start by asking you: "What are your short range objectives?"

DEAN SHIPLEY: My experience as an applicant for this position gave me some sense of the atmosphere of the University. The faculty's enthusiasm, cooperative spirit and good energy were apparent. The law school is in a very stable condition with much of the credit due to Larry Bush for the excellent way that he has administered the school as interim dean. The excellent faculty hired during his tenure, the quality of the student body admitted, and the high morale of all persons associated with the school make the Ole Miss deanship a very attractive job.

Once I am on campus, I will be seeking immediately to learn more about the administration of the University, the faculty and the students. High on my list of priorities will be to travel around the state and region meeting all lawyers, as well as Ole Miss alumni, to find out what they think. I am planning a trip to Jackson as soon as possible after my move, and I am looking forward to working with the Hinds County Bar Association.

CW: What about your long range goals?
DS: The primary mission of the Ole Miss Law School is to provide the highest quality legal education to the students enrolled in the program. In addition, the law school seeks to provide service to the bench and bar and to advance the law in the state. The law school has been successful in meeting its mission. I want to build on this strong base.

With respect to students -- applications are up, the calibre of the student body is excellent, and graduates can be placed well in Mississippi and anywhere else.

The alumni are extraordinarily loyal to the school and have a strong record of support. The many letters of welcome that I have received from alums are making me feel very welcome and eager to start working with this group. I have tried to respond to each letter; I am looking forward to getting to know the members of the alumni association.

CW: When will you be in Mississippi?

DS: I will be at Law Weekend on April 6-8th. Officially, I begin work on July 1st, but I will be moving to Oxford in mid-June. I am planning to be at the Annual Meeting of the Mississippi State Bar in July.

CW: What have you identified as the greatest need of the law school?

DS: Funding. This may be a lean year for education budgets. We will need increased funding to maintain our position with respect to the other southeastern states. Ole Miss receives quite a bit of private support, but I will be working to increase that support so that the law school can reach its full potential.

CW: What do you see as the relationship between the two law schools in Mississippi?

DS: I hope to have a good relationship with Mississippi College. Both schools are healthy and improving. There is much that the two schools can do if they work together.

CW: What do you see as the role of the Hinds County Bar in your plans?

DS: I hope that 170 miles will not keep us from having a great working relationship. I will encourage students and faculty to be involved in Hinds County Bar activities.

I didn't question Dean Shipley about information that was available in the University's press release. He is 39 years old and is a native of Urbana, Illinois. He received his J.D. from the University of Chicago, where he served as executive editor of the law review. While a student, he was a research assistant for Stanley Kaplan. His B.A. was conferred with the highest honors from Oberlin College in

Ohio. Following graduation from Chicago, he was admitted to the Rhode Island bar and served as associate with a Providence law firm.

In 1977, he began his teaching career as a visiting assistant professor at the University of South Carolina, attaining full professor status there in 1985. In the interim, he served visiting professorships at Ohio State and the College of William and Mary.

He teaches in the areas of intellectual property, civil procedure, administrative law, legal and equitable remedies, and domestic relations. His book, *South Carolina Administrative Law*, is in its second edition. He is coauthoring a copyright case book, which he expects to be published in 1991. He has made presentations on copyright to the American Bar Association's annual convention, at meetings of the South Carolina Bar, and at various continuing legal education seminars and workshops.

He is presently serving his fourth term as a member of the Carolina Patent, Trademark and Copyright Association's Board of Managers.

Dean Shipley and his wife, Virginia F. Coleman, have an eight-year-old daughter, Shannon Coleman Shipley.

LAW BOOK SALE

By Susan Hicks

Are you interested in purchasing used Mississippi law books? Do you need to fill in gaps in your collection of Mississippi material? The State Library has a deal for you! We are in the process of weeding from our collection numerous copies of surplus volumes of Mississippi Reports, Mississippi Cases, General Laws, and old state codes, such as Hutchinson's and Hemingway's. Most of the volumes are in good to excellent condition.

This is probably the final sale of these titles that the Library will be conducting, so now is the time to take action. There will not be a minimum bid for each book. The bid opening will be May 25. Before that date, to be placed on the bid list or for more information, contact Susan Hicks at the State Library, 359-3672.

The Cost of Unrecovered Costs

By Frank D. Stimley
Legal Economics Committee

It has become fairly commonplace for most lawyers to view the practice of their profession as not only the delivery of legal services to, and for the benefit of, their clients, but also as the operation of a business. In that regard, the average lawyer has probably spent many hours studying the various ways of attracting and maintaining a solid client base which, in turn, makes it possible for the attorney to produce income as a result of rendering legal services.

All too often the emphasis is placed on the generation of revenues and the pricing of the legal services. Most of the time, consideration is given to costs only at the point in time where either billing rates are increased or significant increases in what the attorney must pay for out-of-pocket expenses are brought to his attention.

The typical law firm attempts to set its billing rates to recover those significant and quantifiable fixed costs which include rent, secretarial and support staff salaries, professional liability insurance, equipment rental expenses, and associate salaries. The consideration of fixed costs normally stops at this point, and attention shifts to variable costs. In most instances, variable costs are not incorporated in the billing rate but are reflected as additional charges to the client in the expense section of their bill. The variable costs that one normally finds on an itemized bill would include charges for copies, mileage, long distance telephone, courier expense, federal express or shipping costs, and meals, lodging, air fare and ground transportation for out-of-town travel.

Traditional business logic indicates that fixed costs are expected to remain relatively the same regardless of the volume of legal services that are provided, while variable costs vary in proportion to the amount of legal services that are delivered. The fixed costs are normally incorporated in the hourly billing rate of each lawyer, and the variable costs, which are normally attributable directly to the specific clients for whom services are delivered, are added on to each specific client's bill.

Unfortunately, there are certain fixed costs which only represent a pass-through adding nothing to the asset base of the firm, the largest of these being the cost of the physical space occupied by the firm itself.

In recent years lawyers have focused much attention on the decision of whether to buy or rent the land and building from which they deliver legal services. This ar-

ticle will not center on that decision but will concentrate on three variable costs that are normally ignored when bills are sent and thus are not recovered at all.

Most lawyers fail to bill and consequently fail to collect for **Normal Postage, Client File Setup Expenses, and Client Billing Costs**. Schedule I has been designed to graphically depict what these items could potentially mean to (a) a firm comprised of three lawyers; (b) a firm comprised of fifteen lawyers; and (c) a firm comprised of fifty lawyers. Schedule I is also based upon various assumptions about each of the three costs under consideration, as follows:

Normal Postage Assumptions

1. Each lawyer mails three original letters, and although three copies are produced, only two copies of each letter are also mailed each day.
2. The only postage or shipping expense currently being collected by the firm would be extraordinary expenses such as the extra cost of certified mail, priority mail, federal express, parcel post, and the like.
3. The cost of regular first-class mail increases from \$.25 per letter to \$.30 per letter.

Client File Setup Expense Assumptions

1. Each client matter is assigned its own file folder and ultimately utilizes a minimum of 1/5th of an expandable folder.

2. Each client matter requires a minimum of five sheets of paper including but not limited to the client data sheet, the routing sheets, the bookkeeping form as well as the various index cards for each new matter that is opened.

3. Each client matter requires the use of approximately 1/10th of a standard double-sided, double-density, floppy diskette on which is stored copies of the client's documents and correspondence.

4. Each lawyer opens one new matter per day no matter whether handled to completion, assigned to another lawyer, or abandoned by the client thereafter.

Client Billing Costs Assumptions

1. Each lawyer sends, on the average, ten bills per month.
2. Each bill consists of a minimum of four sheets of paper.
3. Three copies of each bill are produced each month.
4. Each bill is mailed in its own envelope, first-class mail.

The following schedule illustrates how, in firms of different sizes, it is possible to estimate the unrecovered costs in the area of Normal Postage, Client File Setup, and Client Billing.

	SCHEDULE I Unrecovered Costs		
	3 Lawyers	15 Lawyers	50 Lawyers
Normal Postage (3 Originals + (3*2 copies)) * 21.5 days per month * \$.30 * Lawyers	\$174/Mo	\$870/Mo	\$2,900/Mo
Client File Setup (Folders @ \$.10 + Expand Folder @ \$.30 + Paper @ \$.10 + Diskette @ \$.15) * 21.5 days per month * Lawyers	\$42/Mo	\$210/Mo	\$700/Mo
Client Billing Costs Copies @ \$2.40 Envelope @ \$.03 Postage @ \$.30 (10 * \$2.73 * Lawyers)	\$82/Mo	\$410/Mo	\$1,350/Mo
	\$ 298/Mo \$3,576/Yr	\$ 1,490/Mo \$17,880/Yr	\$ 4,950/Mo \$59,400/Yr

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In a three-lawyer firm, each time a lawyer writes a letter on behalf of his client, one original is produced and mailed. Often, two copies are also produced and mailed, and one copy is made and retained in the file. Following the postage assumptions, each lawyer would then cause nine envelopes to be posted each day even though only three original letters were produced. In a three-lawyer firm, this would represent a postage cost of \$174.00 per month, which normally is not recorded or recovered on any billing statement since these are normal and routine costs. These costs also are generally *not* a part of the base billing rate. In a 15-lawyer firm, this would equal \$870.00 per month and in a 50-lawyer firm, this would equal \$2,900.00 per month.

When a new matter is opened for a client, it is safe to assume, that the client's folder will cost the firm \$.10, the client's portion of the expandable folder will cost approximately \$.30, five sheets of paper at the firm's cost would equal about \$.10, and the part of the floppy diskette to ultimately be utilized for the client would cost approximately \$.15. Consequently, the minimum cost to set up a new matter for a client is estimated to be \$.65 per matter which translates into \$42.00 per month for a three-lawyer firm, \$210.00 per month for a 15-lawyer firm, and \$700.00 per month for a 50-lawyer firm.

Each month when a lawyer sends a bill, there is a direct cost which the firm must bear that would not exist but for the firm having rendered legal services which are reflected on the bill so mailed.

Each bill is first produced in draft form prior to its final version. Thus for each final bill consisting of four pages, there would be created at least three copies. The first copy would be the draft which may require revisions. The other two copies would be of the final bill, one of which would be placed in the client's file and the other would be placed in the bookkeeping file. Consequently, the costs of producing these three extra copies would be \$.20 per page (the standard copy cost for the firm) times the total number of pages in all of the copies or \$2.40 per bill. The \$2.40 cost associated with producing the copies, when added to an estimated \$.03 per envelope and \$.30 postage, would equal \$2.73 as the cost associated with each bill. This cost when multiplied by an average of ten bills per lawyer gives rise to a cost of \$82.00 per month for a 3-lawyer firm, \$410.00 per month for a 15-lawyer firm, and \$1,350.00 per month for a 50-lawyer firm.

When viewed separately, the costs for Normal Postage, Client File Setup, and Client Billing appear to be relatively small and negligible. When viewed collectively,

however, these costs can mount up and range from \$290.00 per month for 3 lawyers all the way up to \$4,950.00 per month for 50 lawyers. This translates into \$3,576.00 per year for 3 lawyers, \$17,880.00 per year for 15 lawyers, and \$59,400.00 per year for 50 lawyers.

Since these costs are normally not recovered by a typical law firm, they represent a direct cost chargeable against the net cash profit (cash flow) of each firm. By simply recording, billing and collecting these costs, each firm can increase the net cash available for distribution to partners without any increase whatsoever in any lawyer's billing rate, gross fee billing, or number of hours billed.

Certainly these extra dollars, if billed and recovered, could be available to cover the cost of adding other personnel to the firm, increasing the compensation of existing personnel, providing bonuses and incentives to existing lawyers and/or support staff, paying for the cost of a firm vacation for each lawyer, or in the case of the 50-lawyer firm, paying the full cost of a new associate and his secretary, or simply paying for one "Forbes Style Christmas Party".

In summary, each lawyer will have to make the decision as to whether his client would be sensitive to having these costs itemized or even occurring in summarized fashion on his bill. Nevertheless, if these or other similar costs are not being recovered by the firm, then the firm is paying for the privilege of practicing law for the client. I would submit that goes contrary to what the business of the law practice is all about.

National Trial Competition Received Exceptional Response

By J. Michael Maloney

In early February, Mississippi College School of Law hosted the Southeastern Regional Finals for the National Trial Competition. The competition, held at the Hinds County Courthouse, consisted of seventeen teams from nine schools including: Arkansas Little Rock, Campbell, Memphis State, Mississippi College, North Carolina, Ole Miss, South Carolina, Tennessee, and Wake Forest. Campbell and Wake Forest advanced to the National Finals as representatives from this region.

The tremendous response received from the Hinds County Bench and Bar enabled us to use five-judge panels instead of the traditional three-judge panels. The quality of the judges and judging was noted by most, if not all, of the schools. Wake Forest, whose team is advancing to the nationals, is running the names of some of the judges in

their alumni magazine. They were amazed at the support and quality of our local bar.

The Law School would like to extend thanks to the participating judges and alternates listed below.

Abels III, Jackson	Maxey, John
Adams Jr., Charles	McCharen, Silas
Akin, Gail	McCoy, Joe
Allain, Bill	McDaniel, Kent
Arinder, Betty	McLeod, Ray
Baker, Dan	Melvin Jr, Leonard
Banks, Fred	Mockbee, David
Barber, William	Montague, Richard
Barne, William	Montjoy, Wilson
Bas, Ross F.	Moore Jr., Frank
Bell, James	Mozingo, James
Bennett, Richard	Ott, Luther
Blass, Joel	Owens, Bob
Brasfield, Craig	Page, Tommy
Bridges, Billy	Parker, Mike
Carroll, James	Patterson, Lindsay
Coleman, William	Peters, Wes
Collins, Betty Toon	Powell, Barry
Combs, Gwen	Purdy, William
Craig, York	Reed, William
Dale, Sebe	Reeves, John
Daniel, Joe	Robertson, James
Davis, Charles	Royals, Tom
Dent, Hayden	Runnels, Susan
Drinkwater, Wayne	Saunders IV, Hubbard
Dunbar, David	Scanlon, Pat
Ehrhardt, Herbert	Schwindaman, Dale
Ellington, Edward	Shirley, John
Farber, Brad	Simpson, Kathy
Ferrell Jr., Wayne	Spencer, Jim
Folse, Glenn	Stennett, Paula
Frazer II, T. Roe	Stevens, Belinda
Gerity, Thomas	Stewart, Jay
Germany, Robert	Stimley, Frank
Gibbs, Robert	Streetman III, Jim
Gilchrist, Elizabeth	Sweet, Dennis
Green, Cheri	Sweet-Owens, Denise
Green, Tomie T.	Taggart, Andy
Griffin, William	Thrash, Gary
Gwin, Michael	Tipton, Smith
Hancock, Patricia	Toney, John
Hancock, Tim	Tyler, Bob
Henley, C.A.	Tyner, Mitchell
Herbert, Mark	Ulmer, Michael
Hilburn, Breland	Weaver, Robert
Hoseman, Gerald	Welch III, Scott
Hubbard, Dale	Wells, Rob
Hubbard, Jeffrey	Wetherbee, Helen
Irby, Peyton	White Jr., Marvin
Jones, Bill	Wiener, Joshua
Jones, Larry	Wiggs, Rebecca
Kirchmayr, Steve	Williams, Ben
La Marca, Darren	Wise, Joe
Lee, Dan	Wise, Patricia
Lee, Joe	Wise, Sherwood
Lobrano, Ed	Wood, Randolph
Lotterhos, Joseph	Wright, J. Steven
Malone, D. Drew	Yerger, Swan
Malouf, Michael	Young, James L.
Martz, Mike	

Legislature Authorizes Supreme Court Magistrates

On March 13, 1990, Governor Mabus signed into law House Bill 838, which authorizes the Supreme Court to appoint three magistrates to assist the Court in the performance of its duties.

The Act provides for the appointment of one magistrate from each Supreme Court District. In order to qualify for appointment, an attorney must have the same qualifications for office as required of Circuit and Chancery Court Judges. The annual salary of a magistrate will be the same as that of a Circuit Judge.

The Act also authorizes the Supreme Court to adopt rules and regulations defining the duties of the magistrates. The Act appears to grant the Court a great deal of discretion in this regard, inasmuch as the duty of the magistrates shall be "to aid and

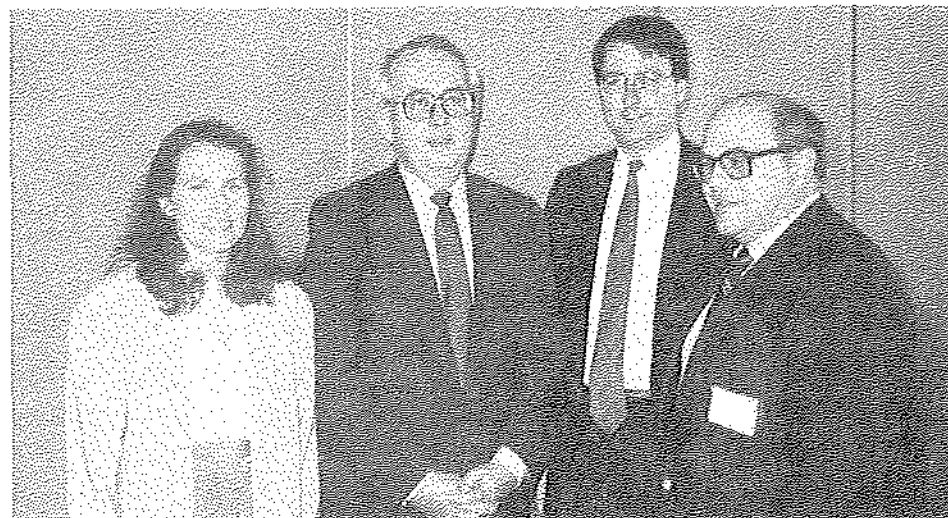
assist the Supreme Court in the performance of its duties, and in the disposition of causes now pending in the Supreme Court undetermined and in determination of such causes as may be presented to the Supreme Court for determination."

In separate legislation, the Legislature approved funding of the positions on March 25, 1990. However, no funding will be available until the beginning of the State's fiscal year on July 1, 1990.

According to Supreme Court Administrator Amy Whitten, the process of adopting rules and regulations governing the magistrates is in its infancy. Ms. Whitten stated that the Court will not be accepting applications for the positions until it reaches a later stage in the process.



The HCBA Law Related Education Committee recently sponsored legislative tours at the New Capitol for Jackson Public School junior high students. Participating from the HCBA were (from left) Minor Buchanan, Mary Lawrence Gervin, and Judy Johnson. Pictured with them (right) is Bailey Junior High teacher Henrine Parker.



HCBA Membership Meeting - Bill Cole, second from left, former State Treasurer, was guest speaker at the February luncheon meeting of the association. Pictured with him, from left, are HCBA officers, Judy Johnson, President, Richard Montague, Secretary-Treasurer, and Leonard Van Slyke, President-Elect.

Legislature Amends General Statute of Limitations

In 1989, the Legislature changed Mississippi's general statute of limitations from six to three years. Miss. Code Ann. Section 15-1-49 (Supp. 1989) has been amended again by the 1990 Legislature.

Senate Bill No. 2411 amends the statute to provide two additional subsections. Mississippi's general statute of limitation now provides:

15-1-49 (1) All actions for which no other period of limitation is prescribed shall be commenced within three (3) years next after the cause of such action accrued, and not after.

(2) In actions for which no other period of limitation is prescribed and which involve latent injury or disease, the cause of action does not accrue until the Plaintiff has discovered, or by reasonable diligence should have discovered, the injury.

(3) The provisions of Subsection (2) of this Section shall apply to all pending and subsequently filed actions.

Under prior Mississippi law, causes of action in cases of latent injury or disease accrued when the plaintiff discovered or by reasonable diligence should have discovered the injury only in medical malpractice cases. The amendment to the statute broadens the latent injury rule by making it applicable to all causes of action involving latent injury or disease.

Of particular import is the effective date of the bill. Section 3 of the bill provides that it takes effect and is in full force from and after the date of its passage. The bill was passed by both Houses and approved by the Governor on March 12, 1990. The immediate effectiveness of this statute, coupled with the retroactive application language contained in Subsection 3 of the statute, may breathe new life into some causes of action in the State.

Summer Associates' Use of MC Law Library

Law firms are urged to have each summer associate request a letter of introduction from his/her law school librarian if the student is planning to use the MC Law Library this summer. With the letter on file, the law library will be able to grant reciprocal user privileges to these students from other law schools.

Results Of The 1990 Judicial Closed Poll Ballot Hinds County Bar Association

	Recommend Endorsement	Recommend No Endorsement	No Opinion	% Expressing Opinion Recommending Endorsement
Circuit Court Judge - 7th District (Hinds, Yazoo)				
Subdistrict 1 William Coleman	437	17	72	96%
Subdistrict 2 Mark Sledge	322	17	187	95%
Subdistrict 3 Fred Banks	390	43	93	90%
Subdistrict 4 L. Breland Hilburn	399	46	81	90%
Chancellor - 5th District (Hinds)				
Subdistrict 1 Stuart Robinson	459	22	45	95%
Subdistrict 2 Pat Wise	177	109	240	62%
Subdistrict 3 Denise Sweet Owens	187	98	241	66%
Subdistrict 4 Chet Dillard	354	66	106	84%
County Court Judge (Hinds)				
Subdistrict 1 Karen Gilfoy	336	96	94	78%
Subdistrict 2 Houston Patton	145	94	287	61%
Subdistrict 3 Chet Henley	347	12	167	97%

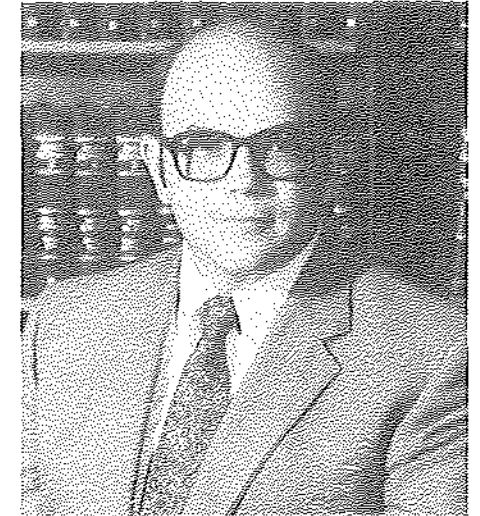
The eligible voters were all members of the HCBA.

To assure the accuracy of the poll, the ballots were received and tallied by Burkhalter and Company, Certified Public Accountants. Burkhalter and Company volunteered its time and resources as a public service for which the Association is grateful.

1990 Judicial Elections

All Circuit Court Judges
All Chancery Court Judges
Special - State Supreme
Court Judge - Second District
(Southern District) Position 1

Qualifying Deadline
April 6, at 5:00 p.m.
Primary - June 5
Runoff (if necessary) - June 26
General - November 6



Leonard D. Van Slyke, Jr.

President-Elect Van Slyke

In May, Leonard D. Van Slyke, Jr., will take over the helm of the HCBA. A native of Hattiesburg, Van Slyke received his undergraduate degree from the University of Southern Mississippi. He earned his J.D. degree from the University of Mississippi and a Master of Laws in taxation from the Georgetown University Law Center.

Van Slyke began his legal career in 1970 as a trial attorney with the U.S. Department of Justice in the Tax Division. He entered private practice in Jackson in 1974 and has since developed a business, taxation, and media law practice. He is frequently asked to appear on seminar programs, and he has lectured on a variety of topics in the areas of taxation, real estate, and media law. He is a partner in the law firm of Thomas, Price, Alston, Jones & Davis.

Currently president-elect of the HCBA Van Slyke has previously served as president of the Mississippi Chapter of the Federal Bar Association and as chairman of the Tax Section of the Mississippi State Bar. Active at Galloway Memorial United Methodist Church, Van Slyke serves on the Administrative Board and the Finance Committee. He has been a member of the Board of Directors of Bethlehem Center, a community social agency, and is a member of the Jackson Chamber of Commerce Education Committee. He and his wife, Donna, have two children, Lendy and Guy.

Luncheon Price Increase

Due to a price increase by the Capital City Petroleum Club, the HCBA luncheon cost has been raised to \$8.90.

**Half Full or Half Empty? --
I Didn't See A Glass.
Did You?
By Captain Equity**

Several weeks ago in the midst of the spring training lockout, I realized I was profoundly bored. No baseball, a steady diet of TV reruns, and the same wrestlers doing the same hokey holds on cable were enough to induce hallucinations. Speaking of sameness and hallucinations, a quick remote control finger flip to "The Capitol Gang," "Crossfire," et al., portrayed the same assortment of waffling public officials posturing about the same seemingly insoluble problems while the same bunch of pundits, masquerading as grown men, screamed at each other in between commercial breaks. Add depressed to bored.

"The newspaper. That's what I'll do. I'll read the newspaper," I said to myself in a mild state of panic. Gayfers ads and plain-talk obituaries weren't much of an improvement, but finally something caught my eye. The Millsaps Arts and Lecture Series was sponsoring a lecture by Clyde Prestowitz, Jr., an expert on U.S. - Japanese trade relations. A closer look revealed that this guy had written a book entitled, *Trading Places: How We Allowed Japan To Take The Lead*, but more importantly, he had been on the NBC Today Show. This meant he had probably met Deborah Norville personally. That was all I needed. A highbrow, contemporary topic and the off chance of getting some scoop on the former Georgia Junior Miss nicknamed "The Stewardess" was just the thing I needed to shake out the blahs.

I went and I listened and I got more depressed. Even had he tossed out an anecdote on Deborah, or even Willard, which he didn't, I don't think it would have helped. In a nutshell, Mr. Prestowitz said that our trade problems with Japan went a lot deeper than Japan being unfair or the U.S. not being competitive. It had to do with our respective perceptions of reality. He provided the following analogy: The U.S. thinks foreign trade is one game with one set of rules, like baseball. Japan thinks foreign trade is one game with one set of rules, like football. As a result, every time American traders hit a single and run to first base, they get tackled. Naturally, the Americans complain. The Japanese are certain they have done nothing wrong. Isn't the object to tackle the runner? Translation: eating cheap imported rice in Japan is tantamount to burning the flag at the Super

Bowl right after the national anthem. But since the Japanese are a polite people who don't want to hurt anybody's feelings, they agree to appoint a committee to meet in the off season with the Americans and study the problem.

In the meantime, Japanese national policy resolves to limit consumption, concentrating instead on production, while American business people spend their time trying to sell things (T-Bills, Radio City Music Hall, Hawaii) to the highest bidder (often Japanese banks and insurance companies), thus increasing return on investment to shareholders which makes it possible to increase the American standard of consumption. And if that doesn't work, which is increasingly the case, the Americans just go borrow some more money (from Japanese banks and insurance companies) and worry about it later. This is why Americans drive Toyotas, Japanese don't eat rice from Rosedale, and the trade and budget deficits grow at staggering rates.

Well, the baseball impasse was finally resolved, as it always eventually is. But somehow it was not as satisfying as it should have been. I was really worried about where we're headed as a nation. Should I talk to Felder Rushing about bonsai gardening techniques or perhaps go to the video store and rent "Mothra" and "Godzilla"? And then the final straw. The Birmingham Barons minor league baseball club had been sold. Yep, you guessed it.

In my desperation, I went back to CNN for solutions. There was somebody from OMB who was talking about how we didn't need new taxes and how user fees and revenue enhancers were okay and not to worry about the deficits because that problem would be solved in 1993. I thought that President Reagan told us that would happen in 1984. It's hard to remember back that far.

More of the same, but then, WHAMMO!!! The solution was so simple, and the American political establishment had invented it. Recalling Mr. Prestowitz's comments about perception being reality, I knew immediately how to solve almost any problem that faced us as a nation. Before I zip off an overnight letter to the White House with this no-cost fiscal panacea, I thought I would share it with the Hinds County Bar in hopes the organization would add its prestige by cosponsoring my proposal -- or at the very least, that Judy Johnson would let me use the HCBA postage meter.

**Captain Equity's Omnibus
"Form Over Substance"
Budget Reduction, Problem
Eradication, Red, White, and
Blue On The 4th of July
Proposal**

My plan involves the application of a simple principle Presidents and Congress have been using quite successfully for decades. For instance, if new taxes are unpopular, the Administration just calls them user fees or revenue enhancers. If more is required, the press office or speech writers make something up and get the President to deliver the news to the American public as sincerely as possible. Let me show you how it works.

PROBLEM - The need to cut the federal budget deficit by raising revenue.

SOLUTION - 50¢ a gallon federal gasoline revenue enhancer.

EXPLANATION - OPEC is back. Those darn Arabs are at it again, but the good news is that we still pay less for gasoline than any industrialized nation in the world.

PROBLEM - All the smartest people want to go to medical school or law school. Nobody wants to be a teacher. Consequently, the majority of high school students will have careers delivering pizzas in their parents' car, shaking salt on fries at McDonalds, or will move to California to find a challenging position in the Valet Parking Industry.

SOLUTION - Make an M.D. or J.D. a prerequisite for teaching school. Designate all public and private schools as hospitals, clinics, and law firms.

EXPLANATION - Now is the time to go to professional school. It's never been easier to get a prestige position practicing corporate law or performing brain surgery.

PROBLEM - American cars are perceived as being inferior to Japanese, German, and Swedish imports.

SOLUTION - Detroit's Big Three Auto Makers should sell their tradenames to Mexican, Indian, and Brazilian car companies, take the money and relocate their headquarters to Kyoto, Munich, and Stockholm and adopt new corporate identities such as Magura, Geldwechster, and Akvavit.

EXPLANATION - Bigger and better imports tailored for the unique needs of the American motorist.

See how easy it is. Tell you what, I won't send this to President Bush until you've had time to write in and add your name. Fair enough?

**CAPTAIN EQUITY'S READERS POLL
Metro Jackson Lunch Spots & Pubs**

Favorite lunch spot:

1. _____
2. _____
3. _____

Best downtown Jackson lunch spot:

Best suburban Jackson lunch spot:

Best plate lunch:

Best lunch entre' (non-plate lunch):

Favorite pub/watering hole:

1. _____
2. _____
3. _____

Best happy hour:

Best hors d'oeuvres:

Best bartender:

Best music:

COMMENTS:

Complete this form and return
by May 5, 1990 to:

**CAPTAIN EQUITY
C/O HCBA NEWSLETTER
P.O. Box 4554
Jackson, Mississippi 39296-4554**

You may sign your name or remain anonymous:

Letters To The Editor

Dear Captain Equity:

This is to record my strong support for your 1992 legislative agenda. I agree completely with your observations and proposals and can also report that everyone with whom I have spoken also agrees with you.

The formation of a Political Action Committee for the Bar Association with respect to general legislative matters, totally unrelated to any Bar Association activities, should be given serious thought.

For too long our legislators have kept Mississippi firmly entrenched in last place.

Sincerely,
John T.C. Low

**Computer Course
at MC Law School**

Mississippi College's PACE Program will offer a non-credit course entitled "The Computer-Friendly User" at the Law School in downtown Jackson on four Thursday nights (April 19th and 26th, May 3rd and 10th). The course will be taught by Dr. Bill Nettles in the Law School's computer lab from 5:30 until 7:30 p.m. The course offers eight hours of orientation to the IBM personal computer, covering an introduction to hardware, DOS, "computerese" and file structure. It is designed for users who want to know why they are typing commands. The tuition is \$55 and pre-registration is required. For more information, call Dorothy Carpenter at 925-3262.

**ABA Urges Lawyers To
Register and Vote**

At the Annual Meeting of the American Bar Association in August 1989, it became Association policy to urge all lawyers to register and vote. In addition, all lawyers are urged to encourage and assist their employees and families to participate in the election process by disseminating information about registration and voting in local, state, and national elections, and providing necessary leave to register and vote.

Are you overwhelmed
by work-related stress, marital conflicts,
drug or alcohol dependence,
depression or other problems?

There is help through the
Lawyers' Assistance Program.

Call 968-5032
Mississippi Baptist Medical Center

A service of the
Hinds County Bar Association

HINDS COUNTY BAR ASSOCIATION

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Correspondence regarding the newsletter should
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39296-4554. Letters to the editor must be signed,
but the writer's name will be withheld upon
request. Telephone inquiries should be made to
the Executive Director at 353-3907.

Hinds County Bar Association, Inc
151 E. Griffith Street
Jackson, MS 39201

FIRST CLASS

IMPORTANT
HCBA Luncheon Meeting
12 Noon, April 17, 1990

HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

AUGUST 1990

President's Column

Leonard D. Van Slyke, Jr.



The Hinds County Bar Association is on the move!

As of July 19, this Association had 1,011 members. At this point last year, the Association had 898 members. This means that we are 113 members ahead of our pace last year.

Why is this? Certainly, part of the answer relates to a change in billing procedure so that cooperating firms are now being billed once for every lawyer in the firm, rather than through individual members. That's much more convenient and efficient, both for the firms and for the Association. Many thanks to Pat Evans, our Executive Director, for getting this program in place. If your firm, regardless of size, is not already a part of this improved process, simply contact Pat at The Mississippi College Law School Placement Office and she will set you up.

But, I would like to believe that this improved administrative procedure is not the only reason for our growth. I believe it also has to do with you seeing exciting programs that will benefit both you as a lawyer and the bar as a whole. Let's discuss some of the things that are already in process or on the drawing board for this year:

1. **Habitat for Humanity.** You have responded beautifully to this project of building a home for a

...continued on page 2

People's Law School Moves Toward Reality

The newly appointed People's Law School Committee is pursuing a series of law related programs for the public.

The format will consist of four 1 1/2 - 2 hour sessions over a four week period in the spring, 1991. Tentative topics include: consumer protection and financial matters; real estate, landlord and tenant, wills and estates; domestic relations and family law; and the legal system and how to select an attorney. A nominal fee of \$15 for all four sessions or \$5 per individual session will be charged.

At the committee's organiza-

tional meeting, Leonard Van Slyke, Hinds County Bar Association President, announced that the association had applied for and received a \$500 IOLTA grant to institute a people's law school. It is anticipated that the grant will be used to help cover the administrative costs of the program.

The People's Law School Committee is chaired by Richard Hurt and composed of the following members: Trey Bobinger, Vice Chair; Michael Gwin; Tommy Williams; Margaret Williams; Jim Keith; and Joe Lee.



June Membership Meeting. The speaker was Fran Finch (seated), President of the Board of Directors of Habitat for Humanity/Metro Jackson, Inc. With Ms. Finch are Rowan Taylor, HCBA Habitat Chairman, Nina Redding, Habitat Executive Director, and Ernest Ware, a prospective Habitat owner.

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

August 21, 1990

12 Noon

\$8.90

Capital City Petroleum Club

The speaker will be Kane Ditto.

President's Column cont...

very worthy low-income family. You have already contributed more than \$7,000 toward our goal of \$15,000 that is needed as matching funds. I have a personal goal of having the necessary amount in hand by our August meeting so that we can move forward with construction. If you or your firm has not contributed to this worthwhile project, please contact Pat Evans today. As soon as the money is raised, Ben Piazza will be coordinating our volunteer labor efforts.

2. Peoples Law School. A committee is presently hard at work planning a four-session school for lay people on basic legal matters such as making a will, buying a home, etc. The school will be held in the spring of 1991 and you will be hearing more about this as plans are finalized. See article this issue for details.

3. "Brown Bag" CLE. Our CLE Committee is currently making plans to allow you to pick up Continuing Legal Education credit over lunch. Plans are not yet final, but it is anticipated that there will be several sessions, each lasting about two hours. These mini-seminars will be provided at a very low

cost to our members. It is expected that this concept will appeal to all members, but is being designed with special emphasis on assisting the sole practitioner and lawyers in small firms.

4. Child Advocacy. This committee is exploring ways to assist the non-profit corporation that is opening a center in Jackson for child abuse problems. This will be a place where victims of child abuse can be interviewed by the variety of governmental agencies involved in these tragic cases. The idea is to create an atmosphere of sensitivity toward the victims. We believe that lawyers in the Metro Jackson area have much to contribute in this area. Pat Flynn and her committee are identifying just how we can help.

5. Bench and Bar. This committee is taking a much more "substance oriented" role in its liaison function this year. Meetings with some of the judiciary have already occurred.

6. Women in the Profession. Hopefully, you have all seen, completed and returned the survey on which this committee has been diligently working. This project is being accomplished in cooperation with the Mississippi State Bar. The

Hinds County results will be separately reported. We know that the results will be informative and of much value to the profession.

7. Newsletter. I trust that you have noted the redesign of the Newsletter. I think it looks great and I know you join me in thanking this committee for its consistent contributions over the years. Many members have told me that they feel the information provided by this Newsletter is the Association's most important service.

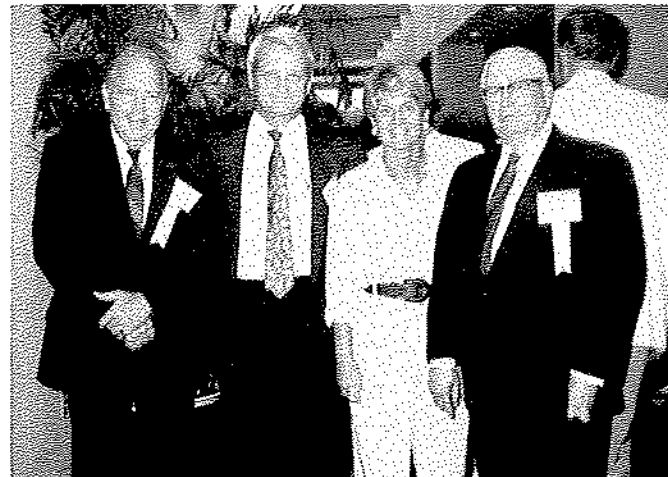
8. Vendor Fair. The Legal Economics and Social Committees are together looking at the possibility of sponsoring an event that will provide you an opportunity to view the latest technology and products available to our profession and, at the same time, have a social occasion. Plans are incomplete at this time.

There's much more going on in this bar association, but I hope this gives you a sampling. Get involved. We look forward to your attendance at our bi-monthly meetings, and your volunteering to help. If you are not presently active, give me a call and we'll find a place that you can render meaningful service to the profession and the community in which you live.

The Mississippi Women Lawyers Association and the Trust Division of Sunburst Bank hosted a wine, orange juice, and cheese reception honoring the Mississippi Supreme Court on July 13th at the Mississippi State Bar annual meeting at the Sandestin Beach Hilton.



Pictured at the reception are, left to right, Bobby Quarles of Sunburst Bank and Joy Phillips, president of the Mississippi Women Lawyers Association and HCBA member, with Justices Ed Pittman and Lenore Prather.



Also attending were, from left, Justice Dan Lee; Chuck McRae, newly elected to the Court from the Southern District of Mississippi; Linda Thompson Greaves, Mississippi Women Lawyers Association and HCBA board member; and Justice Roy Noble Lee.

CLE CALENDAR OF EVENTS

August 21
HCBA Membership Meeting. Capital City Petroleum Club, Jackson, MS.*

August 23
MS Real Estate Titles. Professional Education Systems, Jackson, MS.

August 24
MS Real Estate Titles. Professional Education Systems, Gulfport, MS.

August 24
Hazardous Waste in MS. National Business Institute, Jackson, MS.

August 25
Real Estate Leases. K.F. Boackle, Biloxi, MS.

August 25
MS Real Estate License Law. K.F. Boackle, Biloxi, MS.

August 31
Annual Evidence and Civil Procedure Rules Update. UM Center for CLE, Oxford, MS.

September 5
MS Boundary Law and Adjoining Landowner Disputes. Professional Education Systems, Jackson, MS.

September 6
MS Boundary Law and Adjoining Landowner Disputes. Professional Education Systems, Gulfport, MS.

September 8
Real Estate Leases. K.F. Boackle, Jackson, MS.

September 8
MS Real Estate License Law. K.F. Boackle, Jackson, MS.

September 13
Lender Liability. UM Center for CLE/MS Bankers Assn. Jackson, MS.

September 14
4th Annual Bankruptcy Law. MC School of Law, Jackson, MS.

September 18 - October 23
Jurisprudence Lecture Series. UM Center for CLE, Jackson, MS.

September 27
Private Placements after Rule 144(a). UM Center for CLE, Jackson, MS.

September 29
Taxation of Partnerships and Corporations. MS Assn. of Public Accountants, Jackson, MS.

October 6
Real Estate Law. K.F. Boackle, Jackson, MS.

October 6
MS Real Estate License Law. K.F. Boackle, Jackson, MS.

October 11
Advanced Tax Issues in Estate Planning. UM Center for CLE, Jackson, MS.

October 12
Real Estate Leases. K.F. Boackle, Jackson, MS.

October 12
MS Real Estate License Law. K.F. Boackle, Jackson, MS.

October 12
Medical Malpractice. MC School of Law, Jackson, MS.

October 16
HCBA Membership Meeting. Capital City Petroleum Club, Jackson, MS.*

October 18
Recent Developments in Corporate Taxation. UM Center for CLE, Jackson, MS.

October 25
Insurer Insolvency. UM Center for CLE, Jackson, MS.

November 1
Annual Fall Pension and Employee Benefits Update. UM Center for CLE, Jackson, MS.

November 2
Real Estate Exchanges. K.F. Boackle, Jackson, MS.

November 2
MS Real Estate License Law. K.F. Boackle, Jackson, MS.

November 9
3rd Annual Workers Compensation. M.C. School of Law, Jackson, MS.

November 10
Real Estate Contracts. K.F. Boackle, Jackson, MS.

November 10
MS Real Estate License Law. K.F. Boackle, Jackson, MS.

November 15
Negotiating a Commercial Real Estate Lease. UM Center for CLE, Jackson, MS.

November 16
6th Annual Estate Planning Seminar. MC School of Law, Jackson, MS.

November 17
Real Estate Contracts. K.F. Boackle, Biloxi, MS.

November 17
MS Real Estate License Law. K.F. Boackle, Biloxi, MS.

November 30
45th Annual MS Law Institute. MS Law Institute, Jackson, MS.

*Not approved for CLE credit

MSB Returns To Sandestin

By Carol West

When the Mississippi State Bar selects Destin, Florida as the location for its annual meeting for the second year in a row, there is more than a suggestion that conducting "the business of the Bar" will not be the primary order of the week. Your editor undoubtedly knew that I had been quite vocal in my criticism of taking our annual meeting out-of-state when she assigned me to write an article on the July 7-15th meeting.

Well, how was it? I had a great time and so did everyone else. Sandestin is an elegant, world-class resort. Our little group of law school women shared a condominium at "Tivoli by the Sea." Amenities included washer/dryer, dish washer, microwave oven, etc. — with a running commentary by Walter Epps whose family was also based at Tivoli. Maintenance was immaculate, including the condo pool. Other bar members were at the various groups of condos within the complex or at the Hilton Hotel on the Gulf side. I found a few folks who had negotiated a better deal with some of the other vacation resorts nearby.

Come sunshine (which was abundant) or rain (some of that, too), the camaraderie and joie de vie of the attendees was at a high point. Even John Milner was seen once without a coat and tie; Mike Malouf appeared to have the role of "Dorm Daddy" to a batch of teen age girls; Curtis Coker cheerfully juggled a toddler during the opening reception; Hubby Saunders

used his little one as an excuse to play in the sand on the beach; Ben Piazza just walked around with a smile on his face. Even Ray Bailey, who was trying to deflect any potshots that corporate lawyers took at the Secretary of State's office, seemed to be having a good time.

Judging by the number of Hinds County tags that were in the parking lots as I circled daily looking for a spot, the entirety of our local association may have been there. Many of our members were accorded special honors. YLD selected J. Richard Hurt as "Outstanding Young Lawyer" and Suzanne Saunders and Walter Weems were tapped to be Fellows of the Young Lawyers Division. Judge Charles Clark and William Winter were made honorary YLD Fellows. Pamela Prather is YLD secretary. Jeep Peden and Marshall Bennett were seen at the YLD meeting, apparently trying to blend in with the under-thirty-five crowd.

On the opposite end of the age spectrum, HCBA members Francis Bowling, George Butler, Jr., Joe H. Daniel, John Kuykendall, Jr., Dixon Pyles, and Robert Sugg were recognized for fifty years at the bar.

Alex Alston is MSB President-Elect; Pat H. Scanlon (immediate past MSB President) completed his responsibilities on the Board of Bar Commissioners; F. Hall Bailey became President of the Young Lawyers Division. The Seventh Circuit Court District is represented on the Board of Bar Commissioners by W. Scott Welch, Michael J. Malouf, William H. Cox, Richard Edmondson and Cliff Hodge.

HCBA was equally visible at the section meetings. Mike Ulmer

chaired the Litigation/General Practice Section meeting where our own 5th Circuit Chief Judge Charles Clark gave the breakfast address. Henry Chatham, Dan Hise, and Thomas Sheppard were program participants for the Corporate Finance and Commercial Law Section. Billy Carter chaired the Estates and Trusts Section meeting; R. James Young was on the program. The Labor and Employee Rights Section meeting was chaired by Herbert Ehrhardt. Scott Hemleben chaired the Natural Resources Section and William Blair participated in the program. Amy Whitten presided over the Judicial Administration Section. The Real Property Section's "Shoot-out at the Insurance Corral" featured Bill Smith, Rowan Taylor, Sr., James Partin, Don Lacey, Albert Rush, Gary Gatten, and Richard Bailey. Carl Black chaired the Taxation Section and Jim Overstreet made a presentation. Cliff Ammons headed the Administrative Law and Workers' Compensation meeting. Donny Meeks was joined by Rick Courtney at the Domestic Relations Section meeting.

But, you ask, isn't this the major business meeting of the professional organization that we are required to join? Yes, and there was, indeed, some business. There were 575 persons registered at the annual meeting. Fewer than 100 were present at the Saturday morning business session. The major items of business were the election of E.C. Ward as ABA Delegate, adoption of a resolution asking the Mississippi Supreme Court to require 8 1/2" by 11" paper for all filings, a bylaws amendment to create an Interprofessional Relations Committee, and adoption of a resolution recommending that "opt-out" be incorporated as part of our IOLTA program.

Did I change my mind about meeting in Destin? No, lawyers are lots of fun to vacation with, but we need to work to maximize member involvement in the business of the bar. Having the annual meeting 300 miles away from the major center of lawyer population does not accomplish this goal. However, for those of you making plans for next year, the word on the beaches is that MSB will return to Sandestin for the 1991 and 1992 meetings.

Reasonable Person of Ordinary Prudence, Where Are You?

By Captain Equity

Remember law school? Every attorney does. Some memories are better than others, i.e., Friday afternoon beer vs. overdue legal bib assignments. (Do I detect teeth clenching and palms sweating out there?) Despite the quality of your particular law school experience, we all share a common body of wisdom that penetrated the depths of our souls and psyches. You remember — we all remember: Palsgraph v. The Long Island Railroad, The Mailbox Rule, The Rule Against Perpetuities (We never were quite sure how it worked, but we've all heard of it) and use of the word "mere" in court opinions as a synonym for, "You're about to lose." These references, curious to surgeons and stock brokers, are the building blocks that transformed us from would-be surgeons and stock brokers into lawyers. Two of these law school nuggets are particularly appropriate to the troubled times confronting the American experience. I speak of the hypothetical reasonable person of ordinary prudence and the importance of defining terms to understand fully their meaning and impact on our lives. Let me illustrate.

Summer 1990 finds us living in a paranoid fantasy land that, on paper, has become the envy of the world. We won the Cold War not on the basis of tank strength or warhead superiority, but rather because West German TV beamed Western Culture, which is really American Culture, to millions of bummed out Eastern Europeans exhausted by years of standing in cabbage lines. And what has created the sparkling affluence of Western Culture that has so captivated the countries of the Warsaw Pact and much of the rest of the world? Democracy, individual liberty, pluralism, fiscal responsibility, honesty, compassion, etc.; every label-pin-wearing incumbent politician worth his salt can recite the litany by heart.

Now, reality.

Item: Educated, articulate, politically connected American citizens loot American savings and loan institutions to the tune of

200, 300, perhaps 500 BILLION dollars. (\$2,000 for every man, woman and child in the U.S.)

Item: U.S. Budget deficit increases another 169 BILLION dollars in the current fiscal year to go with a TRILLION or so of dollars in accumulated debt over the past decade. Governmental response: paralysis, partisan finger pointing, and a debt service equal to 20% of the annual federal budget.

Item: Louisiana legislature seeks to limit criminal liability for kicking the hell out of flag burners to a \$25 fine, while also attempting, in effect, to make a woman's use of an IUD birth control device illegal. Mississippi Senate repeatedly refuses to allow registered voters to express their collective will on a state lottery to fund a comprehensive education reform program. Result: program goes unfunded, businesses around the nation take note, Mississippi remains on the bottom.

Item: Handgun murders in U.S. pass 10,000 annually; children living in poverty at an all time high; high school dropout rate pushes one in four nationally; AIDS epidemic out of control. Governmental Response: Strip the NEA of funding, seek to limit the Bill of Rights with a flag burning amendment, and increase to 34 the number of crimes for which one can receive the federal death penalty.

And I haven't even mentioned drugs, nuclear waste, the homeless, oil spills, or HUD.

This is where the reasonable person of ordinary prudence and the necessity of defining terms come into play. Please define, if you can, what democracy, individual liberty, pluralism, fiscal responsibility, honesty, and compassion have come to mean in post-Cold War America. Better yet, please define the terms traditional family values, American values, conservatism, and patriotism. Unfortunately, these once easily understood concepts have become mutated buzz words for an increasingly cynical and mean-spirited segment of the population bent on exploiting our national frustration with fear, bigotry, and denial.

In the summer of '90, the average American finds it increasingly appealing to adopt a bumper sticker mentality which reduces complex issues down to emotional sentence

fragments. (Guns Don't Kill People — Criminals Do). A controversial artistic statement, a tad more provocative than a non-threatening paint-by-the-numbers happy face, is suddenly perceived as the norm, justifying outraged taxpayers to throw the ballet out with the bath water. (Robert Mapplethorpe's homoerotic photos and NEA funding). And to make matters worse, our so-called elected leaders of both parties are often in the C Span - Op Ed Page - Free Franking Privilege front row, irresponsibly pandering to dissension and discord in a shameless effort to promote themselves and fill their re-election war chests. Perhaps our exasperation contributes to a system that makes it all possible and even preferred. It seems we would all be better served to provide incentives for the individual exercise of moral courage and leadership to help the nation realistically confront its problems.

It is an unsettling phenomenon. My wish for this summer is that the reasonable person of ordinary prudence is due for a comeback. Maybe in November.

Memorial Service

The 1990 Mississippi State Bar Memorial Service honoring the memory of Mississippi attorneys who died this past year will be held in the Old Supreme Court Chambers, Room 216 at the New Capitol in Jackson, on Monday, September 10, 1990, at 10:30 a.m. Deceased Hinds County attorneys to be honored are:

Thomas Bell
G. Robert Ferguson
John R. Hutcherson
O.B. Taylor, Jr.

If you are aware of any other Hinds County attorneys who died since September 1, 1989, please contact Larry Houchins, Executive Director of the Mississippi State Bar.

Mississippi College School of Law Library Schedule

August 1990

August 13-17.....(Mon. - Fri.).....8:00 a.m. - 6:00 pm.
August 18 & 19.....(Sat. & Sun.).....CLOSED
August 20-24.....(Mon. - Fri.).....8:00 a.m. - 6:00 p.m.
August 25.....(Sat.).....9:00 a.m. - 3:00 p.m.
August 26.....(Sun.).....2:00 p.m. - 10:00 p.m.

REGULAR LIBRARY HOURS WILL RESUME ON AUGUST 27

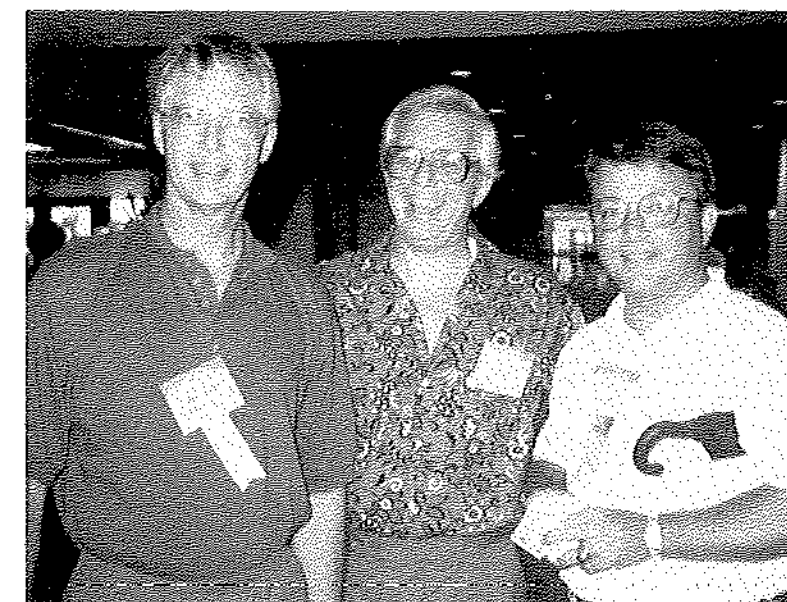
HINDS COUNTY BAR ASSOCIATION, INC. BUDGET

INCOME:	<u>1990-91 Budget</u>	<u>1989-90 Actual</u>
Interest Earned	\$ 4,000.00	\$ 4,510.95
Law Firm Survey	1,400.00	1,500.00
Membership Dues	38,500.00	36,575.00
Membership Dues (Students)	500.00	295.00
Membership Luncheon Fees	3,300.00	2,965.15
Miscellaneous		1,520.00
Pictorial Directory	3,000.00	-
From Retained Earnings	5,000.00	-
Total Income	\$55,700.00	47,366.10
EXPENSES:		
Board Luncheons	1,000.00	991.31
Conferences	1,400.00	2,528.20
Habitat House	5,000.00	-
In-town Travel	450.00	435.00
Insurance	250.00	250.00
Law Office Survey	800.00	800.00
Law Related Projects	1,250.00	1,468.75
Management Services	14,000.00	13,500.00
Membership Luncheons	3,800.00	3,423.07
Miscellaneous	1,500.00	2,098.19
Newsletter	4,800.00	4,436.21
Other Committee Activities	2,000.00	1,046.20
Postage	4,300.00	3,956.49
Printing & Supplies	5,200.00	3,870.07
Public Relations	1,500.00	-
Receptions for Judges	3,000.00	871.20
Social Activities	3,750.00	4,017.22
Telephone	100.00	13.89
Video Tape Mailout		810.65
Total Expense	54,100.00	44,516.45
Income [Loss]	1,600.00	2,849.65

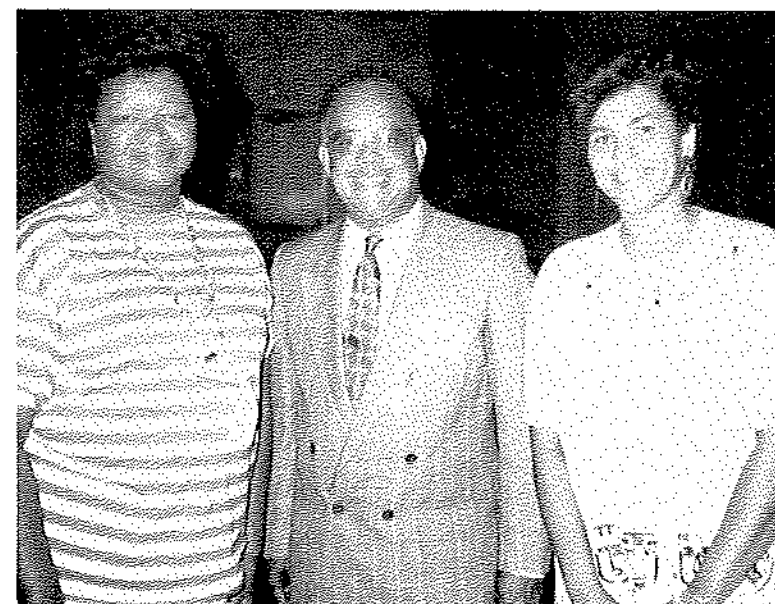
Many Hinds County Bar members attended the recent Mississippi State Bar annual meeting in Sandestin, Florida.



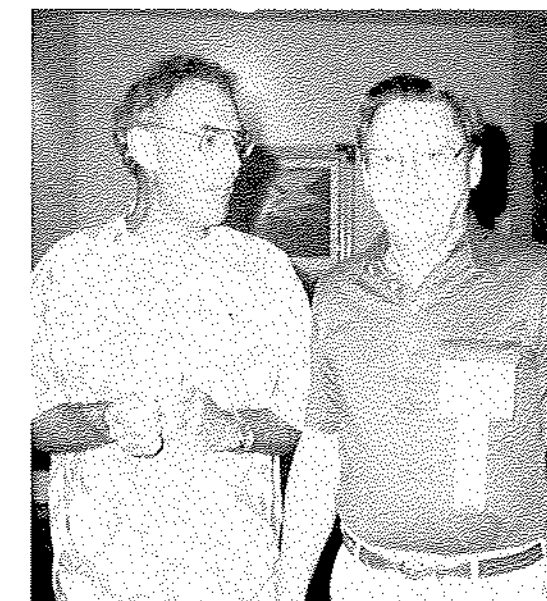
Among those attending were, from left, Hinds County Circuit Judges Breland Hilburn and Fred Banks.



Casual attire was the order of the day, as can be seen with former HCBA president Richard Edmonson, left, Alex Alston, HCBA member and president-elect of the State Bar, center, and Cham Trotter of Belzoni, right.



Hinds County Chancery Judges Pat Wise, left, and Denise Sweet Owens, right, are pictured with Leevy Johnson of Columbia, South Carolina, past president of the South Carolina Bar and featured speaker at the Young Lawyers meeting.



Another former HCBA president, Scott Welch, left, is pictured saying something about the spouses' bingo game to Hinds County Chancery Judge Chet Dillard.

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by work-related stress, marital conflicts,
drug or alcohol dependence,
depression or other problems?

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Lawyers' Assistance Program

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Mississippi Baptist Medical Center

**A service of the
Hinds County Bar Association**

HINDS COUNTY BAR ASSOCIATION

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President-Elect

James A. Peden, Jr.
Secretary-Treasurer

Judith J. Johnson
Past President

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Harold D. Miller, Jr., - Post 2
Linda Thompson Greavea - Post 3
Richard C. Roberts, III - Post 4

EXECUTIVE DIRECTOR

Patricia H. Evans

**NEWSLETTER
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Hinds County Bar Association, Inc.
151 E. Griffith Street
Jackson, MS 39201

FIRST CLASS

**IMPORTANT
HCBA Luncheon Meeting
12 Noon, August 21**

HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

DECEMBER 1990

President's Column

Leonard D. Van Slyke, Jr.



The Hinds County Bar Association has reached a record membership of 1,113 for the 1990-1991 bar year. This exceeds the goal we set of 1,100 members. Congratulations are in order to the Membership Committee, chaired by Marcus Wilson. The Membership Committee contacted all of the prior year members who had not renewed their membership to remind them to do so. They also contacted attorneys in Rankin and Madison Counties who have a practice in Hinds County. All of these efforts bore fruit.

I also want to commend Pat Evans, our Executive Director. Pat has put into place a system whereby a firm may sign up all of its attorneys, or as many as desire to do so, with one check. This will simply be updated from year-to-year. This new system accomplishes two major purposes: (1) it results in administrative convenience for each participating firm and for the association; and (2) it keeps members from falling through the cracks through non-renewal by oversight as frequently happens with individual renewal notices. If your firm (no matter how large or small) is not on this new system and wants to be, please call Pat at 353-3907. Thanks again to Pat for a super job.

I believe that a major contributing factor in our additional membership is our association's increased emphasis on professionalism through outreach to the com-

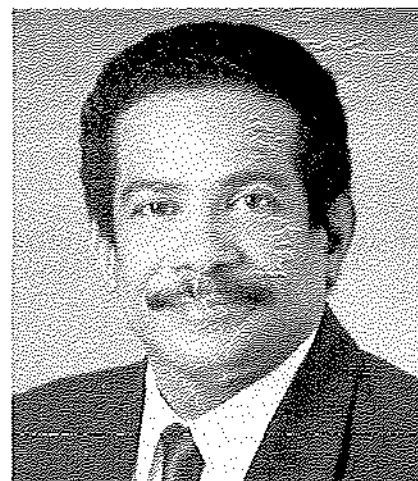
munity we serve. This is, of course, reflected in our new Habitat for Humanity and Peoples Law School programs as well as our continued efforts in education and other areas.

The Habitat House is well underway, according to Volunteer Coordinator, Ben Piazza. Ben reports that the house is framed and the roof is on with shingles to be applied soon.

There will be a continuing need for volunteers through the end of construction. The good weather has allowed a fast start and it is now believed that construction will be complete in February.

The following firms have either completed or committed to a work day: Thomas, Price, Alston, Jones and Davis; Wise, Carter, Child and Caraway; Brunini, Grantham, Grower and Hughes; Heidelberg and Woodliff; Watkins and Eager; Watkins, Ludlam, and Stennis; Young, Scanlon and Sessums; and Ott and Purdy. If you would like to volunteer on a Saturday as a firm or as an individual, you may call Ben at 969-3100. The foreman will be on hand from 8:00 a.m. until 4:00 p.m., but you may fee free to work for two to three hours rather than committing to the whole day. Your help is needed and appreciated. This project has been a major undertaking, but the results more than justify the effort. Many thanks to all who have participated.

Even with the completion of this house, HCBA will continue its involvement with Habitat through membership on the organization's board. Richard Montague, our president-elect, will be our representative.



Frank E. Melton

Frank E. Melton is a graduate of Stephen F Austin State University in Nacogdoches, Texas. He has served in many capacities throughout his professional career in broadcasting, i.e., President of the broadcast Division of Buford Television in Tyler, Texas; General Manager of KTRE-TV in Lufkin, Texas and also News Anchor prior to becoming General Manager at KTRE.

Mr. Melton currently serves as President and Chief Executive Officer of TV-3, Inc., which owns television stations WLBT in Jackson, WLBK in Meridian, and its most recent acquisitions KLTV in Tyler, Texas and KTRE in Lufkin, Texas.

He serves as part time instructor and volunteer instructor at Jackson State University and volunteer instructor for Jackson Public Schools.

Mr. Melton was appointed to the Texas Department of Mental Health and Mental Retardation by Governor Mark White in 1985. He

...continued on page 2

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

December 18, 1990

12 Noon

\$8.90

Capital City Petroleum Club

The speaker will be Dick Molpus, Secretary of State.

Frank E. Melton cont...

serves on the Board of Directors for the Jackson Metropolitan YMCA, the Board of Trustees for Leadership Jackson, Board of Directors for the Mississippi Special Olympics and is also a member of the Jackson Rotary Club.

He was recently appointed by Governor Ray Mabus to serve as Chairman of the Mississippi Youth Services Board of Directors and was also appointed by Governor Mabus to the Department of Human Services Board of Directors.

Mr. Melton has dedicated himself to the youth in the city of Jackson and has spend much of his time working to end youth violence. He has sponsored two youth camps for high risk youth and volunteers his time in the public school system to instill values, hope and direction to inner-city children.

He and his wife, Dr. Ellen Melton have two children; Lauren Ashleigh - 4 years and Matthew Ryan - 6 years and eight adopted children, D.J., 9; David, 11; Robert, 15; Joe, 16; Mitch, 17; Mondric, 17; Raymond, 18; and Floyd 17.

Paralegals May Use the MC Law Library

With a policy change effective immediately, paralegals who are trained in legal research will be allowed to use the Mississippi College Law Library.

Law firms are required to verify that their paralegals have legal research skills. The verification will be made on a form available from the law library. To obtain a form, call Diane Chaffins at 944-1970 or write Carol West, Mississippi College Law Library, 151 E. Griffith St., Jackson, MS 39201.

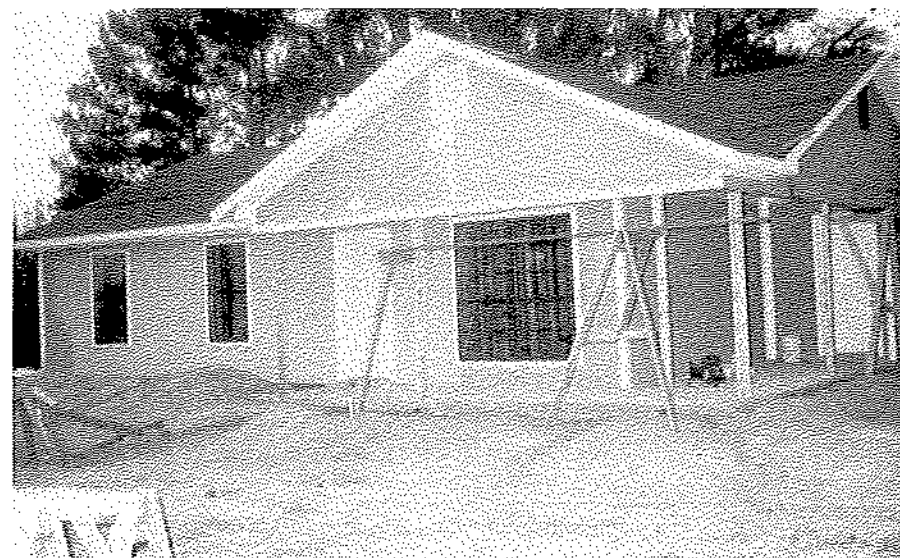
The procedures for admitting paralegals to the library were developed by the "Paralegal Advisory Committee" composed of representatives of the Mississippi Association of Legal Assistants, the Hinds County Bar, the Warren County Bar, and paralegal education.



Habitat Board Member Jesse Howell; HCBA Family Liason Chairman Liza Purcell; HCBA Volunteer Coordinator Ben Piazza.



HCBA Board Members Richard Roberts, James Peden, Linda Greaves; HCBA President-Elect Richard Montague; HCBA President Leonard Van Slyke; HCBA Board Member Harold Miller.



Habitat House in progress.

This summer the Committee on Women in the Profession of the Mississippi State Bar conducted a survey on matters pertaining to gender in the practice of law in Mississippi. The survey, modeled (with permission) on a recent New Hampshire Bar study, was mailed to in-state members. Those who responded sent the questionnaires to Multi Quest, a marketing research firm, for tabulation.

The reply rate is comparable to those for most mail-back surveys of similar professional groups conducted throughout the country. While such rates are not high enough for the results to be a scientific cross-section of bar members, nevertheless the data represent to the characteristics and thinking of a large segment of attorneys in Mississippi.

A total of 701 lawyers replied. Of these, 214 were women (110 in Hinds County) and 470 men (218 in Hinds). There were 17 who refused to mark that question! Women respondents were older than their male counterparts because younger male attorneys replied disproportionately more than their elders. These differentials will affect some of the comparisons of answers between the sexes.

Presented below are selected findings. A full report is being prepared and is expected to be published in 1991 in the *Mississippi Lawyer*, and an article will also be submitted to the *Mississippi Law Journal*.

Some working conditions in firms and offices were the same regardless of sex, e.g., flexwork opportunities, and the availability of maternity leave. Half of all respondents reported there was a formal or informal maternity leave policy; one-third indicated that the leave was with pay.

There were distinct differences by sex in decisionmaking partici-

pation. Women, much more than men, were involved in setting fees, deciding whom to accept as clients, assigning cases, even in hiring. This unexpected contrast can be attributable to the unusual differential within each sex by age, as mentioned above. A similar contrast, for the same reason, was clearly evident in reported incomes by sex.

Questions about the comparison of treatment of men and women attorneys prompted answers that show male respondents to perceive more discrimination against women than female respondents perceived. Twice as many males as females thought that women had a harder time in finding a first job than men, that men progressed faster and got the choicer cases. Explanations for this unusual differential again are based on the demographics of the survey's respondents. Older women attorneys could be less likely to encounter discrimination, since they are more established in their practice. Younger men attorneys, one-fourth of whom also happened to be married to attorneys, may be more sensitized to instances of discrimination than their elders.

Sexist behavior toward women attorneys was also reported more by male than female respondents. Few reported observing improper touching or advances, but about half noted frequent or occasional condescension, and sexist jockeying.

There are, of course, many more findings about sex differences in the practice of law and in the treatment of attorneys. All point to a degree of chauvinism in the profession.

-- by John Quincy Adams,
Mississippi Vice President
of Multi Quest,
and member, Texas Bar.

Mourning the Death of the Expert

By
Captain Equity

1990 has been a big confidence booster for average guys like me. Back in my formative years, I bought in to the secular deification of the all-knowing, inately-superior, and always trustworthy "Expert" whose life work was given to unraveling and sorting out the inexplicable complexities of modern life. Whether it was economics, finance, or government, we could count on a cadre of philosopher king-techno geniuses to free up the Joe Median set to confront such inscrutable mysteries as assembling children's toys; making words typed on home computers appear in tangible form on low cost, bargain dot printers; or perhaps repairing running toilets without having to surrender to the humiliation of a plumber's service call for something so obviously simple as to provoke resentment and contempt from your five year old. As I bumbled my way from car payment to car payment in the 70s, it never occurred to me then that the faceless "Expert" class should be second guessed or, horror of horrors, be held accountable. But then came the decade of the 80's and the beginning of the end for the cult of the expert. It's taken ten years to debunk and rethink my reverence for the highest of the high. However this past year finally provided the smoking gun I needed to bury my deferential posture forever. I have come full circle, back to when I was a five year old who thought I could do just about anything, which included fixing a running toilet. In the process, my self-esteem has been set free to soar.

The first clue came in the summer of 1980. One day President-to-be Bush declared flatly that a proposal to lower taxes, raise defense spending, and balancing the federal budget was a bad idea. He dubbed it Voodoo Economics. But what did he know? This doubt was later confirmed by a permanent memory lapse suffered by the Vice President-to-be on the last day of the Republican National Convention in Detroit, a few short months after his brief foray into

CLE CALENDAR OF EVENTS

December 28
Real Estate Law. K.F. Boackle.
Jackson, MS.

December 28
MS Real Estate License Law.
K.F. Boackle. Jackson, MS.

December 29
Real Estate Brokerage Law.
K.F. Boackle. Jackson, MS.

January 12
Real Estate Agency. K.F.
Boackle. Jackson, MS.

January 12
MS Real Estate License Law.
K.F. Boackle. Jackson, MS.

February 22
1st Annual Alternative Dispute
Resolution Seminar. MC School
of Law. Jackson, MS.

February 28
Personal Estate Planning for
the Elderly. UM Center for CLE.
Jackson, MS.

March 1
1st Annual Business Law Semi-
nar. MC School of Law. Jackson,
MS.

March 11
Summary of Recent MS Law.
Abbott & Weems. Biloxi, MS.

March 13
Summary of Recent MS Law.
Abbott & Weems. Jackson, MS.

HCBA Nominations Announced for 1991-1992

Judith J. Johnson, chairman of the HCBA Nominations Committee, announces the following candidates for office for the coming year:

Vice President & President-Elect

Harold D. Miller, Jr.
James A. Peden, Jr.

Secretary-Treasurer

Patricia W. Bennett
Ben J. Piazza, Jr.

Director, Post 1

Henry C. Clay, III
Leyser Q. Morris

Director, Post 2

J. Richard Hurt
Marcus M. Wilson

HCBA CALENDAR OF EVENTS

December 18
HCBA Membership Meeting.
Capitol City Petroleum Club.
Jackson, MS.

February 19
HCBA Membership Meeting.
Capitol City Petroleum Club.
Jackson, MS.

March 19
People's Law School. MC School
of Law. Jackson, MS.

March 26
People's Law School. MC School
of Law. Jackson, MS.

April 2
People's Law School. MC School
of Law. Jackson, MS.

April 9
People's Law School. MC School
of Law. Jackson, MS.

April 16
HCBA Membership Meeting.
Capital City Petroleum Club.
Jackson, MS.

The James McClure Memorial Lecture in Law

By
David Shipley

The James McClure Memorial Lecture in Law at The University of Mississippi School of Law, originally scheduled for Monday, November 12, has been rescheduled to Monday, January 28, 1991. This change is due to political developments in Czechoslovakia.

This year's lecturer, Dr. A.E. Dick Howard, the White Burkett Miller Professor of Law and Public Affairs at the University of Virginia, a renown expert on constitutional law, is consulting with President Vaclav Havel and other members of the Czechoslovakian government about drafting a constitution. President Havel has chosen Sunday, November 11, for a critical meeting and it is important for Professor Howard to be in Prague.

The School of Law is very willing to reschedule this year's McClure Memorial Lecture for Professor Howard because of his key role as an advisor to President Havel in restructuring the Czechoslovakian government. His role there is analogous to being the constitutional law consultant for Madison, Mason, Jefferson, and Hamilton; our Founding Fathers.

Professor Howard's lecture now will be given on January 28, 1991, at 3:00 p.m. in the Moot Court Room at The University of Mississippi Law Center in Oxford. He will comment about his work in Czechoslovakia as well as the United States Supreme Court without Justice Brennan.

The James McClure Memorial Lecture was established in 1979 by Mrs. Tupper McClure Lampton of Columbia, Mississippi, and the Honorable James McClure of Sardis, Mississippi, to honor the memory of their father, James McClure. He was a prominent lawyer, civic leader, and alumnus from Sardis, Mississippi, who loved the University.

Please contact me at 232-7361 for additional information.

clairvoyance. Notwithstanding Mr. Bush's observation, the Expert Class embraced the supply side economics proposal put forth by the former host of "Death Valley Days" with a loud, collective, "Sounds good to us." In the ensuing decade, the federal budget deficit doubled while combined public and private debt in the United States increased to 1.9 times the gross national product verses 1.4 in 1980. Given the post-Reagan years, that just may have been for openers.

The next innovation hailed by the financial gurus was the junk bond, which is often attributed to Michael Milken and the go-go investment banking firm, Drexel Burnham Lambert, Inc. (also referred to in some quarters as Drexel Burn'em Lambert). The idea was simple: raise piles of investment capital by promising high yield returns that bear no relation to reality, fiscal or otherwise. Once again, the experts were dazzled. Hostile takeovers ensued and green mail flourished. In turn, the stock market shot up, real estate went through the roof and America rode a decade-long wave of good times, or at least some of America did. Of course, when it came time to actually fork over the promised earnings, few did. Bankruptcy, foreclosure and worthless paper became the order of the day along with looted S&L's, vacant office buildings and a growing sense of betrayal by the statistically average Americans who believed in the experts. Once again, bewildered, and in many instances, out of work financial wizards scratched their collective, oversized heads to figure out what happened.

This is what happened. According to the latest figures compiled by *The Washington Post*, the value of commercial real estate has declined 15% in the last three years; stocks are off 20% since July; junk bonds as a group have declined 35% in value. And while a new generation of experts keeps revising the cost of the S&L bailout upward on a daily basis, philosopher king - techno genius Milken got 10 years while Drexel Burn'em Lambert got credit for single handedly doing-in 41 S&L's. Chalk up another slight miscalculation

by the experts.

But don't think all this is restricted to the economic and financial community. We are indeed fortunate to have a number of high level military-intelligence-international relations-policy maker experts in government who have been watching the national defense store while the less sophisticated of us try to discern the difference between taxes and giving Iraq billions in weapons credits in the 1980s despite knowing that the country's leader had a penchant for torture, poison gas, and atomic weapon development. According to the experts, such trifling matters can be overlooked as long as such unpleasantness is directed at, oh I don't know, how about—Iran. According to the experts, the geopolitical fact that Baghdad is just a short missile ride from about half of the world's proven oil reserves was just an extraneous detail. And so, thanks once again to the experts, one quarter of American military muscle is today flexing at Iraq's border, poised to prevent \$70 a barrel oil, which translates to \$2.89 a gallon for unleaded at Starvin' Marvin's and \$3.00 bell peppers at the Jitney Jungle. In the long run, this expert-created dilemma requires the dismantling of Saddam's million man war machine to avoid having to face the fulfillment of Bible prophecy as soon as Iraq is able to roll a nuclear warhead off the production line and aim it at Tel Aviv.

And if all these instances of expert malpractice aren't enough to convince you to swear off your misplaced sense of trust, how about the Congressional budget process or perhaps the adventures of the Keating Five and their PAC fueled pals in regulating government insured financial institutions. And still, if none of this convinces you of your own superiority in the complex business of forgoing your own destiny, just mouth the mantra of institutional incompetence and I guarantee you will feel better in short order. It's easy to remember. Just close your eyes and repeat after me: "Mississippi Legislature, Mississippi Legislature, Mississippi Legislature."

Res Ipsa Loquitur.

Bench and Bar Committee

The Bench and Bar Committee exists to facilitate communication and understanding between judges and lawyers. The committee's particular project this year is to try to clarify the application of discovery rules and rulings in recurrent situations.

For example, in both Hinds Circuit Court and the Southern District of Mississippi, Requests for Admission are not considered discovery and can be served at any time, regardless of discovery deadlines.

Also, both Judge Barbour and Judge Banks have ruled that a plaintiff in a personal injury suit cannot be compelled to execute a medical authorization.

If you have any suggestions for the Bench and Bar Committee, please communicate them to Barry Powell, Chairperson.

Law Library Notes

Personnel changes:

Susan Upton Hicks, formerly State Librarian, is now law librarian for the Fifth Circuit Court of Appeals in Jackson.

Professor J. Wesley Cochran, Law Librarian and Associate Professor of Law at Ole Miss, will be moving to a similar position at Texas Tech in the Summer of 1991.

Kenneth Raigins, formerly with the Mississippi Legislative Reference Bureau, is Evening Reference Librarian at the Mississippi College Law Library.

Computerized Legal Research:

The Mississippi Code is now on-line with LEXIS. It can be accessed by searching the MSCODE database. All statutes through the 1990 special session are available.

Video Collection:

The latest addition to the Mississippi College Law Library's video tape collection is "Representing Corporations in Environmental Criminal Cases," produced by ALI-ABA. It is 55 minutes long and can be checked out.

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Mississippi Baptist Medical
Center

A service of the
Hinds County Bar Association

Judges To Be Sworn In January 2

All members of the HCBA are invited to attend a swearing-in ceremony on Wednesday, January 2 at 9:30 a.m. in Courtroom No. 1 at the Hinds County Courthouse. United States District Judge Henry T. Wingate will administer the oath to newly elected Circuit Judge Robert L. Gibbs and also to returning Chancery Judges for the Fifth Chancery District, Circuit Judges for the Seventh Circuit Court District and Hinds County Court Judges.

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Hinds County Bar Association, Inc.

151 E. Griffith Street
Jackson, MS 39201

FIRST CLASS

IMPORTANT
HCBA Luncheon Meeting
12 Noon, December 18

HCBA NEWS

February 1990

President's Column

Judith J. Johnson



Lawyers' Assistance Program Announced

I am pleased to announce a new service for members of the Hinds County Bar Association, a Lawyers' Assistance Program. The program is being offered at a low cost to members using it through the Mississippi Baptist Medical Center's Employee Assistance Department.

Many of us have personal problems which interfere with our performance and affect our quality of life. It is often the case that we do not know where to turn for help or even exactly what the problem is. These problems may be related to marital and family conflicts, stress, financial problems, emotional problems, such as depression, and family or personal alcohol and drug problems. Such problems may be overwhelming and impossible to overcome without help. The goal of the Lawyers' Assistance Program is to assist our members and their families toward a course of action designed to deal with their particular problems.

Hinds County Bar Association members and any member of their immediate families may call the Employee Assistance Program (EAP) Office at the Mississippi

...continued on page 2

HCBA Nominations Announced for 1990-91

Jay A. Travis III, chairman of the HCBA Nominations Committee, announces the following candidates for office for the coming year:

Vice President & President-Elect

Richard A. Montague, Jr.
R. Fulton Thompson.

Secretary-Treasurer

Tommy E. Furby
James A. Peden, Jr.

Director, Post 3

Linda Thompson Greaves
Harrison D. McIver III

Director, Post 4

Ben J. Piazza, Jr.
Richard C. Roberts III

The Association's bylaws provide that any other member of the HCBA may be nominated by petition signed by not fewer than 20 members in good standing and filed with the secretary-treasurer on or before March 1st.

A ballot and biographical sketch of each nominee will be mailed to each member in good standing during the month of March. To be counted, ballots must be returned to the Association and received not later than April 10. The results of the voting will be announced at the membership meeting on April 17.

For further information, please call Pat Evans at 353-3907.

J.T. Noblin To Serve As Federal Court Clerk

By Linda Thompson Greaves



Jackson attorney and HCBA member J.T. Noblin has been appointed Clerk of the U.S. District Court for the Southern District of Mississippi, effective January 1, 1990. Noblin succeeds Clarence A. Pierce who retired from the position.

"As much as I enjoyed private practice, and most particularly my association with the members of my firm," Noblin said, "I am really looking forward to the challenges presented by the work of this fine court. I also look forward to working with the members of the Federal Bar." He was a partner in the Jackson law firm of McCoy, Wilkins, Noblin & Stephens when the court made its appointment.

Noblin noted that our state should be very proud of the impressive abilities and qualities of leadership and industry that characterize the judges of the Southern District. He was also quick to praise the high level of competence of the administrative staff of the court.

He explained that one of his immediate goals is to aggressively pursue computer automation and implementation of data

...continued on page 2

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

February 20, 1990

12 Noon

\$8.25

Capital City Petroleum Club

The speaker will be Honorable Bill Cole reporting on Mississippi's Special Task Force for Economic Development Planning, "A Commitment to Competitiveness".

President's Column *continued...*

Baptist Medical Center and arrange a confidential counseling session. In some cases the problem can be resolved by the EAP counsellor. In other cases, the counsellor will refer the person to another source. In all cases, *the services are strictly confidential*, and the HCBA will only receive information regarding the number of people using the service. The cost to the member or his/her family members is \$40.00 per session.

If you are interested in participating in the program, call the Mississippi Baptist Medical Center Employee Assistance Program at 968-5032. If you want further information, call Belinda Stevens at 359-3847 or me at 944-1950.

I want to commend the Wellness Committee, chaired by Belinda J. Stevens, for bringing the program about.

J.T. Noblin *continued...*

processing programs developed in pilot programs in other courts as a tool to facilitate the office of the Clerk. He will also oversee the extensive renovation and reorganization within the federal courthouse building in Jackson.

The Clerk is charged with the administrative duties of the court, including supervision of the financial operations and physical facilities of the court and maintaining the court's civil and criminal dockets. The Southern District covers forty-five counties in the southern two-thirds of the State. It maintains divisional offices in Jackson, Meridian, Hattiesburg, and Biloxi, and court facilities in Vicksburg. The administrative staff numbers over thirty.

Noblin is a graduate of the Jackson public schools, Millsaps College, and the University of Mississippi School of Law. He was a member of the Mississippi Workers' Compensation Commission from 1968 until 1980, where he served as attorney-referee, commissioner, and as Chairman of the Commission from 1975 until his return to private law practice in 1980. One among many honors attained by Noblin in the field of workers' compensation, he was elected President of the International Association of Industrial Accidents Boards and Commissions.

A member of the Hinds County, Mississippi and American Bar Associations, Noblin serves on the Mississippi Commission on Continuing Legal Education. He has been chairman of the Administrative Law and Workers' Compensation Section of the State Bar.

Chief U.S. District Judge William H. Barbour, Jr., noted upon the court's appointment of Noblin, "The court is very fortunate to have someone with Mr. Noblin's administrative experience and legal skills to serve the court in this capacity."

Linda Stone Appointed Supreme Court Clerk

By Linda Thompson Greaves



On January 1st, Linda Stone assumed the position of Mississippi Supreme Court Clerk. She was appointed by the nine Justices on the Court to serve at the will and pleasure of the Court.

Ms. Stone stated that her immediate goal is to learn everything there is to know about the workings of the office so that she may continue the progress that marked the late Mrs. Sue Gordon's tenure as Clerk. "I want to provide the same good service that Sue Gordon gave the public and the litigants appearing before the Court," she explained. She described herself as a "hard worker, an organized person who is intent on doing a good job for the Court."

The duties of the Supreme Court Clerk's office include the handling of all filings for the Supreme Court, releasing the opinions of the Court for publication, and issuing the mandates of the Court. According to Ms. Stone, the paperwork is voluminous, but the computer system installed this past year for the tracking of the cases filed with the Court is "fantastic." The office is comprised of the Clerk and eight other staff members.

A native of Lexington, Mississippi, Ms. Stone says she is the third Holmes Countian to serve the state as Supreme Court Clerk (the others being Tom Q. Ellis and Julia Kendrick). She is a graduate of Lexington High School and Holmes Junior College.

She first came to the Supreme Court as Judicial Assistant in January 1989. She had previously been with the Attorney General's office for over sixteen years. She was a legal secretary in the Civil Litigation Division from 1972 until 1984, when she was promoted to the position of Administrative Secretary to the Attorney General. From 1967 until 1972, she was an administrative secretary in the Criminal Investigation Division of the Mississippi Highway Patrol. It was while serving in that capacity that she went to Holly Springs to testify in a murder trial; she so impressed the Attorney General's staff that they hired her away from the Highway Patrol. She had earlier worked as a legal secretary for the firm of Pittman, King & Pittman in Hattiesburg and before that, as records clerk with an insurance company.

Ms. Stone lives in Clinton, where she attends the Morrison Heights Baptist Church. She has one son who is an architect in Atlanta.

When asked for words of advice to the members of the Hinds County Bar, she said simply, "Tell them I'm here to help them. Call me if I can be of service."

CLE CALENDAR OF EVENTS

February 20
HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS.*

February 23
Psychological Injuries in MS: The New Frontier. Sponsored by MS College School of Law. Jackson, MS.

February 23
MS Conference on Child Support Enforcement. Sponsored by MS Women Lawyers Association and MS Judicial College. Jackson, MS.

March 9
Current Issues in Insurance. Sponsored by Professional Education Systems. Jackson, MS.

March 14
Summary of Recent MS Law. Sponsored by Abbott & Weems. Jackson, MS.

March 16
Avoiding Environmental Liability in Commercial Real Estate. Sponsored by National Business Institute. Jackson, MS.

March 23
Product Liability & Toxic Tort. Sponsored by MS Trial Lawyers. Jackson, MS.

April 17
HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS.*

*Not approved for CLE credit.

Captain Equity's 1992 Legislative Agenda

Please believe me when I tell you I didn't want to do this. There were so many more worthy topics: Washington D.C. Mayor For Life, Marion Barry, and his pending litigation with Atlanta based Coca Cola, Inc. over the rights to the slogan "Coke Is It"; the upcoming February TV sweeps highlighted by the much anticipated face off between Major Dad and The Famous Teddy Z; or perhaps an obituary on the passing of Walker's Restaurant nighttime operations. All would have made for engaging reading, but thanks to some, and I certainly do not mean all, in the legislative branch of state government, I have been given no choice but to put forth a plan to finally stop the endless, annual exercise in institutional arrogance; personal agenda-ego flexing; and dim-bulb, anti-leadership Mississippi's taxpayers are forced to underwrite under the guise of representative democracy in action.

Before you mutter "not another pro-lottery column," let me assure you this is not. It's not even a pro-education piece. Unfortunately, the ill wind that blows into the State Capital every January with clockwork precision is a systemic defect that can only be addressed with a voting machine. Unfortunately, we won't get the chance until the year that Europe finally gets its act together. Perhaps it will be the year Mississippi finally gets its act together.

The state's molasses creep toward the 20th and now the 21st Century started back in 1890. To give you a point of reference, that was the year of the first execution by electrocution (New York). U.S. troops and American Indians fought the battle of Wounded Knee (South Dakota). The Sherman Antitrust Act was enacted by Congress (District of Columbia). A new state constitution went into effect (Mississippi). Depending on your personal values, political orientation and economic views, one or more of these events was a tragedy. Too bad we don't have time for an in-depth debate. Perhaps an upcoming episode of "Major Dad" or perhaps "This Week With David Brinkley" will deal with all this. At any rate, all of these events played a significant role in setting a tone for the next century. In Mississippi's case, that hundred years wasn't destined to, in the words of the Army recruiting slogan, "Be All You Can Be."

Whatever else you might think about the 1890 Constitution, there is almost universal agreement that it put into place a highly decentralized decision-making process only somewhat more effective than

the Articles of Confederation. Of course, given the times and personalities involved, there was a reason for vesting so much power in the legislative branch of government. Mississippi had finally emerged from the era of Reconstruction and wanted to guard against a continuation of excesses inherent in carpetbag executive branch decision making. Add to this the fact that in pre-BMW, pre-fax machine, pre-low cal microwavable frozen dinner 1890, Mississippi was an agrarian society much closer to 1790 than 1990. So, maybe the constitution made sense back then, particularly if you were a white, cotton-planting male who had a few acres planted in cotton. Now before some of you get perturbed, let me assure you that some of my best friends are white, cotton-planting males. Like the debate between the lottery and bingo, that's not the point. How citizens make collective decisions affecting their personal and economic welfare is, however, very much the point. Thanks to a document that bears little relevance to the times and challenges that confront us, we get 1890 legislative solutions to 1990 problems. Comforting, isn't it?

Of course, it would be inaccurate to blame all our problems on our outmoded state constitution. We also have a century of political tradition to thank for our annual bout of public policy paralysis. Decades of coalition building and rules manipulation in the House made the Speaker's Chair the real hidden source of power when it came to law making. In recent years, since the revolution that dispatched former House Speaker C.B. "Buddie" Newman back into private life, the Senate under the leadership of the Lt. Governor and its influential committee chairs, which he appoints, has with a few notable exceptions, such as Education Reform I, successfully stifled progress.

From a procedural standpoint, we know how they do it (constitutional impediments, powerful committee chairs, a complicated parliamentary rules structure). But why? Probable answers:

1. Ego, arrogance and unbridled ambition.
2. Fear of well-financed interest groups who work hard to influence legislation at the expense of underfinanced individuals who do not.
3. Too many lawmakers debilitated by a 1959 world view, zero imagination and not the first clue of how to effectively develop a coherent public policy that will allow the state to create a climate capable of attracting human and financial capital, while stemming the mass exodus of our brightest and most visionary sons and daughters.
4. Too much free booze and finger food

at legislative receptions.

All common problems in a democracy. Just look at Congress. But that doesn't help us fix it. So, having mastered the obvious, let me offer:

Captain Equity's 1992 Legislative Agenda

Since my program requires new Senators and Representatives, let's resolve to stand aside and let the 1991 Legislature do what it does best. This surely means the enactment of Road Hunting II and expanded moves to find additional state highways to name after Jerry Clower. In January 1992, after an aggressively funded campaign to replace the most egocentric, unqualified and regressive of our lawmakers, I would suggest the following measures:

1. A new state constitution debated and drafted only by people who can correctly spell constitution with approval by all registered voters.

2. Borrowing from the Lt. Governor's proposal in the 1989 session for mandatory drug testing of all high school students, a law providing for mandatory IQ testing of all legislators.

3. Free plane, train and bus tickets to anywhere else in the USA for all lawmakers who have never been farther north than Memphis and farther west than Valley Park. In the event of defections, blanket immunity from extradition.

4. Literacy requirement for all candidates for public office. Stick figures and Happy Face drawings don't count.

5. Six term succession limitation on the Office of the Lt. Governor. Two terms for all others.

6. No mirrors in legislative restrooms.

7. Televised coverage of all Senate and House proceedings via Mississippi ETV with special warning captions for children styled as follows: NOT A CARTOON.

8. Absolute prohibition of the following phrases by legislators in the discharge of their official duties: "We ain't never done it like that before," "But, they ain't like us," "What they got in California (New York, Japan, Europe) that we ain't got down here?"

9. Procedures for popular initiatives and referendums initiated by petition of actual, registered voters.

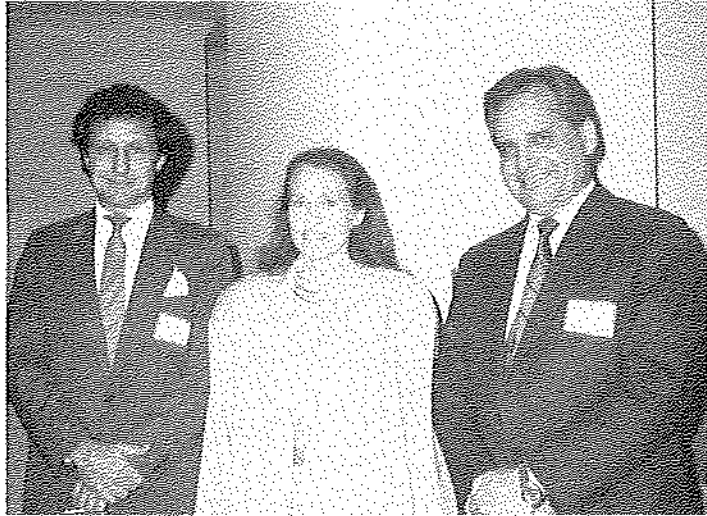
10. A two drink - dozen shrimp limit at all legislative receptions.

Now, what we need is a Political Action Committee or better yet, a gubernatorial candidate to carry the torch. Where is Cliff Finch when we need him?

Monday, February 19, is a legal holiday honoring Washington's birthday in Mississippi.

Scenes From the Christmas Social

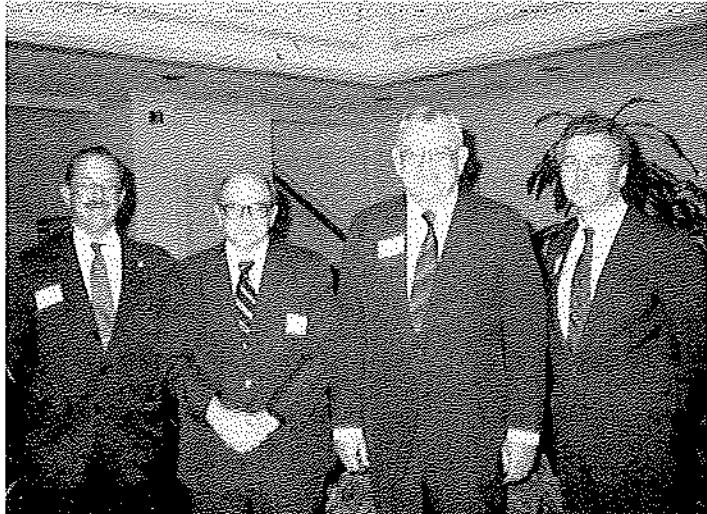
A large group of HCBA members and guests enjoyed the Association's Christmas Social held December 6th at the Mississippi Bar Center.



Pictured, left to right, are Tommy Furby, Judy Johnson and Scott Hemleben.



From left, are Dana Kelly, J.D. May, Bob Cooper, and Gene Caldwell.



Pictured, from left, are Louis Fuselier, Leonard Van Slyke, John Hampton Stennis, and John Clark.



Shown, from left, are Mike Hartung, Chancery Judge Pat Wise, and Brad Pigott.



Circuit Judge William Coleman is shown with Pat Bennett.



Pictured, left to right, are Jan and Richard Hurt and Linda Greaves.

Hinds County Bar Association ESSAY CONTEST

The Hinds County Bar Association is sponsoring an essay contest as part of its continuing commitment to challenge students and encourage thoughtful analysis regarding the interpretation of the United States Constitution.

The question for discussion in this year's essay contest is:

Does Freedom of Speech Allow Burning of the American Flag?

The essay must be typewritten, double-spaced on 8 1/2 x 11 inch paper and between 3 to 4 pages in length. The position taken should be supported by a logical and vigorous argument.

All students in the 9th through the 12th grades are encouraged to participate. The essay entries are due no later than Wednesday, February 28, 1990. Call Pat Evans at 353-3907 for more information.

There will be five awards given as follows:

- 1st Place - \$200.00
- 2nd Place - \$125.00
- 3rd Place - \$100.00
- 4th Place - \$ 50.00
- 5th Place - \$ 25.00

The Hinds County Bar Association will seek newspaper recognition for the winning entries. The awards will be presented to the winning students at the April luncheon meeting of the Association.

Mississippi Bar Convention -- Destin '90 Early Bird Report

The 1990 Mississippi Bar Convention will be held July 11 through 15, 1990, in Destin, Florida. The Convention will be preceded by the 1990 Summer School For Lawyers with registration on Sunday, July 8, and classes will be held at the Sandestin Beach Resort Conference Center.

The Convention begins with registration on July 11 and continues through Sunday, July 15. The Convention will be held at the Sandestin Beach Hilton with the same format as last year. Look for your March-April edition of *The Mississippi Lawyer* for more details, and make plans early since the 1989 annual meeting set an all-time attendance record of over 684 in attendance.

HCBA Committee Preference Survey

Committees are vital to the programs and activities of HCBA. Committee effectiveness depends on the selection of interested, experienced, and capable members. Please assist me by completing the questionnaire below and returning by **March 1, 1990.**

Leonard D. Van Slyke, Jr.
Vice President and President-Elect

1. I am interested in serving on the following committees (Indicated in order of preference):

- | | |
|---|---|
| <input type="checkbox"/> Bench & Bar Relations | <input type="checkbox"/> Newsletter Editorial Board |
| <input type="checkbox"/> Black Lawyer Involvement | <input type="checkbox"/> Professional Ethics |
| <input type="checkbox"/> Budget & Finance | <input type="checkbox"/> Program |
| <input type="checkbox"/> Child Advocacy | <input type="checkbox"/> Public Relations |
| <input type="checkbox"/> Continuing Legal Education | <input type="checkbox"/> Senior Lawyers |
| <input type="checkbox"/> Judicial Poll | <input type="checkbox"/> Small Firm Practice |
| <input type="checkbox"/> Legal Aid | <input type="checkbox"/> Social |
| <input type="checkbox"/> Legal Economics | <input type="checkbox"/> Unauthorized Practice of Law |
| <input type="checkbox"/> Legal/Medical Liaison | <input type="checkbox"/> Women in the Profession |
| <input type="checkbox"/> Legal Problems of Homeless | <input type="checkbox"/> Suggested new committees: |
| <input type="checkbox"/> Legislative | _____ |
| <input type="checkbox"/> Long Range Planning | _____ |
| <input type="checkbox"/> Membership | _____ |

2. I offer these suggestions to make HCBA even more effective:

3. Other comments: _____

Name _____

Firm _____

Address _____

City _____ State _____ Zip _____

Mail to: Leonard D. Van Slyke, Jr.
P.O. Box 1532
Jackson, MS 39215-1532

Don't Forget to Have Your Picture Made

**HCBA
COLOR PICTORIAL DIRECTORY**

**February 12-16 and 19-23, 8:30-5:00
Mississippi Bar Center**

HCBA Bylaws Changes

By Cynthia Lee Perry

The HCBA Board of Directors has recently approved some changes in the Association's Bylaws. A summary of changes is as follows:

(1) There are now two new types of membership - honorary and student.

Honorary membership can be granted to distinguished lawyers and judges (during their tenure) when a majority of the Board of Directors votes for such. The honorary member would not pay dues nor vote on the Association's affairs, nor serve as an officer or director.

Student membership may be granted to any student in good standing at his/her law school and upon the payment of student dues. The student member would not have voting privileges.

(2) The notice of time and place for the annual meeting of the membership shall be given to the members no less than three days prior to the meeting.

(3) A quorum in any special meeting of the Association has been changed to fifteen percent of the membership.

(4) The process for the election of officers was changed a bit. The Nominations Committee must now be appointed immediately after November 1 of each year, and nominations from the committee are to be presented to the membership before December 1 of each year. Nominations by petition must be filed with the Secretary-Treasurer on or before January 15th of each year, and the Secretary-Treasurer shall mail the ballots to the membership on February 1 of each year. The membership must return the ballots postmarked before February 15th.

(5) All sexist references in the Bylaws (masculine pronouns) have been changed to "he/she" or "his/her".

(6) The office of Executive Director for the Association is now defined in the Bylaws. Such person is appointed by the Board of Directors, to be the agent of any Association officer.

(7) The standing committee for public relations was eliminated.

(8) A procedure was set up for the removal of committee chairpersons or members who do not fulfill the obligations of the office. The accused party will have five days written notice concerning the impending removal and the grounds therefor.

(9) Bylaws amendments which are proposed to the membership must be mailed to the membership no less than three days prior to the meeting to vote on such amendments.

The Bylaws changes will solve several problems in procedural areas for the Association. If any member has a question or suggestion concerning the Bylaws, please contact Cynthia Lee Perry, Chairperson, Bylaws Committee, at 960-1197.

Letters To The Editor

Dear Captain Equity:

I am compelled to write and commend you on the conclusion of your article, "New Decade Resolutions," appearing in the December 1989 edition of the *HCBA News*. I wish we could all clearly focus on "What does the decade of the 90's hold for Mississippi?" and then attempt to do something about it. Your concluding paragraphs certainly contain guidelines we could follow.

It is almost impossible not to reflect on why we have not acted in the past in such a manner as to get off the bottom. It would be so much easier to forget the guilt of our own inaction in the past, if we were to really focus on the 90's in Mississippi.

We have a good start with some things that are happening politically in Mississippi -- electing some good public officials and getting rid of some bad ones -- and you are correct in that the events in Eastern Europe have demonstrated that change can take place when it is demanded.

I wish I knew how to change the typical responses that you point out in the end of your column. Thanks for putting the issue in front of everyone.

Very truly yours,
James K. Child, Jr.
Wise, Carter, Child & Caraway

Dear Ms. Greaves:

The article "New Decade Resolutions" by Captain Equity which appeared in the December 1989 *HCBA News* was quite good. In fact, it stands out among the plethora of year-decade-ending programs which reflect many of these observations but not quite so well.

My compliments to the author and the staff of the newsletter.

Yours sincerely,
Law Offices John L. Maxey II
By John L. Maxey II

Former State Treasurer to Speak at HCBA Luncheon

Bill Cole, partner in the firm of Brunini, Grantham, Grower & Hewes, will be the guest speaker at the February luncheon meeting of the HCBA. Prior to entering the private practice of law two years ago, he served as State Treasurer of Mississippi for seven years. He now practices in the area of public finance law.

In 1988, Governor Ray Mabus appointed Cole chairman of the Special Task Force Economic Development Planning Committee. This committee has recently issued its report, "Seizing the Future: A Commitment to Competitiveness," and Cole will inform the HCBA membership about this committee's findings at the luncheon.

McGovern/Rusher Cap MC Law Day

George McGovern and William A. Rusher will debate tort reform when Mississippi College School of Law celebrates Law Day on April 6, 1990. These two national personalities will be featured speakers for the annual Law Day Banquet to be held at the Holiday Inn Downtown.

McGovern, a two-term member of the House of Representatives, a U.S. Senator from South Dakota for eighteen years, and the 1972 Democratic Presidential nominee, has been identified with liberal causes for the last quarter century.

Rusher has been publisher of *Wm. F. Buckley's National Review* since 1957. For four years he was the conservative spokesman on the Public Television program "The Advocates." He was a regular on "Good Morning, America" and a commentator on the radio program "Group W." His syndicated column "The Conservative Advocate" appears twice a week in more than two hundred newspapers.

All members of the bar are invited to attend the banquet. Tickets are available from the Law School's Office of Professional Services. Call Deborah Gray at 944-1950.

Each year the law school observes Law Day earlier than the national May 1 celebration in order to avoid conflicts with the Spring semester exam schedule.

Administrative Support For Judges Legislation Survives Committee Deadline

Tuesday, January 31, 1990, was the deadline for committee approval of legislation.

According to the docket clerk of the Mississippi State Senate, Senate Bill 2580, which authorizes judges to employ a law clerk, research assistant or secretary, and a state-funded personnel allowance of \$20,000.00 per judge, survived the committee deadline.

However, a number of other bills of interest to attorneys died in committee. Among them were Senate Bills 2182 and 2738, both of which provided for a direct action against liability insurers.

Additionally, five House bills which would allow irreconcilable differences to be added as a "thirteenth ground" for divorce in contested divorce proceedings died in the House Judiciary A Committee.

Of particular interest is House Bill 1108, which would have abolished the unified Mississippi State Bar. This bill was defeated for the third consecutive year.

Real Estate Asset Inventory Available In Local Law Libraries

The "Financial Institutions Reform, Recovery, and Enforcement Act of 1989" directed the Resolution Trust Corp. to publish every six months an inventory of all assets under its control. The initial inventory lists 30,000 real estate assets, including approximately 12,000 single-family houses, 2,500 commercial properties, and 800 parcels of undeveloped land. The 3,000 page inventory is divided into three separate volumes on land, residential and commercial property.

The *Real Estate Asset Inventory* is another step in the RTC's efforts to dispose of assets of the more than 281 thrifts in conservatorships as of December 21, 1989.

Copies of the inventory were sent to every U.S. Government Depository Library. Both the State Law Library and the Mississippi College Law Library have the publication. It is available in the Government Documents Department for use in the library only.



HCBA MEMBERSHIP MEETING - Jeannette King, ACSW, right, was guest speaker at the December HCBA membership meeting. She is shown pictured with HCBA President-Elect, Leonard Van Slyke, and President, Judy Johnson.

Mississippi College Law Library

Regular Schedule

Monday through Thursday 8:00 a.m.-12:00 midnight
Friday 8:00 a.m.-9:00 p.m.
Saturday 9:00 a.m.-9:00 p.m.
Sunday 2:00 p.m.-10:00 p.m.

Check at the school for special hours to be posted for Spring Holidays, March 10-18, 1990.

Are you overwhelmed
by work-related stress, marital conflicts,
drug or alcohol dependence,
depression or other problems?

There is help through the
Lawyers' Assistance Program.

Call 968-5032
Mississippi Baptist Medical Center

A service of the
Hinds County Bar Association

HINDS COUNTY BAR ASSOCIATION

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Correspondence regarding the newsletters should be directed to: Linda Thompson Greaves, Editor, Post Office Box 4554, Jackson, Mississippi 39296-4554. 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.

Hinds County Bar Association, Inc
151 E. Griffith Street
Jackson, MS 39201

FIRST CLASS

IMPORTANT
HCBA Luncheon Meeting
12 Noon, February 20, 1990

HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

OCTOBER 1990

President's Column

Leonard D.
Van Slyke, Jr.



Snapshots from around the Hinds County Bar Association:

VISITORS FROM CHINA

Your bar association has been requested to host a delegation of attorneys from Hainan Province Bar Association, Peoples Republic of China. The Board of Directors agreed to extend an invitation to this group and we anticipate the visit in late October or November. While the specific agenda activities have not been determined, it is anticipated that the group will desire to observe our court system and visit with fellow attorneys, law professors and business persons.

VISIT WITH FOREIGN CHIEF JUSTICES - This writer representing HCBA joined Larry Houchins, Executive Director of the Mississippi State Bar and Hall Bailey of The Young Lawyers Division in a meeting on September 20 with the Chief Justices of eight countries. The countries represented were Argentina, Barbados, Denmark, Ethiopia, Fiji, Maun-tius, Senegal, and Sierra Leone. These dignitaries were in Jackson through the auspices of the International Center at Jackson State University. The items primarily of concern to the justices were the

...continued on page 2

'Slugflation': The Law Firm Challenge of The '90s?

An assumption that inflationary pressures on operating costs would be more than compensated by even greater inflationary influences on rates and revenues guided law firm economics for most of the 1980s. But now that premise is no longer true. New financial guidelines may have to be put in place for effective planning during this decade.

Focus on revenues? The so-called "revenues" argument that prevailed for commerce generally during the last decade seemed to be particularly appropriate to the legal industry. In meeting after meeting at ABA, ALA, and ICLE conferences, successful managing partners, consultants, and administrators lay down the following philosophy: Concentrate your efforts on the revenue side — that's where the fatter buildup of profits is. After all, the theory went, it's easier and more effective to increase billable time and hourly rates than to buck the inevitable trends of higher associate salaries, rising overhead, and growing partner compensation expectations. Hiking fee levels and gross income appeared to be a far more viable route to a bigger bottom line than the unwieldy, frustrating, and often nitpicking job of containing costs. And, in most firms for most of the decade, this generally worked.

But law firms — reflecting the economics of the rest of the commercial world — are beginning to

experience an unprecedented squeeze. In the past, inflationary (and deflationary) factors hit both the top and the bottom of profit-and-loss statements at roughly the same time. Now, law firms may well face several years of sluggish revenues (deflated income) as well as a continued severe inflationary push on the cost side. In a word, law firms (and most businesses) may, for the rest of the 1990s, have to contend with the new phenomenon of "slugflation."

Traditional business is better equipped than the legal profession to counter "slugflation." In 1989, U.S. corporate profits fell 4.7%, after having risen 18.9% in 1988. And in the second quarter of 1990, profits of U.S. businesses declined 11% across the board — the fourth consecutive quarter of decreases in profitability. Nevertheless, ordinary mercantile businesses can often downsize more quickly and less painfully through almost instantaneous reductions in expenses for marketing, sales, promotion, research and development, and so on. Such costs usually represent a substantial portion of these businesses' operating burdens. Law firms, on the other hand, are largely restricted to staff cutbacks in cost containment reactions.

Without substantial corrective remedies in 1990 and 1991, inflationary pressures on existing law firm operating costs will approxi-

...continued on page 2

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

October 16, 1990

12 Noon

\$8.90

Capital City Petroleum Club

The speaker will be Frank Melton - CEO, WLBT.

President's Column *cont...*

disciplining of attorneys and delivery of legal services to the poor. Chief Justice Roy Noble Lee of the Mississippi Supreme Court hosted a luncheon for the group, and they also had an opportunity to observe an oral argument before the Mississippi Supreme Court.

RECEPTION FOR JUDGES - Many of you attended a reception for Mississippi's Trial and Appellate Judges on September 26 at the Mississippi Bar Center. The judges were in Jackson for their fall seminar. The wine and cheese party was co-sponsored by the Hinds County Bar Association and the Jackson Young Lawyers Association.

LEGAL-MEDICAL LIAISON - Committee members are exploring what should be done to make Living Will forms more accessible to the public in light of a recent United States Supreme Court decision. The committee is also looking at whether the Living Will form should be revised to more closely track the statute and whether the statute itself should be amended.

BLACK LAWYERS IN THE PROFESSION - This committee met on October 1 to identify how this association can better serve its Black members and how we can encourage more Black lawyers to join HCBA and become more involved in service to the profession and community through its activities. I am encouraged that we will reach this goal.

BROWN BAG CLE is moving toward reality. Both the CLE and Small Firm Practice committees are involved in this effort and we expect two or three two-hour credit sessions during the first part of 1991.

FIRST WORK DAY FOR HCBA'S HABITAT HOUSE will be October 13. Anyone desiring to volunteer to work on the project should call Ben Piazza, our Volunteer Coordinator at 969-3100. Contributions are still needed to complete our portion of the cost of the house and should be sent to HCBA, 151 East Griffith Street, Jackson, Mississippi 39205. Liza Purcell, one of HCBA's newest members, is serving as the Habitat Advocate for the project, that being

the individual who works directly with the family in working through legal and practical details of the real estate closing and building process. This is an exciting project and we look forward to seeing you at the site on Chapman Drive in south Jackson.

WOMEN IN THE PROFESSION will soon receive results of the survey in which you participated this summer. The Hinds County results will be printed in our next newsletter.

LEGAL ECONOMICS has recently held well attended seminars at Ole Miss and Mississippi College Law Schools on "Practicing Law in the Real World." Topics such as hours, billings and overhead were of real interest to these future lawyers.

As you can see, there continues to be lots of activity in HCBA. If you are not already active on a committee, call me at 973-7435, and I will that you get the opportunity to be of service. You, the profession and the community will be better as a result.

MEMORIAL SERVICE

On September 10th, the Mississippi State Bar held a Memorial Service honoring Mississippi attorneys who died this past year. Deceased Hinds County attorneys honored were:

Richard Allen
Billy Bacon
Thomas Bell
R. Jess Brown
Wiley Hill
John Hutcherson
Alex McKeigney
James Phyfer
William Robbins
O.B. Taylor

treatment of the two sides of law firm economics — costs and revenues — is called for now. Tougher and more severe actions on the expense side are mandated as ways to enhance revenues which become increasingly limited. Associate salaries, for example, have a kind of momentum already built into them; overhead (non-lawyer costs) has already gone from less than 40 cents of every dollar of revenue to more than 45 cents; and partners' expectations have risen accordingly. In most law firms, each of these areas needs reining in; they now must be controlled in accordance with realistically anticipated flat or even declining levels of revenues.

Law Office Management & Administration Report, September 1990 Issue. Reprint by permission.

'Slugflation' *cont...*

mate 8% to 10% per annum — without any expansion or headcount growth. Thus, in a stable and static individual law firm environment, costs by the beginning of 1992 could be almost 20% higher than at the beginning of 1990. Yet every reasonable estimate indicates sluggish income picture across the board in legal markets and services. Under these circumstances and without meaningful remedial actions, the difference must come from the firm's bottom line.

Obviously, the "slugflation" prediction is an economic generality. Some law firms will be exempt from its effects, some will feel its impact less severely than others, but all law firms — regardless of their client and revenue makeup or their size and culture — should, at a minimum, plan their cost strategies conservatively. More equal

CLE CALENDAR OF EVENTS

October 16
HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS.

October 18
Recent Developments in Corporate Taxation. UM Center for CLE. Jackson, MS.

October 24
Fall Training Conference. MS Prosecutors Association. Olive Branch, MS.

October 25
Insurer Insolvency. UM Center for CLE. Jackson, MS.

October 25-26
A Course in Practical Legal Skills. Young Lawyers Division, MSB. Jackson, MS.

October 31
Trial Advocacy in MS. National Business Association. Jackson, MS.

November 1
Annual Fall Pension and Employee Benefits Update. UM Center for CLE. Jackson, MS

November 2
6th Annual Real Estate Seminar. MC School of Law. Jackson, MS.

November 2
MS Real Estate License Law. K.F. Boackle. Jackson, MS.

November 6
Charitable Giving Conference. Millsaps College. Jackson, MS.

November 9
3rd Annual Workers Compensation. MC School of Law. Jackson, MS.

November 9
Mississippi Labor and Employment Law. National Business Institute. Jackson, MS.

November 10
Real Estate Contracts. K.F. Boackle. Jackson, MS.

November 10
MS Real Estate License Law. K.F. Boackle. Jackson, MS.

November 15
Negotiating a Commercial Real Estate Lease. UM Center for CLE. Jackson, MS.

November 16
6th Annual Estate Planning Seminar. MC School of Law. Jackson, MS.

November 17
Real Estate Contracts. K.F. Boackle. Biloxi, MS.

November 17
MS Real Estate License Law. K.F. Boackle. Biloxi, MS.

November 30
45th Annual MS Law Institute. MS Law Institute. Jackson, MS.

December 1
Residential Loan Closings. K.F. Boackle. Jackson, MS.

December 1
MS Real Estate License Law. K.F. Boackle. Jackson, MS.

December 3-4
Individual Income Tax Seminar, 1990 Tax Laws. MS Association of Public Accountants. Jackson, MS.

December 6
HCBA Christmas Social. MS Bar Center.*

December 6-7
Annual Meeting & Bankruptcy Seminar. MS Bankruptcy Conference. Jackson, MS.

December 7
3rd Annual Law Office Management Seminar. MC School of Law. Jackson, MS.

December 7
1st Annual Federal Practice Institute. MS Chapter, Federal Bar. Jackson, MS.

December 7
MS Agricultural Law Seminar. UM Center for CLE. Greenville, MS.

December 18
HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS.*

December 28
Real Estate Law. K.F. Boackle. Jackson, MS

December 28
MS Real Estate License Law. K.F. Boackle. Jackson, MS.

December 29
Real Estate Brokerage Law. K.F. Boackle. Jackson, MS.

December 29
MS Real Estate License Law. K.F. Boackle. Jackson, MS.

* Not approved for CLE credit.



Mark your calendars now!

HCBA
Christmas Social

5:30 - 7:00 p.m.
Thursday, December 6, 1990
Mississippi Bar Center

Status Report on Habitat For Humanity Project

By Ben J. Piazza, Jr.

Fundraising for the HCBA Habitat for Humanity Project has now gone over the \$10,000 mark, according to Project Chairman Rowan Taylor. This is two-thirds of our goal of fifteen thousand dollars. Although individual fund raising will continue, the HCBA Board has agreed to advance the remaining funds from the HCBA budget and construction is now scheduled to begin this month.

The Habitat for Humanity Family Selection Committee has selected Raymond and Sharon Skinner as our prospective homeowner partner. The Skinners have been married for seven years and have two children, Heather, age 5, and Jeremy, sixteen months. They are members of Beacon Hill Baptist Church. Raymond works for Borden Dairy and Sharon is a housewife. They are required, with the help of family and friends, to put in 500 hours of "sweat equity" working on their own or other Habitat houses. HCBA member, Liza Purcel, has agreed to fill the role of "Advocate" to work with the Skinners during the construction process. She will act as a liaison between Habitat for Humanity and the Skinner family.

The three-bedroom house will be built on donated land on Chapman Drive in South Jackson. To reach the lot, go south from Hinds General Hospital on

Robinson Road. Chapman Drive runs between Robinson Road and Hickory Drive one block south of Raymond Road.

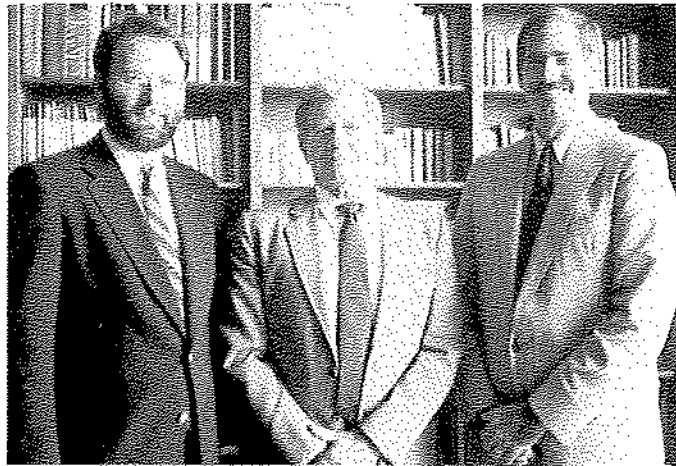
VOLUNTEERS NEEDED

HCBA has not only agreed to raise half of the thirty thousand dollar cost of the house but also work with the homeowners and other Habitat volunteers to actually build the house. The project superintendent, Mark Scott, will schedule the work days for both the homeowners and HCBA volunteers. Usually these will be on Saturdays, although with sufficient notice, people can volunteer to work

during the week. It is anticipated that construction will start on Saturday, October 20. This first day will involve digging and foundation preparation. The following two Saturdays, October 27 and November 3, will be for framing. The project will probably take until April to complete, depending upon the weather.

HCBA volunteers will be working alongside the homeowners and volunteers from other groups. Approximately 15-20 volunteers can be used on any particular Saturday. You do not need any particular building skills to volunteer. We will also need people to help with telephone coordination and some to prepare lunches for volunteer workers. If you have a particular skill or just a desire to do a specific kind of work, you can indicate that on the form below. Please remember that staff members from your firms and your spouses are also invited to volunteer and participate in this most worthwhile project.

Anyone interested in volunteering or making a contribution should contact Ben Piazza at 969-3100 or fill out the form below and send it to the HCBA, 151 E. Griffith Street, Jackson, MS 39201. All contributions are tax-deductible and your check should be made out to "Habitat for Humanity".



(L to R) Richard Montague, HCBA President-Elect; Rowan Taylor, Habitat Chairman; Ben Piazza, Habitat Volunteer Chairman

Name: _____

Office Address: _____

Office Phone: _____ Home Phone: _____

I wish to volunteer my time

I would like to do the following work:

Foundation _____	Sheetrock _____	Telephone committee _____
Framing _____	Painting _____	Lunch preparation _____
Roofing _____	Trim work _____	
Siding _____	Landscaping _____	

Other: _____

Enclosed is my tax-deductible contribution of \$ _____.

Coping With The Information Age

By Captain Equity

Autumn, 1990 has finally arrived on the heels of a long awaited cold front, mercifully sequeing Mississippi from months of high summer to something a little more in keeping with habitability. Perhaps there are those who actually like, or at least don't mind, living in climatic conditions nearly perfect for a Malaysian rubber plantation or an unduly harsh French penal colony in the Suriname jungle, but I am not among them. But, thanks to those wonderful human traits known as the "short attention span" and the "selective memory", we soon move on to other pursuits, leaving our carping and complaining about heat and humidity behind until next year.

And speaking of short attention spans and selective memories, isn't it just shy of amazing how events once thought to be of such crucial importance seem to fade into ancient history with only a slight nudge from newsmakers eager to star on this evening's edition of Nightline and implant themselves on tomorrow morning's front page. To illustrate my point, here is just a sampling of recent hot news items now consigned to permanent interment in archival microfilm mausoleums, to wit:

1. The Lithuanian Independence Movement and Soviet Countermeasures To Cut Off Natural Gas, Food etc. (And after finally being able to spell and locate Vilnius.)
2. The Iranian Earthquake That Killed More Than 50,000.
3. Neil Bush, Dick Tracy and Manuel Noriega (In no particular order of importance.)

And of course, there is the fall of communism in Eastern Europe; German reunification and for a real memory stretch - The Tianamen Square Massacre. The speed, magnitude and sheer volume of events make it all numbing and somewhat unbelievable, much like a revelation that Paul McCartney was in a band before Wings. And of course there is someone out there

asking," who (or what) is (are) Wings? Or worse yet, who is Paul McCartney? See what I mean.

And so you ask, seconds before abandoning Captain Equity in favor of Leonard Van Slyke's "President's Column," where is this leading and why is it important to me? The candid answer is nowhere and it probably isn't. That's the whole point. Because being a literate, informed adult in 1990 has gotten to be such an elusive chore, it's likely that we can find out about as much of lasting significance from Leonard as we can from Ted Koppel, George Bush, Saddam Husein, et al. Because no matter what we learn, it's going to change faster than Chicago's weather.

Actually, given the state of many matters of local, regional, national and international importance these days, this phenomenon of "Current Event Overload" is a real blessing in disguise. In order to make the best of it, I suggest the following coping measures:

1. Stock up on light beer, chips and dip;
2. Add the HBO/Cinemax tier to your cable television service;
3. Don't feel guilty about having forgotten that Mississippi has a legislature;
4. Read Leonard Van Slyke's "President's Column" as soon as you get your next HCBA News;
5. Start memorizing MP&L's emergency service phone number and begin practicing your weather related complaints for the next ice storm. January, after all, it just around the corner.

So, until next time, remember - ignorance can indeed be bliss. On second thought, in view of all the other facts and figures stuffed into your head, that might be asking too much. And besides, it's not really important anyway. Have a light beer and forget it.

ANNOUNCEMENT

Central Mississippi Legal Services, Corporation, is seeking to fill the position of Executive Director.

Central Mississippi Legal Services, Corp., (CMLS) is a nonprofit organization providing legal services to low income clients in West Central Mississippi. The budget is approximately \$1,000,000 including IOLTA funds and Title III-B funds.

Responsibilities of the position include the overall supervision and management of CMLS including overseeing the Program's priorities and legal work; attorney recruitment and supervision; community and public relations including liaison with the local and state bar associations; personnel and financial management; fundraising; and the Board of Directors.

Applicants must be admitted to practice law in any jurisdiction for a minimum of five (5) years; be admitted to practice in Mississippi; must have a minimum of two (2) years administrative experience at a policy-making level in legal services or in a legal services type program; must be bondable; and should possess a strong commitment to providing high quality legal services to the indigent in service and impact cases and administrative advocacy.

Applications accepted until vacancy is filled.

Salary commensurate with experience. Good benefit package, including a sabbatical.

APPLICATIONS:

Send resume and references to:

**SEARCH COMMITTEE
CENTRAL MISSISSIPPI
LEGAL SERVICES, CORP.
Post Office Box 951
Jackson, Mississippi 39205**

*An Equal Opportunity
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Old Capitol Tells All

By Chrissy Wilson

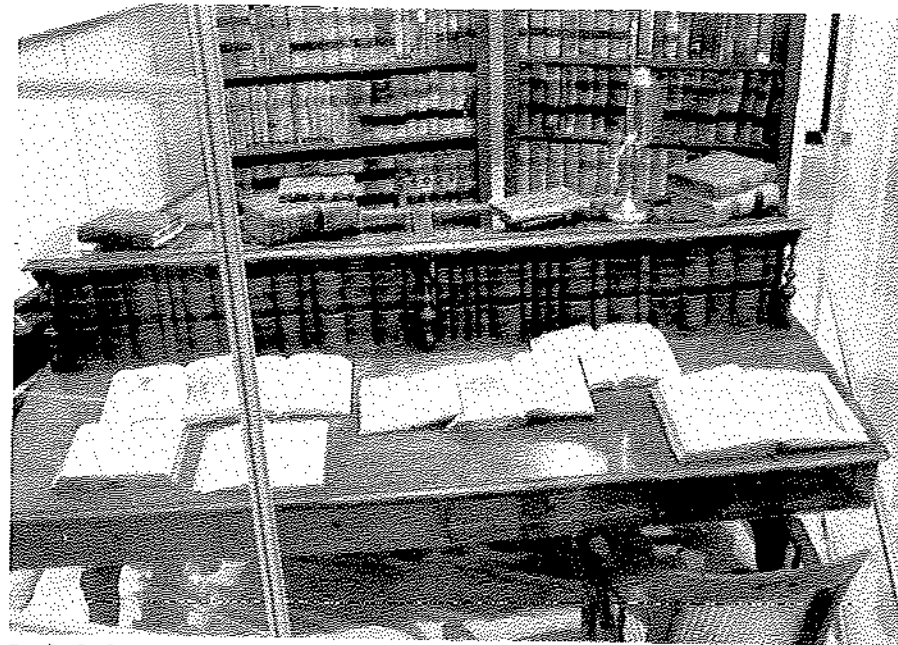
The State Historical Museum, housed in Mississippi's Old Capitol in Jackson, highlights its number one artifact in a current exhibit depicting the 150-year history of the building itself. The exhibit will run through March 1991.

"I'm History: After 150 Years, the Old Capitol Tells All," is a light-hearted look at the people and events important to the building since it was first occupied by Mississippi's state government in 1840.

Ten characters from the Old Capitol's past were chosen to tell its story. Some are well known, like William Nichols, architect; Hiram Revels, the first black United States senator; and R.E. Kennington, Jackson businessman. Others were less well known, like Piety Hadley, who ran a boardinghouse and lobbied early legislators, who were also her guests, for the first Married Womens Property Rights. Included are Fred Grant, teenaged son of General Ulysses S. Grant and Mary Morancy, the state librarian who worried as her increasing store of volumes weighed down the building's floors.

"The Old Capitol has witnessed a lot of important Mississippi and American History and a lot of everyday life, too. The purpose of the exhibit is to show the range of activity during these 150 years," said Cavett Taff, curator of exhibits.

For sixty-three years the three-story brick building housed all of state government, including the legislature and governor. Other elected officials, the state courts, the state library, and various other



Included in the exhibit is a portion of the State Library, c. 1885, complete with law books recently returned to the Old Capitol by the State Law Library.

state departments were also housed in the building.

By 1903 the New Capitol was completed and the Old Capitol, as it soon became known, was virtually abandoned, serving as storage space and the once-a-year site of the state fair. It was renovated in 1916 as a state office building.

In the 1950's the State Department of Health, the last agency housed in the building, moved to new quarters. The Old Capitol was extensively restored and reopened as the State Historical Museum in 1961.

In observance of the 150th birthday of the building, the Mississippi Department of Archives and History is also publishing a book re-

searched and written by Dr. Ray Skates. Dr. Skates is professor of history at the University of Southern Mississippi, and his book is entitled, *Mississippi's Old Capitol: Biography of a Building*. The 173-page, illustrated history will be available this month at the Old Capitol Shop. A book signing is scheduled for November 11 at the Old Capitol.

The State Historical Museum is a division of the Mississippi Department of Archives and History. It is open to the public weekdays 8-5, Saturdays 9:30-4:30, and Sundays 12:30-4:30. For further information, call the Museum at 359-6920 or contact Chrissy Wilson at 359-6850.

Mississippi College Law Library

Regular Hours

Monday-Thursday	8 a.m. until midnight
Friday	8 a.m. until 9 p.m.
Saturday	9 a.m. until 9 p.m.
Sunday	2 p.m. until 10 p.m.

The next "special hours" will be Thanksgiving and the December Exam/Christmas Schedule.

New Videos Available at MC Law Library

The MC Library has added several new tapes to its video collection. All are available for check-out at the library Circulation Desk. The titles are:

1.) *Legal Opinion Letters in Real Estate Transactions.*

This presentation provides instruction on the drafting of legal opinion letters prepared for real estate transactions.

2.) *Rule 11 Sanctions: A Pandora's Box?*

This tape examines the practical applications of Federal Rule of Civil Procedure 11. Instructions are provided on the types of conduct sanctioned under Rule 11 and the procedures for reporting, or responding to allegations of Rule 11 violations.

3.) *From Law School to Law Practice: What Every Associate Needs to Know*

This is a two-part presentation which provides practical skills training for new associates and mid-level associates.

August Bar Exam Results

Catherine Baber, executive secretary of the Mississippi Board of Bar Admissions, announces that 81% (162) of the 200 persons taking the July bar examinations passed the test. One-hundred-fifty-two of the 179 (84.9%) first time takers passed, compared to ten of the twenty-one (47.6%) of the re-examinees. Of the two lawyers who took the attorney's examination, 50.0% passed.

The over-all pass rate compares with previous years as follows:

February, 1990	65.70%
July, 1989	71.98%
February, 1989	79.40%
July, 1988	75.10%
February, 1988	78.00%
July, 1987	85.00%

One-hundred-five of the examinees were Ole Miss graduates; fifth-three were from Mississippi College. Other law schools represented were Cumberland (4), Emory (1), Indiana U. (1), Loyola-New Orleans (1), LSU (3), Memphis State (2), Rutgers-Camden (1), SMU (1), Tulane (5), U. of Arkansas (1), U. of Florida (1), U. of Miami (1), U. of North Carolina (1), U. of Tennessee (2), U. of Texas (1), Vanderbilt (1), Yale (1).

The swearing-in ceremony was held in the Old Capitol House of Representatives chamber on Thursday, September 27th.

-- NOTICE --

The Small Firm Practice Committee intends to organize a series of "round table" discussion sessions for the benefit of small firm practitioners, provided that there is sufficient interest in the concept.

As envisioned, the sessions would last approximately 1 1/2 hours, which would include a brief presentation by one or more topical experts on subjects such as bookkeeping practices, computer technology, and use of paralegals. The sessions will be followed by a general discussion of the topics and sharing of information in small groups with discussion leaders.

If these sessions interest you, please call one of the committee members listed below. If there is sufficient interests, then the sessions will be organized, and you will receive notice of the time and place.

Richard C. Roberts III ... 353-9455

Dale Hubbard -
Vice Chairperson 949-4700

Robert W. Sneed 354-0044

James L. Martin 969-7007

John M. Colette 355-6277

Don W. Moore 948-3014

James D. Bell 355-5632

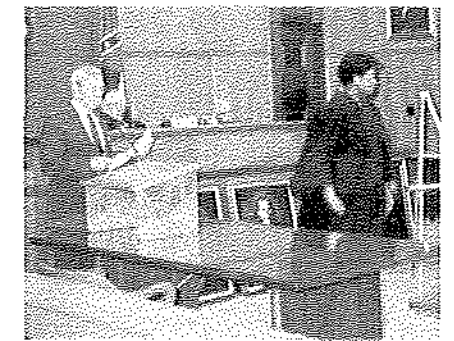
Suzanne Ainsworth 969-1222

Robert S. Murphree 353-0311

John Robin White 355-0955

The Hinds County Bar and the Chancery Clerk's office and staff hosted a DEDICATION OF NEW CHANCERY COURT FACILITIES AND HANGING OF PORTRAITS OF FORMER CHANCELLORS on August 22, 1990 with the Honorable Roy Noble Lee, Chief Justice of the Mississippi Supreme Court, presiding.

The Chancellors, on behalf of the Fifth Chancery Court District of the State of Mississippi, expressed their appreciation to all parties, and especially to the taxpayers who have made the facilities available for those whose interests are affected. They also acknowledged their devoted thanks and appreciation for those chancellors who have previously served this chancery court district and decreed that the portraits of the former Chancellors A.F. Summers; Stokes V. Robertson, Jr.; Betty Tucker; Paul G. Alexander; James Arden Barnett and Pleasant Zebulon Jones be hung in Courtroom No. 2 of the Chancery Court building in perpetuity in remembrance of their service.



Mr. Pete McGee, Hinds County Chancery Clerk, accepting the order of the Court from Chancellor Patricia Wise.

Are you overwhelmed
by work-related stress, marital conflicts,
drug or alcohol dependence,
depression or other problems?

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Call 968-5032

Mississippi Baptist Medical Center

A service of the
Hinds County Bar Association

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withheld upon request. Telephone inquiries
should be made to the Executive Director at
944-1950.

Hinds County Bar Association, Inc.

151 E. Griffith Street
Jackson, MS 39201

FIRST CLASS

**IMPORTANT
HCBA Luncheon Meeting
12 Noon, October 16**