

HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

APRIL 1995



President's Column

Richard C. Roberts III

My year as chief steward of your bar association is drawing to a close. It has been an honor for me to preside over the affairs of the HCBA this year.

The work of this association is carried out by approximately 200 lawyer volunteers, serving on 26 committees, coordinating through our Executive Director, and reporting to three officers and a six-person Board of Directors. Most of these lawyer volunteers labor

in anonymity while the president and other officers get our pictures in the newspaper and public recognition for the association's programs. As my year as president ends, I would like to thank these lawyers for the countless hours they have spent meeting the needs of our 1,200 members, our judges, and our communities.

I cannot properly recognize everyone in the space provided in this column, but I would like to mention just a few of these lawyer volunteers who are having a direct impact on all of us personally, professionally, and in the way we are perceived by the public.

Bill Colbert and the members of his Secretarial Placement Committee are well on the way to developing a secre-

tarial placement service for HCBA members. Al Malone, Vic Carmody, Ben Piazza, and the members of the Lawyer Referral Service Committee have worked long and hard analyzing the feasibility of sponsoring a lawyer referral service, which probably will be up and operating within the next three months.

Jeff Reynolds and the Bench and Bar Relations Committee have profiled our judges in this newsletter and have worked closely with the members of our judiciary on several projects. Richard Montague and the members of the CLE Committee have developed our successful brown bag seminars which provide CLE credit at minimal

...continued on page 2

February Membership Meeting Speakers



Program Chairman Joe Lotterhos and HCBA President Richard Roberts welcomed Hinds County Chancery Judges Denise Owens, Patricia Wise and Bill Singletary as the speakers at the February membership meeting.

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

April 18, 1995

12 Noon

\$10.00

Capital Club

The speaker will be Harold D. Miller, Jr. whose topic will be "ADR - Its Status in Mississippi."

President's Column...

(continued from page 1)

cost. Debra Allen and George Luter, co-editors, do a great job producing this newsletter which keeps our members informed of the numerous activities, rules, programs and events affecting us.

Joel Howell and the Small Firm Practice Committee are to be commended on completing the small firm survey as well as conducting a successful law practice management seminar. Mark Chinn, chair; Karla Pierce, vice-chair; and the Golf Committee staged a highly successful golf tournament which raised over \$3,000 for Habitat for Humanity. Trip Barnes has single-handedly carried on the work of Bob Barnett in organizing the HCBA's spring tennis tournament.

Rebecca Wiggs and her committee

members have organized and presented another highly successful People's Law School. The People's Law School is attended by hundreds of people each year. It provides an outstanding opportunity for us to present our profession and the system within which we work in a very positive light.

Pam Dill and the Law Related Education Committee have done a great job establishing lawyer-teacher partnerships in our local public high schools. Joe Lotterhos has secured outstanding speakers for our membership meetings and has received a commitment from the president-elect of the American Bar Association to speak at our upcoming dinner honoring our judges. Hal Miller continues to provide leadership for our association by chairing the important Alternative Dispute Resolution Committee. Vernon Chadwick and the Library Committee are

exploring ways to provide computer assisted research for our members at little or no charge. The Women in the Profession Committee, chaired by Tammy Harthcock, has a number of subcommittees active in several areas such as the Evelyn Gandy Lecture Series, which will again be held this fall at Cedar Grove Mansion in Vicksburg.

Most importantly, I want to thank Pat Evans, our executive director, for the outstanding job she does day in and day out coordinating the work of so many people on so many projects. Frankly, I do not know what we would do without her.

It has been my privilege working with these groups and your Board of Directors providing service to the bench, the bar, and the public. My heartfelt thanks to you all.

L. Breland Hilburn - Circuit Judge

by Barry H. Powell

Circuit Judge L. Breland Hilburn was born in Raleigh, NC, and eventually moved with his family to Jackson, his mother's home town. Judge Hilburn graduated from Murrah High School, Mississippi State University and the University of Mississippi School of Law. Judge Hilburn served as a Jackson municipal court judge from 1972-78, as a county judge from 1978-81, and has been a circuit judge since 1981. He is Hinds County's second most senior circuit judge.

Judge Hilburn's most famous case as a circuit judge was, of course, the trial of Byron de la Beckwith for the murder of Medgar Evers. The case involved a number of complicated legal issues in addition to the intensity of the subject matter.

Judge Hilburn had a number of suggestions for practicing in his court. Trials and motions are set by his court administrator, Lynne Stevens (968-6656). Judge Hilburn requests that lawyers wanting settings should call Lynne directly themselves and not have their secretaries call. This saves everybody's time. Be sure to call Lynne immediately if a case on the trial docket has been settled. This will enable other lawyers to have their cases tried. Judge Hilburn's law clerk is Kirk Ladner (973-5576).

Judge Hilburn prefers to have briefs on contested motions delivered to him two days before the hearing. He would like for the law clerk of the Circuit Court to be reminded if Judge Hilburn has taken a motion under advisement and not issued a ruling within a reasonable length of time. All orders transmitted by mail to Judge Hilburn should either be approved by the attorneys involved or enclosed with a transmittal letter stating that all attorneys have agreed to the order. If there is a dispute about an order, the dispute should be resolved through a conference call with the lawyers and Judge Hilburn. He has found that this is more efficient than

putting the dispute on the motion docket. Judge Hilburn is also willing to resolve short informal questions by a telephone conference before trial if review of documents is not involved.

Judge Hilburn says that he has noticed that sometimes lawyers appearing before him on discovery dispute motions have not conferred about the dispute. In such situations, Judge Hilburn moves the motion to the head of the docket and sends the lawyers out to confer to try to reconcile or narrow their differences. His experience is that after such conferences, the differences are usually resolved or significantly narrowed.

Judge Hilburn has experienced lawyers filing long, often boiler plate motions *in limine* just before trial with the expectation that the court will take up trial time the first day of the trial to resolve the matters raised in the motion. Judge Hilburn's practice is to refuse to hear such motions. All motions should be filed and heard a reasonable amount of time before trial.

Judge Hilburn has observed a number of lawyers making their closing argument in their opening statement. This is improper. Opening statements are simply to set forth what is intended to be proved, not the argument of the theory of the case. Some lawyers have also used in their opening statements exhibits that have not yet been entered into evidence. Judge Hilburn will not allow such a practice if opposing counsel objects. The use of exhibits in opening statements must either be agreed to by opposing counsel or pre-

cleared with the court. Sometimes lawyers are not prepared on their opening statements. Judge Hilburn's belief is that a well-prepared opening statement is one of the most important aspects of a jury trial.

A concern evinced by Judge Hilburn was that some lawyers have begun overworking *Batson* challenges to jury selections in civil cases. Race or gender cannot be the sole reason for peremptorily challenging a juror. However, if there is a non-racial or gender basis, the peremptory challenge can be exercised. Some lawyers seem to be raising *Batson* as a matter of course in every case, rather than when there seems to be actual evidence of race or gender bias.

In closing arguments, Judge Hilburn requires the plaintiff in a damages suit to fairly present and enumerate damages in the first portion of the closing argument. If the plaintiff reserves argument of damages until the rebuttal portion of the closing argument, Judge Hilburn will allow the defense time to respond.

It has been Judge Hilburn's observation that the courtroom demeanor of lawyers is more important than most lawyers believe. Jurors tend to identify a party's case with the lawyer representing the party. Judge Hilburn believes lawyers who are aggressive to the point of being abusive hurt their clients with the jury.

Barry Powell is a partner with Alston Rutherford & Van Slyke. He is a member of the HCBA Bench and Bar Committee.

Lawyer Referral Service Formed

LAWYER REFERRAL SERVICE

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**HINDS COUNTY
BAR
ASSOCIATION**



Need A Lawyer?

Contact Us And We Will Refer You To
A Local Attorney Who Can Help You
With Your Specific Problem

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948-5488

"Making Our Case For A Better Community."

This is the Yellow Pages ad for the new HCBA Lawyer Referral Service. The service will start in June. Contact Ben Piazza at 949-4796 for further information.



Mississippi College School of Law

Upcoming CLE Seminars

Tenth Annual Real Estate Law Seminar

K. F. Boackle, Chair

Thursday, May 4, 1995

Ramada Plaza Hotel • Jackson, Mississippi
6 hours of CLE credit including 1 hour of Ethics
6 hours of Real Estate credit including
2 hours of License Law

Annual Family Law Seminar

L. C. James, Chair

Friday, June 9, 1995

Ramada Coliseum • Jackson, Mississippi
6 hours of CLE credit

Estate Planning and Charitable Giving Seminar

featuring

Terry Simmons, Esq. of Dallas, Texas

Zoe Hicks, Esq. of Atlanta, Georgia

Friday, July 14, 1995

Ramada Plaza Hotel • Jackson, Mississippi
6 hours of CLE credit

For Information Call
Office of Professional Services
(601) 949-5621

Mississippi College Law Library Regular Hours

Monday-Friday 7:30 a.m. - midnight
Friday 7:30 a.m. - 9:00 p.m.
Saturday 9:00 a.m. - 9:00 p.m.
Sunday 1:00 p.m. - 10:00 p.m.

CLE Calendar of Events

April 21

Ninth Triennial MS Oil & Gas Institute. MS Oil & Gas Lawyers/MS Association of Petroleum Landman. 948-3800

Real Estate Leases.

K. F. Boackle. 601-956-6444

April 27

Trying the Soft Tissue Injury Case in MS. NBI. 715-835-7909

MS Premises Liability: Inadequate or Negligent Security. PESI. 1-800-843-7763

April 28

UM Sesquicentennial CLE. UM-CLE. 601-232-7282

May 4

Tenth Annual Real Estate Law Seminar. MC School of Law. 949-5621

May 9

Paralegals in Family Law. NBI. 715-835-7909

May 11

Hazardous Waste Superfund. UM-CLE. 601-232-7282

May 12

Mississippi Tax Law Conference. UM-CLE. 601-232-7282

May 18

Legal Writing Workshop. UM-CLE. 601-232-7282

Strategies in Handling DUI Cases.

Lorman Business Center. 715-833-3940

May 19

Tax Consequences of Real Estate Transactions. K. F. Boackle. 601-956-6444

May 25

Second Annual Health Law Seminar. UM-CLE/Health Law Section of the Bar. 601-232-7282

HCBA Calendar of Events

April 18

HCBA Membership Meeting. Noon. Capital Club

May 4

HCBA/JYL Law Week Dinner. 6:30. Primos Northgate

May 13

HCBA Tennis Tournament. 9:00 a.m. Parham Bridges Park

June 13

HCBA Membership Meeting. Noon. Capital Club

August 15

HCBA Membership Meeting. Noon. Capital Club

ANNUAL MEETING

Hinds County Bar Association

Jackson Young Lawyers Association, Inc.

Invite you to join us during Law Week for an

EVENING HONORING THE JUDICIARY

May 4, 1995

Primos Northgate

6:30 Reception

7:30 Dinner

Special Guests: Hinds, Madison & Rankin County

State & Federal Judges

Guest Speaker: N. Lee Cooper

ABA President-Elect Nominee

RSVP

\$25 per person

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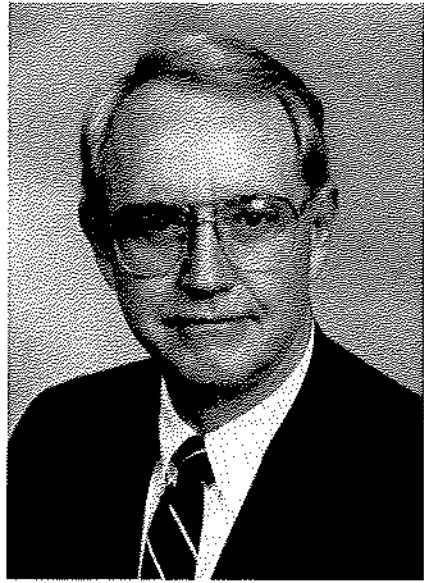
LITIGATION CONSULTING

All of our experience is directly relevant to your need for professional excellence from your accounting experts. Our services include expert witness testimony at depositions and trials, trial assistance relating to opposing experts, consultation on litigation options and approaches, support during the discovery process, damage analysis and review, investigative auditing, forecasting of economic losses, fraud audits, asset searches and tracing of funds.



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145-B Main Street ■ Post Office Box 263 ■ Biloxi, MS 39533 ■ (601) 435-7903

ABA President-Elect Nominee Cooper To Be Speaker at Law Day Dinner



N. Lee Cooper

ABA president-elect nominee, N. Lee Cooper from Birmingham, will be the speaker at the Law Day Dinner on May 4. The event honoring the judiciary will be held at Primos Northgate and begin at 6:30 with a reception sponsored by Trustmark National Bank.

A founding partner in the Birmingham firm of Maynard, Cooper & Gale, Cooper was nominated during the ABA's 1995 Midyear Meeting in February in Miami. His name will be presented to the ABA House of Delegates, its 538-member policy-making body, for election when the House convenes in August in Chicago. If he is elected by the House, Cooper will become president in August 1996, during the ABA Annual Meeting in Orlando.

The ABA is the largest voluntary professional association in the world, with about 370,000 members. The president is the official spokesperson of the organization, and presides over the ABA Board of Governors.

Cooper has held numerous leadership positions in the ABA, including a two-year term as chair of the House of Delegates.

As a state delegate, Cooper chaired the Alabama delegation to the ABA

House of Delegates in 1980-89 and was chair of the House Drafting Committee and the Select Committee of the House. He is a past chair of the ABA Section of Litigation, and also served as secretary of the section. He was chair of the Conference of Section Chairs and served as a member of the ABA Commission on Professionalism.

Cooper also is a director of the American Bar Endowment and the American Judicature Society, a Fellow of The American Bar Foundation and a member of the council of the American Law Institute. He is an advisor to the institute for its Project on the Restatement of the Law Governing Lawyers, and a trustee of the Alabama Law Foundation.

The Alabama Bar Association selected Cooper to receive its Award of

Merit in 1976, and he is a past president of the state bar's Young Lawyers Section. He was secretary-treasurer of the Birmingham Bar Association, and also was chair of the Law Day Committee and a director of the Legal Aid Society.

Locally, Cooper is a member of Monday Morning Quarterback Club Charities and a former deacon of the Briarwood Presbyterian Church, and a former member of the Board of Directors of Birmingham Area Chamber of Commerce.

Cooper received both his bachelor's degree and his law degree from the University of Alabama, where he was an editor of the *Alabama Law Review*. He served as a first lieutenant in the U.S. Army in 1964-66, and continued as a captain in the U.S. Army Reserves.



HCBA Members Get A New Financial Edge

HCBA members can now take advantage of the wide range of financial products and services offered by Jackson VA Federal Credit Union. And, because we're a not-for-profit organization, our members have always had the financial edge with services such as:

- No Fee Checking
- ATM Cards & Machines
- Christmas Club Accounts
- Vacation Club Accounts
- Certificates of Deposit
- Individual Retirement Accounts
- Safe Deposit Boxes
- Travellers Cheques
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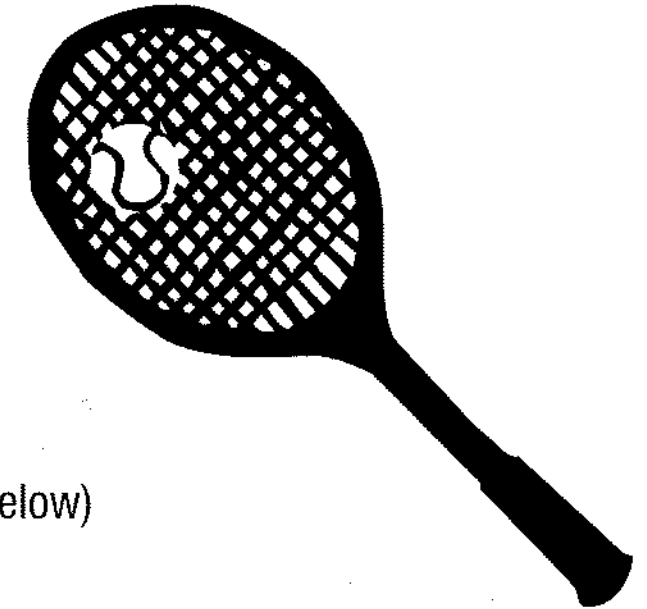
Get a financial edge.
Just call or stop in today.
(601) 977-8300



Third Annual Hinds County Bar Association Tennis Tournament

Parham Bridges Park
Saturday, May 13, 1995
9:00 a.m. till 12:00 noon

FREE TENNIS TOWELS &
WRISTBANDS TO ALL PLAYERS!!



Men & Women Advance (4.0 +)
Men & Women Intermediate (3.5 & below)
Round Robin doubles only
(PARTNERS WILL BE DRAWN FOR EACH ROUND)

PRIZES WILL BE AWARDED TO 1ST AND 2ND TEAMS, EACH CATEGORY.
A BOX LUNCH PICNIC WILL FOLLOW.

CORPORATE SPONSOR:

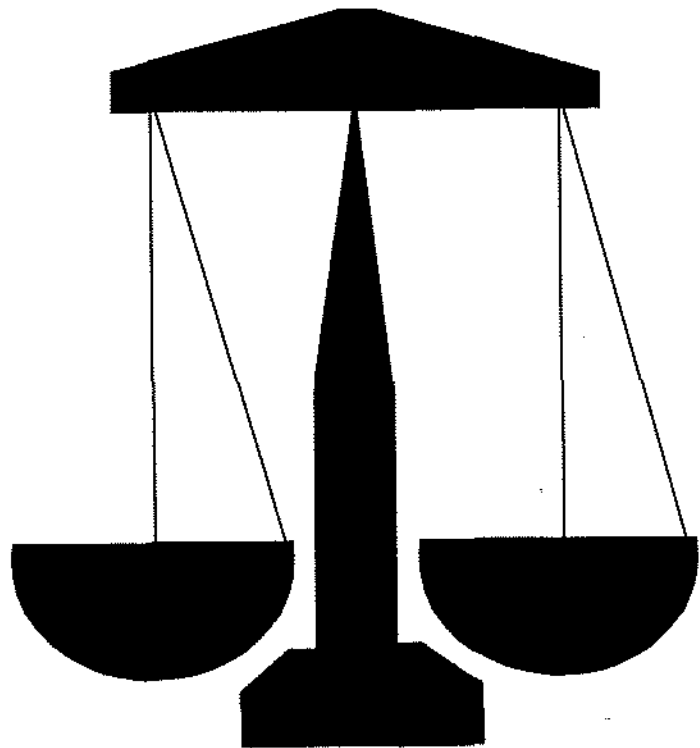
First American Title Insurance Company

REGISTRATION FORM

Name: _____ Phone: _____
(Please print or type name)

Men Women Advanced Intermediate

Send to: Trip Barnes, P.O. Box 2449, Jackson, MS 39225 before May 9.



"When I realized my chances of becoming disabled by age 65 were *three times greater* than the chances of death.....

I compared disability insurance plans. And I decided that my Hinds Country Bar Association endorsed disability insurance plan

SERVES ME BEST!

It's not group insurance, but an individually-owned policy which is *non-cancellable* and *guaranteed renewable*."

If you are a member of the Hinds County Bar Association, you may be eligible for this outstanding professional disability plan at *discounted premiums*.

FEATURES AVAILABLE:

- Non-cancellable, guaranteed renewable
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Offered by Paul Revere Insurance Company to Hinds County Bar Association members through its approved representatives.

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JULIAN WATSON 362-9800

JONATHON SMITH 982-8221
JERRY GRANTHAM 982-8221

HCBA Makes Habitat Contribution



Accepting a \$3000 check from the HCBA is Nina Redding, executive director of Habitat for Humanity (second from right). The contribution is from the proceeds of the fall golf tournament. Pictured are Richard Roberts, HCBA president; Mark Chinn, Golf Tournament chairman; Karla Pierce, co-chairman; and Ben Piazza, HCBA past president.

1995 People's Law School Committee



Planning the fifth annual People's Law School sponsored by the Hinds County Bar Association and The Clarion-Ledger were Rebecca Wiggs, chairman; Donna Wright; George Thomas; Richard Roberts, HCBA president; William Wright; Ottawa Carter; Dan Jordan and John Henegan. The sessions were March 11, March 28, April 4 and April 11. The People's Law School is financially assisted by the Interest on Lawyers Trust Account Programs of the Mississippi Bar Foundation, Inc. (Not pictured are committee members Patricia Bennett, Peter Doran, Crane Kipp, Mitzi Dease Paige and Marcus Wilson.)

Brown Bag Series Continues

WHAT: HCBA Brown Bag Professional Seminar Series

TOPIC: Malpractice Prevention

SPEAKER: Panel Discussion

WHEN: Thursday, April 20, 1995
Lunch 11:30 (bring your own) • Seminar 11:45 - 12:45

WHERE: Room 202, Mississippi College School of Law

COST: \$15 (members) • \$25 (non-members)

CREDIT: Seminar attendees will receive one hour of ethics CLE credit.



*Sponsored by the Hinds County Bar Association
Continuing Legal Education Committee*

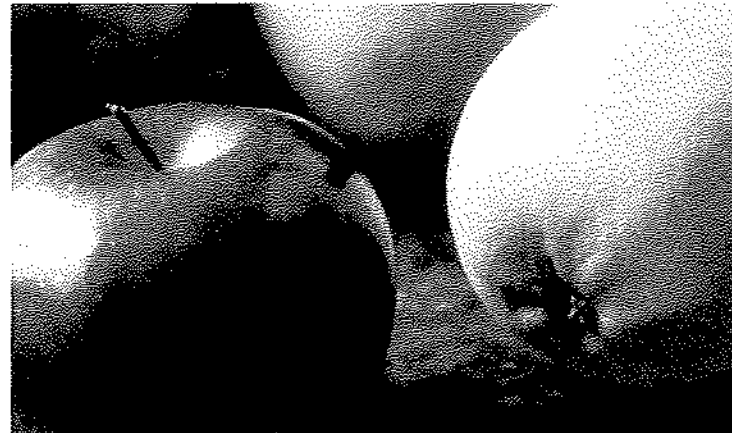
Collier Attends ABA Institute

Joining some 250 other emerging leaders of lawyer organizations from across the country at the American Bar Association's Leadership Institute, March 9-11, was T. Harris Collier, III, secretary-treasurer of the Hinds County Bar Association. Also attending was Patricia Evans, HCBA executive director.

The Leadership Institute is held annually in Chicago for incoming officials of local and state bars and special constituency lawyer organizations. The seminar provides the opportunity to confer with ABA officials, bar leader colleagues, executive staff and other experts on the operation of such associations.

Various ABA entities briefed the participants on resources available from the ABA. Sessions were held on bar organization and management, justice system issues and communications techniques.

UNTIL NOW, TITLE COMPANIES WERE ABOUT AS EASY TO COMPARE



These days, a lot of title companies claim to be financially sound. But too often, what they promote are isolated ratios and statistics that are not a true measure of financial strength. In fact, they are often misleading.

At Mississippi Valley Title, we saw the need for standardized claims-paying-ability ratings for title insurers. That's why we asked to be rated by Standard & Poor's. We were given an A+ — the highest rating from S&P in the title industry to date — along with our affiliate and co-underwriter, Old Republic National Title Insurance Company, who received an A+ rating for the second year in a row.

Ask another title company for their rating from Standard & Poor's. If they don't have one, ask why, then call Mississippi Valley Title.

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INSURANCE COMPANY

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HCBA Committee Preference Survey

Committees are vital to the programs and activities of the HCBA. Committee effectiveness depends on the selection of interested, experienced, and capable members. Bar Committee work is an excellent way to do your part in promoting the profession. Committees meet regularly and a free lunch is provided. Please assist us by completing the questionnaire and returning it by May 1, 1995.

Marcus M. Wilson
President-Elect

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

- | | |
|---|---|
| <input type="checkbox"/> Alternative Dispute Resolution | <input type="checkbox"/> Library Services |
| <input type="checkbox"/> Bench & Bar Relations | <input type="checkbox"/> Long Range Planning |
| <input type="checkbox"/> Black Lawyer Involvement | <input type="checkbox"/> Membership |
| <input type="checkbox"/> Budget & Finance | <input type="checkbox"/> Newsletter Editorial Board |
| <input type="checkbox"/> By-Laws | <input type="checkbox"/> People's Law School |
| <input type="checkbox"/> Child Advocacy | <input type="checkbox"/> Program |
| <input type="checkbox"/> Continuing Legal Education | <input type="checkbox"/> Small Firm Practice |
| <input type="checkbox"/> Golf Tournament | <input type="checkbox"/> Tennis Tournament |
| <input type="checkbox"/> Law Related Education | <input type="checkbox"/> Women in the Profession |
| <input type="checkbox"/> Lawyer Referral | <input type="checkbox"/> Suggested new committees: |
| <input type="checkbox"/> Legal Economics | _____ |
| <input type="checkbox"/> Legal Problems of Homeless | _____ |
| <input type="checkbox"/> Legal Secretary Placement | _____ |

2. I am willing to chair the following committees: _____

3. I offer these suggestions to make the HCBA more effective: _____

Name _____

Firm/Agency _____

Address _____

City _____ State _____ Zip _____

Telephone (Business) _____ (Residence) _____

Mail to: Patricia Evans
151 E. Griffith
Jackson, MS 39201

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depression or other problems?

There is help through the
Lawyers' Assistance Program

Call 968-5032
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A service of the
Hinds County Bar Association

□ **HINDS COUNTY BAR ASSOCIATION** □

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Correspondence regarding the newsletter should be directed to: Editor, 151 E. Griffith St., Jackson, MS 39201. 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 969-6097.

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

FIRST CLASS

IMPORTANT
HCBA Luncheon Meeting
12 Noon, April 18

HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

AUGUST 1995



President's Column

Marcus M. Wilson

In preparation of an article on the origin of our Hinds County Bar Association, I began by speaking with Sherwood Wise, who has authored a detailed history of Wise Carter Child & Caraway from its origin in 1883 through 1986. Then I spoke with Larry Houchins, executive director of The Mississippi Bar and visited the Mississippi Department of Archives and History and the Eudora Welty Library. While the origin of the HCBA is not well documented, I did find some interesting facts and trivia.

The HCBA was born in 1932 as were Jim Becker, Louis Fusclier, Byron Hetrick, Bobbie King, Gene McRoberts, Emile Ott, Bob Pittman, Joan Ratliff, Gene Wilkinson, and Swan Yerger. Happy 63rd year to all of you! We began with about 150 members and have since grown to over 1200. Leon F. Hendrick was the first president of the HCBA. He later served as a Hinds County Circuit Judge for 22 years, stepping down in 1976 at the age of 81. Journalists from around the country who observed Judge Hendrick's courtroom manner described him as a "dignified gentleman whose respect for the law is evident."

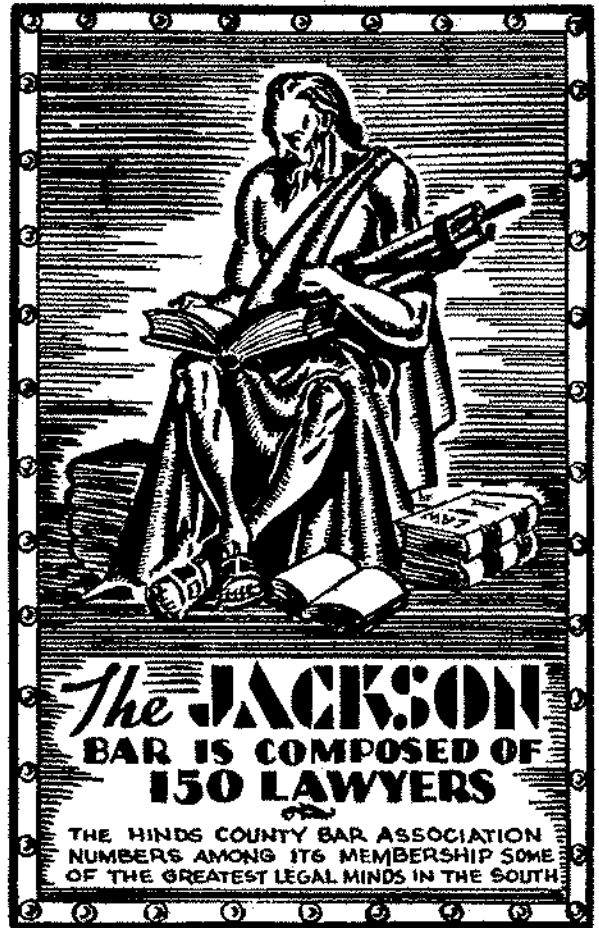
I also uncovered an undated advertisement sponsored by the Jackson Chamber of Commerce. This is the kind of publicity we like to see about lawyers and is still applicable in 1995. The greatest legal minds in the South are HCBA members.

P.S. If you have any interesting information on the early days of the HCBA, please write.

HCBA Luncheon Announcement

The HCBA invited Governor Kirk Fordice and Mr. Dick Molpus to a debate at the August 15, 1995 HCBA luncheon meeting. Dick Molpus accepted the invitation, but Governor Fordice declined. Mr. Molpus will be the speaker.

JACKSON today



Jackson, in carrying on its great development, demands the best legal talent that can be had.

Since in each generation, all the property, real and personal, passes through the lawyer's hands and it is largely due to his wise counsel that the material affairs of any community continues to prosper and advance.

— SPONSORED BY JACKSON CHAMBER OF COMMERCE —

While researching the HCBA's early years, President Marcus Wilson uncovered this undated advertisement sponsored by the Jackson Chamber of Commerce.

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

August 15, 1995

12:00 Noon

\$10.00

Capital Club

The speaker will be Secretary of State Dick Molpus.

CLE Calendar of Events

August 17
Basic Corporate Law in MS.
NBI. 715-835-7909

August 18
Effective Motion Practice in MS.
Lorman Business Center.
715-833-3940

August 23
Current Issues in Banking Law in MS.
NBI. 715-835-7909

August 30
Nursing Law in MS.
NBI. 715-835-7909

September 7
Family Law Seminar.
UM-CLE. 601-232-7282

September 8
Shareholder Disputes.
Lorman Business Center.
715-833-3940

September 13
Residential and Commercial Evictions in MS.
NBI. 715-835-7909

September 20
School Law in MS.
NBI. 715-835-7909

September 21-22
Juvenile Court Judges & Referees Seminar.
MS Judicial College.
601-232-5955

September 22
Mississippi Workers' Compensation for Self-Insureds.
Lorman Business Center. 715-833-3940

Commercial Lending in MS.
NBI. 715-835-7909

HCBA Calendar of Events

August 15
HCBA Membership Meeting.
Noon. Capital Club

August 17
HCBA One-Hour Ethics CLE.
11:30. MC School of Law

August 24
George Street Social.
5:30-7:00. George Street

August 25
HCBA Golf Tournament.
Noon. Deerfield Country Club

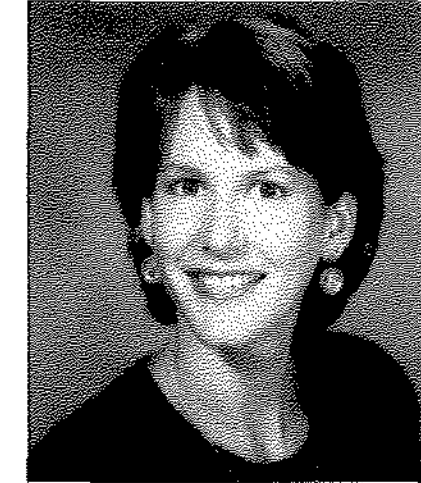
October 17
HCBA Membership Meeting.
Noon. Capital Club

October 19
HCBA One-Hour Ethics CLE.
11:30. MC School of Law

December 7
HCBA Christmas Party.
5:30-7:00. MS Bar Center

Lawyer Referral Service Begins

The new born HCBA Lawyer Referral Service ("LRS") is off to an exceptional start. We are averaging 28 calls per day, 12 of which are actually referred to an attorney. Of the referrals that have been issued, a large number of the attorneys have made arrange-



Melissa Jane Morgan, LRS Director

Our main sources of advertisement have been The Yellow Pages, Mississippi Legal Services and The Mississippi Bar. We received a positive response from the public as a result of our "Dear Jack Sun" and "News You Can Use" letters in *The Clarion-Ledger*.

The LRS Committee is composed of the following attorneys: Ben Piazza (chair), Mark Franklin (vice chair), David Bowers, Thomas Crews, Don Evans, Jim Mozingo, Joy Lambert Phillips and Sam Kelly. The committee members are actively involved in recruiting additional members for the LRS as well as planning future advertising endeavors.

In support of one of the Hinds County Bar's newest adventures, join the LRS by completing the enclosed application. Feel free to call Melissa Jane Morgan, LRS director, at 948-5488 if you have any additional questions and/or comments.

ments to provide further legal assistance for the client. Referrals are being made most frequently in the following categories: criminal defense, domestic relations, general litigation, labor & employment, personal injury, real estate and wills, trust, and estate administration.



Mississippi College School of Law

Continuing Legal Education

Annual Bankruptcy Law Seminar

William H. Leech, Chair
Ott & Purdy
Thursday, September 28
Harvey Hotel, I-55N
6 hours CLE

Third Annual Evelyn Gandy CLE Lecture Series

A Seminar for Women Attorneys
Tammy G. Harthcock, Chair
Securities Division,
State of Mississippi
Friday-Saturday, October 6-7
Cedar Grove Estate
Vicksburg, MS
6 hours CLE

Annual Workers' Compensation Seminar

Judge Linda Thompson, Chair
Administrative Judge
Mississippi Workers' Compensation
Thursday, November 2
Ramada Coliseum
6 hours CLE

For Information Call
Office of Professional Services
(601) 949-5621

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**HINDS COUNTY BAR ASSOCIATION
PRESENTS
A CHANGE IN ALTITUDE ABOUT CLE 1996**

**Breckenridge, Colorado
March 13-18, 1996**

Hosted at Beaver Run Resort

The Hinds County Bar, an accredited sponsor of Continuing Legal Education programs, is sponsoring the opportunity for its members to receive 12 hours CLE credit, including one hour of ethics, at the Beaver Run Resort located in Breckenridge, Colorado.

The registration fee for the seminar is \$225.00. To secure your place at the seminar, a \$100.00 deposit, which will be applied toward the registration fee, is due on or before September 15, 1995.

Arrangements have been made for the following accommodations at Beaver Run Resort:

- Deluxe Studio Unit with spa ----- \$219.00 per night
- One bedroom/one bath unit ----- \$230.00 per night
- Two bedroom/two bath unit ----- \$375.00 per night.

The above prices are group rates and do not include tax. The above accommodations are limited, and will be assigned on a first come first serve basis **SO DO NOT DELAY.**

Persons interested in attending the seminar should forward the registration form below along with a deposit of \$100.00, to **Pat Evans, Hinds County Bar Association, 151 E. Griffith Street, Jackson, Mississippi 39201.** The deposit is non-refundable after October 1, 1995. For further information call Cindy Reed at Bryan Tours, 981-1345 or Joe Roberts at 948-6200.

**A CHANGE IN ALTITUDE - 1996
Registration Form**

NAME: Mr./Mrs./Ms. _____

Address: _____

City: _____ State _____ Zip _____

Telephone: _____

**Carolyn Ellis Staton Named State's
First Outstanding Woman Lawyer**

Carolyn Ellis Staton of Oxford is the first recipient of the Outstanding Mississippi Woman Lawyer Award, established by the Mississippi Women Lawyers Association.

The time has come for such recognition among the many female attorneys in the state who have made great strides in the profession at a time when many considered it a crazy thing to do, said Marilyn Summit, Association president. "As a group, we looked at the significant achievements of women lawyers in our state and felt that such progress after years of struggle deserved recognition."

Staton was cited for her contributions to education, professional support for women in law, promotion of women's rights, addressing child abuse issues and service to the state's legal system.

The outstanding lawyer, who is Ole Miss' acting associate vice chancellor for academic affairs and professor of law, expressed her appreciation for having received the inaugural award. "I feel really honored. I hope that I'm worthy. I do think the other women (who were nominated) are truly giants, and the award belongs to all of them for their many contributions to the legal profession. The others have been mentors for me."

Others nominated were Martha Gerald, Evelyn Gandy, Lucy Somerville Howorth, Mary Libby Payne and Lenore Prather, with Howorth receiving the group's Lifetime Achievement Award.

A graduate of the Yale Law School, Staton attended Sophie Newcomb, the women's college of Tulane, and holds a master's degree from Columbia University Teachers College.

The Vicksburg native began her legal career as an assistant U.S. attorney for the District of New Jersey. From there, she practiced with a New York law firm and later served as a staff attorney for the New York State Commission on Judicial Conduct. While practicing law, she also managed to get back to her first love, that of teaching, as an adjunct professor at Fordham University.

Homesick after spending nine years away from Mississippi, and with some



Carolyn Ellis Staton

of her Yale friends - including would-be-President Bill Clinton - urging her to "come back South because so many things are happening here," Staton joined the Ole Miss law school faculty in 1976.

The outstanding professional has established an impressive record of promoting children and women's rights in tandem with her teaching. A specialist in evidence, criminal procedure, sex discrimination and school law, Staton wrote new evidence rules

that make it easier to introduce court evidence on behalf of abused children and developed one of the first law school sex discrimination courses. She also wrote articles on the legal status of women in Mississippi and used them as a basis to travel the state for some five years, giving 30-40 speeches each year to various women's groups. In addition, she received an appointment to the Women-in-Law subcommittee of the Mississippi Bar Association and guided her sex discrimination class in writing the first draft of the book, *Women's Rights in Mississippi.*

She has served on the faculty of the National Council of Juvenile and Family Court Judges, the American Association of Judicial Education and the Court Practice Institute. She is serving a national appointment to the Defense Advisory Committee on Women in the Services, and served as evidence reporter to the Mississippi Supreme Court's Advisory Committee on Rules from 1987-95. Her many publications include the book, *Mississippi Law of Evidence*, which is now in its third edition.

Staton is married to Dr. William Staton, professor of mathematics at Ole Miss. They are the parents of three children.

**Mississippi College School of Law
Library Hours**

Post Exam Hours

August 6, Sunday	Closed
August 7-11, Monday - Friday	8:00 a.m. - 6:00 p.m.
August 12-13, Saturday-Sunday	Closed
August 14-18, Monday - Friday	8:00 a.m. - 6:00 p.m.
August 19-20, Saturday - Sunday	Closed
August 21-25, Monday - Friday	8:00 a.m. - 6:00 p.m.
August 26, Saturday	9:00 a.m. - 5:00 p.m.
August 27, Sunday	2:00 p.m. - 10:00 p.m.

Proposed Hours for Fall Semester 1995

(Subject to change - Check at Law Library for posted revisions)

Monday - 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. - 12:00 midnight

HINDS COUNTY BAR ASSOCIATION
Legal Placement Service

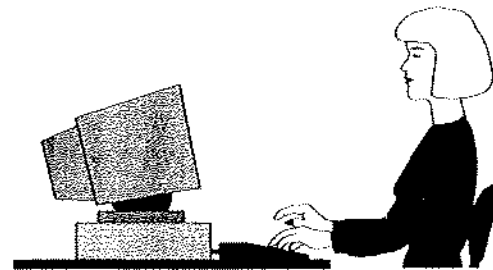
- Up-to-date database and detailed standardized resumés of applicants seeking legal secretary and support staff employment
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90-day access to listings	\$100	\$150
Each applicant hired	\$100	\$150

FOR INFORMATION/APPLICATIONS CONTACT:

HCBA Legal Placement Service
 (601) 969-5999
 620 N. State St., Suite 302
 Jackson, MS 39202



A Lawyer's Guide to the Internet

by Kimberly R. Lentz
 Dogan & Wilkinson, PLLC

The Internet is no longer an elusive, mysterious, on-line virtual community where only computer programmers dare to venture. The major on-line services like CompuServe, Prodigy and America OnLine offer full Internet access for a fee. Local Internet access providers offer unlimited Internet access for as little as \$20.00 per month. You cannot open a newspaper, magazine or turn on the television without being bombarded with articles or stories espousing the virtues or criticizing the evils of the Internet. You can buy the *Internet Yellow Pages* and the *Internet for Dummies* in your local bookstore. The Internet is here, and it is easier than you think.

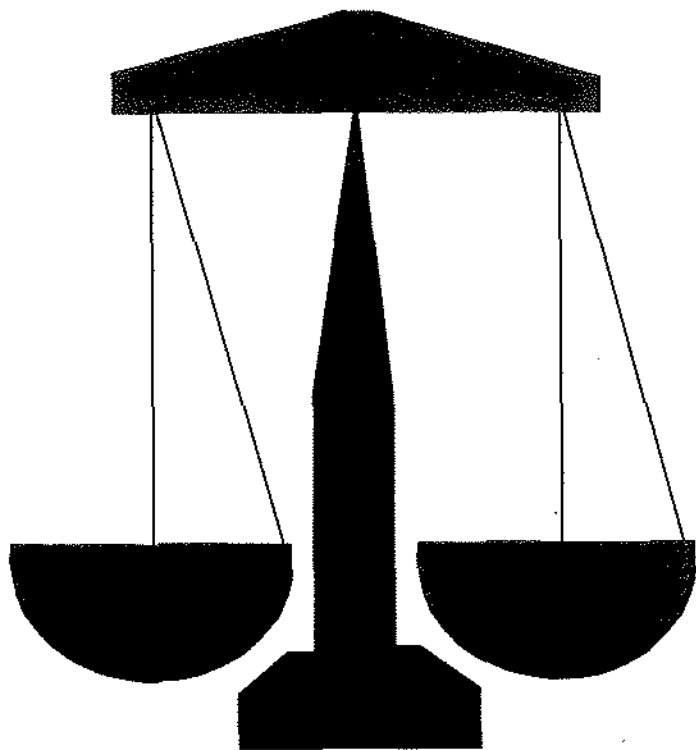
Useful information is readily available to lawyers, paralegals and anyone else with an interest in legal, government or political affairs. I will not attempt to explain the technical details on how the Internet works, why the information is free, or why you do not incur long distance charges when you access a site in England, Germany or Slovenia (mostly because I do not know). This article provides a list of Internet sites useful to those in the legal profession and a general description of the information available on the sites. If some of the information looks like Greek, do not be intimidated, you do not have to know what it means, you just have to be able to type it.

- **Securities and Exchange Commission EDGAR Archives**
<http://www.town.hall.org/cgi-bin/search-edgar>
Contains electronic filings by corporations to the Securities and Exchange Commission for 1994 and 1995, searchable by company name.
- **Law Links by Lexis Counsel Connect**
<http://www.counsel.com/federal.htm>
Contains links to U.S. Supreme Court opinions, U.S. Supreme Court Rules, Third Circuit opinions, Fourth Circuit opinions, Fifth Circuit opinions, Sixth Circuit opinions, and Eleventh Circuit opinions.
- **The Central Intelligence Agency**
<http://www.odci.gov/>
- **OSHA Web – Occupational Safety and Health Administration**
<http://www.osha.gov/>
Contains information regarding OSHA standards and OSHA compliance.
- **Unabomb Case – \$1,000,000.00 Reward**
<http://www.fbi.gov/unabomb.htm>
- **Library of Congress – Thomas Jefferson Project**
<http://thomas.loc.gov/>
Contains full text versions of House and Senate bills searchable by keyword(s) or by bill number and full text of the Congressional record on the House and Senate floors searchable by keyword(s).
- **The U.S. House of Representatives Who's Who and How Do I Contact Them**
<http://www.house.gov/whoswho.html>
Contains the name, address, telephone number, and e-mail address of every member; the name, address and telephone

number for every full House committee and subcommittee; and the names of House members who hold leadership positions in the House.

- **Senate Information**
gopher://ftp.senate.gov:70/
Contains names and other information about U.S. Senators.
- **Legal Researchers Internet Tool Kit – Finding People**
<http://www.law.indrava.edu/lawlib/finding.html>
People locator
- **Uniform Commercial Code – Articles 1-9**
<http://www.law.cornell.edu/uniform/ucc.html>
Contains the full text of the Uniform Commercial Code with links to particular state statutes and proposed revisions to the Articles.
- **Internet Bankruptcy Library**
<http://bankrupt.com>
Contains the full text of the U.S. Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, U.S. Supreme Court Bankruptcy related decisions, actual bankruptcy pleadings by code reference and much more.
- **The White House**
<http://www.whitehouse.gov/>
- **University of Cincinnati College of Law – The Center for Corporate Law**
<http://www.law.uc.edu/CCL/>
Contains the full text of the Securities Act of 1933, and the rules and forms promulgated thereunder; and the full text of the Securities Exchange Act and the rules and forms promulgated thereunder.
- **Decisions of the U.S. Supreme Court**
<http://www.law.cornell.edu/supct/supct.table.html>
Contains decisions of the U.S. Supreme Court from 1990-1995 indexed by topic with ability to search by keyword. Also contains certain selected pre-1990 decisions.
- **Code of Federal Regulations**
<http://www.pls.com:8001/bis/cfr.html>
Searches the entire Code of Federal Regulations
- **Internal Revenue Service**
<http://www.ustreas.gov/cgi-bin/allforms>
Contains all tax forms, downloadable into usable format.
- **STO's Internet Patent Search System**
<http://sunsite.unc.edu/patents/intropat.html>
A searchable database of patents and patent information
- **U.S. Department of Justice Antitrust Division**
<http://gopher.usdoj.gov/atr.html>
Contains information about current antitrust cases and links source material with regard to antitrust law.

...continued on page 11



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I compared disability insurance plans. And I decided that my Hinds County Bar Association endorsed disability insurance plan

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Offered by Paul Revere Insurance Company to Hinds County Bar Association members through its approved representatives.

JON WIMBISH 987-9837

Law Firm Updates

Scanlon Sessums Parker & Dallas
River Oaks Drive Plaza
1080 River Oaks Drive
Jackson, MS 39208
933-2040

Pat Scanlon
Brad Sessums
Mike Parker
Bobby Dallas

Chinn & Associates
P. O. Box 13483
Jackson, MS 39236
366-4410

Craig Sessums, a May graduate of MC School of Law, has joined the firm.

Hubbard & Pierce
P. O. Box 24627
Jackson, MS 39225-4627
969-9692

Dale Hubbard
Karla Pierce

Lingle & Griffis
P. O. Box 1928
Jackson, MS 39215-1928
366-0454

Richard M. Lingle
T. Kenneth Griffis, Jr.

Young Williams Henderson & Fuselier, P.A.
P. O. Box 23059
Jackson, MS 39225-3059
948-6100

J. Wesley Daughdrill, Jr.
Sean Wesley Ellis
Louis A. Fuselier
Stephen E. Gardner
Paul B. Henderson
E. B. Martin, Jr.
Lisa Binder Milner
James H. Neeld, IV
Gee Ogletree
John F. Simon, Jr.
John S. Simpson, III
Robert L. Wells
E. Stephen Williams
James Leon Young
J. Will Young, Of Counsel

If there are law firm updates you would like to have in the newsletter, send them to: HCBA/Newsletter, 151 East Griffith St., Jackson, MS 39201.

June Membership Meeting



The June HCBA Membership Meeting had speakers from The Mississippi Bar's Lawyers and Judges Assistance Program: Steve Allen (left), Betty Daugherty and Rusty McDaniel (right). They are joined by Trip Barnes, HCBA Program chairman, and Marcus Wilson, HCBA president.

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Golf Outing Just for Lawyers

(All Lawyers and Judges in Hinds, Rankin & Madison Are Eligible)

Third Annual HINDS COUNTY BAR ASSOCIATION/ JACKSON YOUNG LAWYERS GOLF TOURNAMENT

Friday, August 25, 1995

Shotgun tee off: 1:30 p.m.

Hamburger Buffet: 12:00 noon

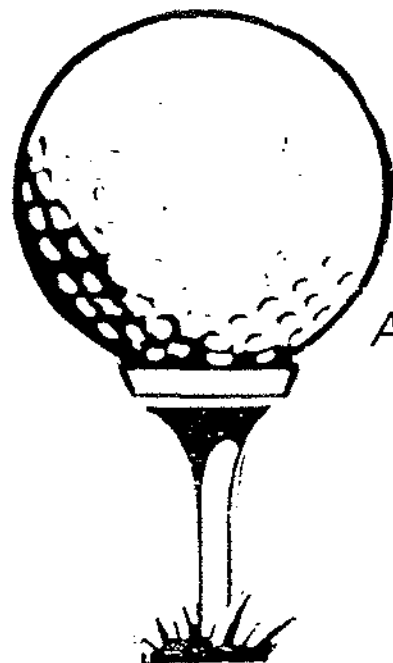
Deerfield Golf Course

All proceeds from the tournament will go to
HCBA/JYL • Habitat for Humanity
(Last year we gave \$3,000 to Habitat!)

4 Person Scramble • Limit 116 Persons

ONLY \$55 (Includes Hamburger Buffet)

Prizes will be awarded



REGISTRATION FORM

Registration Deadline August 19, 1995

Name _____ Your Handicap _____

Team Members _____ Handicap _____

Address _____

Phone _____

Each competing "4" some must have a combined handicap of at least 40 or more with only 1 member having a handicap of 10 or less.

Send checks payable to: Hinds County Bar Association, c/o Karla Pierce, P.O. Box 24627, Jackson, MS 39225-4627.
For more information call Karla at 969-9692.

The Internet... (continued from page 7)

- **ADA and Disability-Related Materials**
<http://www.public.iastate.edu/~sbilling/ada.html>
Provides links to Internet sites for information and documentation regarding the Americans with Disabilities Act.
- **West Legal Directory**
<http://www.wais.com/Wests-Legal-Dictionary.html>
Searches for information for approximately 675,000 profiles of law firms and branch offices and biographical records of attorneys.
- **National Federation of Paralegal Associations**
<http://www.paralegals.org/>
- **Income Tax Law Materials**
http://www.law.cornell.edu/topics/income_tax.html
Contains links to a searchable full text version of the Internal Revenue Code, Supreme Court Income Tax cases and much more.
- **Copyright Law Materials**
<http://www.law.cornell.edu/topics/copyright.html>
Contains links to the U.S. Copyright Act, U.S. Copyright regulations, and recent copyright decisions.
- **Trademark Law**
<http://www.law.cornell.edu/topics/trademark.html>
Contains links to statutes and decisions relating to Federal Trademark law.
- **The Tax Prophet - Tax Publications**
<http://www.taxprophet.com/newsletters.html>
Contains many links to columns, articles, commentary and primary resources relating to federal income taxation.
- **Rankin Elementary School, Tupelo, MS Homepage**
<http://www.rankin.tupelo.k12.ms.us/>
- **The State of Mississippi Network Resources**
<http://netlab5.olemiss.edu/state.html>
- **Mississippi State University**
<http://www.msstate.edu/>
- **Billy Bob's Home Page**
<http://pages.prodigy.com/ms/neuro/>
- **The Spy Shop**
<http://www.w2.com/docs2/z/spyshop.html>
An on-line catalog of devices James Bond only dreamed about.
- **Shase Virtual Shareware Library**
http://audrey.fagg.uni_lj.si/shase/
Contains approximately 111,000 shareware programs available from the largest software archives on the Internet.
- **Trailer Trash on the WWW**
<http://www.cybernetics.net/users/phrantic/trailer.html>
Weird!
- **Stage Clothes USA**
<http://www.w2.com/stageclothes.html>
On-line catalog of lingerie, lace, leather, and other interesting items.

These sites are only a few of the thousands of Internet sites accessible by the general public. Although these sites are all located in the United States, similar sites are accessible from all parts of the world. All you need is a computer and a modem and you can access these sites and others containing information on virtually every topic or idea imaginable.

HCBA Brown Bag Professional Seminar Series

TOPIC: Conflicts and Other Ethical Issues for the Corporate Counsel

SPEAKER: Keith Parsons

WHEN: Thursday, August 17, 1995

Lunch 11:30 (bring your own) • Seminar 11:45-12:45

WHERE: Room 202, Mississippi College School of Law

COST: \$15 (members) • \$25 (non-members)

CREDIT: Seminar attendees will receive one (1) hour of ethics CLE Credit

Sponsored by the Hinds County Bar Association
Continuing Legal Education Committee



Join the Hinds County Bar Association
 for an After Hours Social at
 George Street Grocery
 Thursday, August 24, 1995
 5:30 - 7:00 p.m.

Open Bar • Hors D'oeuvres • Spouses Invited
 Please mark your calendar as individual invitations will not be mailed.

□ HINDS COUNTY BAR ASSOCIATION □

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Correspondence regarding the newsletter should be directed to: Editor, 151 E. Griffith St., Jackson, MS 39201. 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 969-6097.

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

FIRST CLASS

**IMPORTANT
 HCBA Luncheon Meeting
 12:00 Noon, August 15**

HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

DECEMBER 1995



President's Column

Marcus M. Wilson

Dost thou love life? Then do not squander time; for that is the stuff life is made of.

— Benjamin Franklin

As lawyers, how do we spend most of our time? And more importantly, how can we use our time more effectively?

- We probably spend half our time involved in communications that others have initiated.

- Communications from clients and other lawyers consume the most time in a variety of forms whether conferences, on the telephone, in hearings, reading correspondence, pleadings, e-mail and so on.

- Most of lawyers' work is with people — we must talk a lot and we must have energy to maintain a high-activity level.

- Substantial time is devoted to quiet reading, analysis and thinking, but this time may be too fragmented.

- Excessive demands create job stress and waste time. As a result, there will be inadequate time for reading, and we will have only short periods of uninterrupted time, insufficient for concentrated thought. Five or ten minutes alone are helpful only for work on small, immediate problems.

So, what are some of the solutions?

- Ross Webber, a professor at the Wharton School, states in his book, *Time Management*, that the key is planning: think about what you want and how you are going to accomplish it;

determine in advance what is to be done; prepare for the future by making decisions now.

- Working at home or isolating yourself in your office is helpful for gaining time to think.

- Group your telephone calls and preparation of outgoing correspondence, and other documents into a convenient part of the day.

- Handle correspondence only once.

- A primary means of concentrating time involves setting priorities on the work to be accomplished. (And hope that the low priority items don't hit us before we get to them.)

- Some people prefer to concentrate on one big issue at a time. Peter Drucker, in the *Effective Executive*, says to do "first things first, and only one at a time. This is the 'secret' of those people," he writes, "who do so many things and apparently do many difficult things. They do only one at a time. As a result, they need much less

time in the end than the rest of us."

- According to Webber, some of us have a tendency to work on the urgent "quick-time" problems and leave out the less-urgent "slow-time" tasks. "Segmenting quick and slow jobs," he writes, "is a common device among effective time managers. They reserve a portion of time periodically (perhaps daily, more likely weekly or biweekly) for important, if less urgent, tasks. During this time, urgent matters are postponed (except, of course, matters of overwhelming urgency)."

- Webber mentions that we should strive to project an unrushed image; fight to avoid seeming preoccupied with your own concerns; and fight hard to give clients and colleagues your undivided attention.

"We have time enough if we will but use it aright."

— Johann Wolfgang Von Goethe

Happy Holidays!

HCBA Nominations Announced for '96-'97

Richard Bennett, chairman of the HCBA Nominations Committee, announces the following candidates for office for the coming year.

Secretary-Treasurer

Mark A. Chinn
John C. Henegan

Director — Post 3

Mitzi Dease Paige
Margaret Williams

Director — Post 4

Peter L. Doran
William R. Wright

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 January 15.

A ballot and biographical sketch of each nominee will be mailed to each member in good standing during the month of February. To be counted, ballots must be returned to the Association and received not later than February 15. The results of the voting will be announced at the membership meeting on February 20.

For further information please call Pat Evans at 969-6097.

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

There will not be a Hinds County Bar Association Luncheon Meeting in December.

The next meeting will be held on February 20, 1996.

CLE Calendar of Events

January 19
Social Security.
UM-CLE. 601-232-7282

January 25
MS Municipal Attorney.
UM-CLE. 601-232-7282

January 26
Products Liability Seminar.
MTLA. 948-8631

February 16
Second Annual Mississippi Real Estate Transactions.
UM-CLE. 601-232-7282

Domestic Law Seminar.
MTLA. 948-8631

March 7
Annual Business Law Seminar.
MC School of Law. 949-5621

March 8
Worker's Compensation.
UM-CLE. 601-232-7282

March 13
Summary of Recent MS Law.
Abbott & Weems. 601-234-6956

March 22
Environmental Law.
MTLA. 948-8631

HCBA Calendar of Events

February 20
HCBA Membership Meeting.
Noon. Capital Club

March 19
People's Law School.
7:00-9:00. MC School of Law

March 26
People's Law School.
7:00-9:00. MC School of Law

April 2
People's Law School.
7:00-9:00. MC School of Law

April 9
People's Law School.
7:00-9:00. MC School of Law

April 16
HCBA Membership Meeting.
Noon. Capital Club

May 2
HCBA/JYL Law Week Dinner.
6:00. Primos Northgate

HATS OFF!

This is the first of what we at the newsletter hope will be a continuing and long-running column. Somewhat akin to the "Saaaluuute!" given by the infamous Hee Haw crew — but hopefully a little more dignified, we hope to give a similar accolade to those members of our profession for the good they do for our community. That may mean actual pro bono work, coaching baseball or soccer, planting shrubs at a Habitat home, working at the Stewpot, or anything else that gives back to the community. We hope to give a "Hats Off!" to as many people and firms as we possibly can and to thank them for helping our profession make a better case for our community. We won't be able to do that unless those of you who are doing the good deeds, or if those of you who know of the good deeds, let us know. So please drop us a line and keep us updated.

WATKINS LUDLAM & STENNIS

Our first Hats Off! goes to the firm of Watkins Ludlam & Stennis for the pro bono work it does each and every Thursday in the Hinds County Chancery Court. Each week on Thursdays contempt actions are held. As most of you will know, this means that there is a very real potential that some defendant will go to jail.

Katie Hester explained that she first approached Judge Patricia Wise about her firm's willingness to provide some pro bono assistance and learned that the major need was for representation for those people who were charged with contempt of court and were not

able to afford legal counsel. Due to the very real possibility of incarceration, the judges were almost required to advise the defendants in some manner in those actions.

Approximately, a total of twelve lawyers participate in this project from the firm of Watkins Ludlam & Stennis and at least one is available to be appointed by the presiding judge to advise defendants who are charged with contempt. The representation is explicitly limited to the date of the hearing and the time immediately necessary to finalize all orders issued. The lawyers provide invaluable assistance to the parties and the court because set-

tlement of most of these cases is a real possibility. Most importantly, the judges are no longer placed in the untenable position of either having to advise the unrepresented defendant or of incarcerating an unrepresented person for potentially an indefinite period of time.

Asked about her firm's commitment to pro bono work, Hester said, "We feel that it is essential that everybody do a little bit of pro bono work. If we all do a little, the burden is not so heavy on those who are always willing to do it."

Well said, and HATS OFF! to the firm of Watkins Ludlam & Stennis for its commitment to the profession and our community.

TO ALL OF THOSE WHO SERVE ON BAR COMMITTEES

We are forced to give all of you a very big generic HATS OFF! because, between the various bar associations and The Mississippi Bar, there are literally hundreds of you. HATS OFF! for your extra hours, which are usually after business hours, and the commitment of your staff and your energies.

Black Lawyer Participation in the Profession Committee Set Agenda for 1995-1996 Year

by Dorian Turner

The Black Lawyer Participation in the Profession Committee has formulated what we hope will be an exciting agenda for the 1995-1996 year. In keeping with our mission to increase the membership and participation of black attorneys in the Hinds County Bar Association, the committee will conduct two projects. The first project will be an informal telephone survey of black attorneys in the Jackson metropolitan area. The survey will solicit information from black attorneys regarding their level of participation in the association, their reasons for participating or not participating in the association and their suggestions and ideas

regarding programs or benefits which might be implemented by the association to increase black attorney membership and participation. The results of the survey will be compiled and analyzed by the committee and reported to the association's Board of Directors along with our recommendations.

Our second project seeks to educate members of the association on issues of concern to the association, particularly black attorneys, and to provide a forum for open and relaxed discussion of those issues. Our first forum will be a roundtable discussion of the unified bar tentatively scheduled in mid-February, 1996, at Mississippi College

School of Law. Details regarding time and place will be disseminated at a later date. Subsequent topics will be announced as issues arise or as suggested by the committee or other association members.

As we strive to fulfill our mission, the committee is open to the ideas and input of members of the association, and we seek your cooperation and participation in our upcoming projects.

Dorian Turner is chairman of the Black Lawyer Participation in the Profession Committee and is an attorney with Brunini Grantham Grower & Hewes.

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Old Idea Takes New Form: Contract Attorneys as "Temps"

by Jane Sanders Lewis, Legal Resources, Inc.

The Jackson legal market is still feeling the effects of the economic slow-down of the late eighties and early nineties. The level of economic activity may have come back to "normal," but the real effect of the recession has been cautionary. The progressive lawyer, firm, and corporation has had to pare down to a leaner and more efficient operation. An article in the *National Law Journal* is representative of the "press" on the subject of boosting productivity while becoming leaner: "One way to achieve (efficiency and productivity) is to supplement the efforts of permanent attorneys with attorneys who are hired to work on a contract or project basis as the case load dictates." *National Law Journal*, December, 1990, "Scaling Down: Need Seen for Project Attorneys." Using "contract lawyers" is one way to cut costs and boost productivity.

You may say, "I know about contract lawyers." Of course you do. Practically every lawyer and law firm in Hinds County has engaged another lawyer on a temporary basis. But just as the economy has forced changes in the *business* of practicing law, changes have occurred in the way lawyers practice. Now there are highly qualified, experienced lawyers choosing to use their law degrees and skills in less traditional ways. You can tap into this valuable resource. Lawyers in Hinds County contracting for temporary assignments have worked for large firms both here and in other cities, have run their own businesses, or have worked for corporations. Some have expertise in less familiar areas of the law, and hold multiple state licenses. Looking anew at this old idea may put a new focus on your bottom line. Here are some observations:

1. The "temp lawyer" as an independent contractor.

The "temp lawyer" is an independent contractor who can be used to work on specific projects on an "as needed" basis. The assignments may be for a few hours or many months. When the workload overburdens your

permanent staff, the "temp lawyer" can perform a variety of tasks ranging from research and drafting, to assisting with complex litigation or corporate matters. Sometimes the "temp lawyer" can help you expand your practice by adding an area of expertise without adding permanent overhead.

2. Analyze your costs.

Temp Lawyer v. Permanent Hire

Generally the fees for a contract lawyer are hourly-based and are typically lower than those of full-time attorneys of comparable experience and expertise. Because the "temp lawyer" is not your employee, you save on employee benefits and taxes. The "temp lawyer" seldom adds to your office overhead since most of the time you can incorporate the lawyer's activity into your existing work environment. More importantly, many contract lawyers have full service home office

and do their own word processing.

The main lesson is that temporary staffing saves on all the "invisible" costs: taxes, insurance, benefits, employment-related clerical costs, overhead, and recruiting. Temporary staffing may be absolutely less expensive than a full-time permanent salaried associate, but it also provides much greater flexibility. Even if temporary staffing costs more dollars than full-time, permanent employee hour-for-hour, no lawyer wants to hire an employee who will be let go in six months or a year. Temporary workers should be used for temporary needs. No one needs to pay seventy thousand dollars for an employee (including salary, taxes, benefits, overhead, recruiting, etc.) when the case or work overload may last only a year. Bear in mind that the true cost-savings for temporary staffing with attorneys is the same as temporary staffing with

clerical workers: convenience, need, long-term cost savings.

Billable Rate Differential

For hourly billed cases, because the differential between the firm rate commensurate with the level of expertise and experience which is charged to the client and the hourly rate of the temp lawyer is often substantial, as much as a 100% mark up, these positions can be profitable. Assume a range between \$40 to \$60 as the hourly "temp" rate — which can get you a wide range of experience. Even at a modest associate rate of \$80 an hour, the profit potential is attractive because there is so little overhead in temporary staffing.

The Contingency Fee

For the contingency case, using temp lawyers rather than associating other lawyers on certain cases may offer numerous benefits. For example, first assess the value of your case. Then "budget" sections of the litigation to the temp lawyers. Think of the temp lawyers as a case cost just as you would the costs of expert witnesses, postage, or depositions. You can retain more control over the litigation and there may be more "pie" for your firm in the end.

3. Potential Drawbacks

As in any personnel decision, the effect of using temporary staff on existing staff needs to be considered. For those instances where the temporary lawyer is used to bring back-logged cases up to date, full-time staff will probably be grateful for the relief and the greater predictability of their own caseload demands. When used appropriately, and with open communication with existing staff, temporary staff may boost firm morale. Important for all firms is the ability to avoid the "marginal hire" by using temp lawyers to find out whether a permanent hire is needed, and if so, to explore the temporary lawyer's potential to fill that need as a permanent employee.

In any temporary staffing situation, the possibility of that "temp" leaving is somewhat greater than a permanent employee's leaving. Because of the availability of contract lawyers, it is unlikely that a temporary lawyer could not be replaced efficiently.

4. Use Your Temp Lawyer Wisely

Consider how the temp lawyer fits in your "big picture." Will he or she be behind the scenes researching and drafting? Will the lawyer have contact with your client? Will he or she be publicly representing your firm? What level of expertise and experience does the project demand? Chose your temp lawyer with these questions in mind. Here are some final tips.

- Define your need and know your expectations.
- Interview several candidates (or make sure your temporary staff provider is checking on the quality of its candidates).
- Check references and analyze writing samples (or make sure your temporary staff provider has done so *and has the expertise to do so*).
- Establish the rate and method of payment.
- Assign a supervising attorney.
- Give clear instructions and set specific goals.
- Set time frames and review work.
- Advise in advance of your method of time keeping.

Your temp lawyer must produce high quality work. If they don't, replace him or her. "Outsourcing" using a flexible temporary staff of experienced professionals can keep overhead costs down while enabling you to take on a wide variety of projects.

Jack Lyons and I founded Legal Resources, Inc., Mississippi's first "temporary agency for lawyers." We are both attorneys and continue to practice in the areas of appellate law and complex litigation. Professional staffing services provided by our company are used by sole practitioners, law firms of all sizes, and corporations in Mississippi. Attorneys and paralegals obtained through Legal Resources meet a variety of needs ranging from basic file organization to providing high level expertise in complex litigation and corporate transactions. Legal Resources conducts personal interviews and completes a comprehensive background check including writing analysis for attorneys. For more information, call 352-0330.

Law Firm Updates

■ Currie Johnson Griffin Gaines & Myers P. O. Box 750 Jackson, MS 39205-0750

Boty McDonald, a former associate of Whiteman Osterman & Hanna in Albany, NY, and Steven W. Wall, a May graduate of Vanderbilt Law School, have joined the firm as associates.

■ Phelps Dunbar P. O. Box 23066 Jackson, MS 39225-3066

Chuck Barlow, an associate with the firm, has resumed the full-time practice of law in the firm's Jackson office. In December he received the LL.M. in environmental law from Northwestern School of Law of Lewis & Clark College in Portland, OR.

■ Derek A. Henderson 111 E. Capitol Street, Suite 455 Jackson, MS 39201

If there are law firm updates you would like to have in the newsletter, send them to: HCBA/Newsletter, 151 East Griffith St., Jackson, MS 39201.

Book Discussion Group

Some members of the Hinds County Bar have organized themselves into an informal book discussion group that meets at noon on Thursdays for an hour of lively discussion. The group recently completed a study of issues raised in Thomas Moore's *Care of the Soul*, under the leadership of Virginia Munford. After a brief hiatus, a new discussion will pick up in February. James Hillman's *Kinds of Power* has been selected as the focal point.

For more information, call Betty Daugherty at The Mississippi Bar (948-4471).

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Report from the Legal Economics Committee

by William R. Wright

The Legal Economics Committee has become aware of a new system developed through the efforts of the American Bar Association Section of Litigation, the American Corporate Counsel Association and a group of major corporate clients and law firms coordinated and supported by Price Waterhouse L.L.P. - The Uniform Task-Based Management System. The first major work area addressed by the System is litigation.

The System is designed to enable attorneys to budget and bill all tasks associated with any type of litigation and to increase effective communication with clients concerning litigation

tasks and their costs.

The Litigation Code Set is grouped into five basic phases or aspects of litigation, plus expenses: Case Assessment, Development and Administration; Pre-trial Pleadings and Motions; Discovery; Trial Preparation and Trial; and Appeal. Each phase is then broken down into a total of 29 separate tasks. All work associated with a particular task is assigned to one of these 29 separate categories. For example, all work associated with depositions for a case would be grouped under the Deposition task of the category of Discovery, i.e. noticing depositions, subpoenas, scheduling, preparing, taking

the depositions, etc.

The time charged by each attorney is then recorded by task. The System allows time to be tracked for each phase of the litigation and each task. The goal is to minimize multiple interpretations and options for coding time. Anyone interested in obtaining a copy of the Litigation Code Set may contact the ABA Member Services Department at 312/988-5522; product code #5310129 at a cost of \$10 (\$12.50 for non-ABA members).

William Wright is chairman of the HCBA Legal Economics Committee and is an attorney with the Wright Law Firm.

It Pays to Join the Lawyer Referral Service

by Melissa Morgan
LRS Director

After six months in operation, the Lawyer Referral Service (LRS) has made over 1,000 referrals to the 90 attorneys signed up with the service. Criminal defense, domestic relations, general litigation and labor & employment are the top four categories in which the most referrals are being made.

Each LRS attorney agreed upon application to remit 10% of fees received over \$500 for each referral. The percentage fees are beginning to roll in which means that the LRS is referring quality cases that are paying off for its attorneys.

The opportunity is still available to join the LRS. Just complete and return the Application and Agreement form found in this newsletter. Please call 948-5488 for further information.



Mississippi College School of Law

Upcoming CLE Seminars

Annual Labor and Employment Law Seminar

Samuel L. Begley, Chair
Maxey, Wann & Begley, PLLC
Thursday, February 8, 1996
Ramada Plaza Hotel
6 hours CLE / 1 hour Ethics

Annual Business Law Seminar

Thomas B. Shepherd, III, Chair
Watkins Ludlam & Stennis
Thursday, March 7, 1996
Ramada Plaza Hotel
6 hours CLE

Planning and Administering the Small, Non-Taxable Estate

Don H. Goode, Chair
Dosselt, Goode, Barnes & Broom
Thursday, April 18, 1996
Ramada Plaza Hotel
6 hours CLE

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William R. Townsend, Assistant Dean
(601) 949-5621

Complete and return to:
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PARTICIPATING ATTORNEY APPLICATION AND AGREEMENT

June 1, 1995 through May 31, 1996

Please type or print legibly.

Name: _____

Firm Name: _____

Address: _____

City _____ State _____ Zip _____

Telephone No. _____ Telefax No. _____

Mississippi Bar No. _____

PRACTICE AREAS (Note: Your annual enrollment fee of \$150.00 entitles you to designate up to three (3) practice areas in which matters may be referred to you. You may designate up to two (2) additional practice areas for an additional annual fee of \$50.00 each.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Adoptions | 12. <input type="checkbox"/> General litigation |
| 2. <input type="checkbox"/> Alternative dispute resolution | 13. <input type="checkbox"/> Incorporations; business information |
| 3. <input type="checkbox"/> Bankruptcy | 14. <input type="checkbox"/> Labor and employment |
| 4. <input type="checkbox"/> Collection and collection defense | 15. <input type="checkbox"/> Landlord/tenant |
| 5. <input type="checkbox"/> Consumer protection | 16. <input type="checkbox"/> Maritime |
| 6. <input type="checkbox"/> Corporate | 17. <input type="checkbox"/> Personal injury |
| 7. <input type="checkbox"/> Criminal defense | 18. <input type="checkbox"/> Real estate transactions |
| 8. <input type="checkbox"/> Domestic relations | 19. <input type="checkbox"/> Taxation |
| 9. <input type="checkbox"/> DUI defense | 20. <input type="checkbox"/> Wills, trust and estate administration |
| 10. <input type="checkbox"/> Environmental | 21. <input type="checkbox"/> Worker's compensation |
| 11. <input type="checkbox"/> Health care | 22. <input type="checkbox"/> Other (specify) _____ |

Complete, sign and return this form together with your annual, non-refundable enrollment fee of \$150.00, plus \$50.00 each for up to two (2) additional practice areas designated. Make check payable to Hinds County Bar Association.

Applicants who are *not* members of the HCBA must enclose \$60.00 annual membership dues. Make check payable to Hinds County Bar Association.

(continued on reverse)

AGREEMENT

The Lawyer Referral Service ("LRS") of the Hinds County Bar Association ("HCBA") makes available to the public the services of the attorneys who are members of the LRS. The Applicant is applying for membership in the LRS. In exchange for LRS referrals, Applicant agrees to the following conditions and covenants:

1. In addition to the enrollment fee, Applicant shall pay to the LRS ten percent (10%) of all fees earned in excess of \$500.00 which arise out of the subject matter of the original referral. The percentage fees due the LRS are to be paid within twenty (20) days of receipt of such fees.
2. Applicant represents that he or she is a member in good standing of The Mississippi Bar; is a member in good standing of the HCBA (or has applied for membership herewith); is competent to handle matters in the practice areas designated hereon; has not been previously removed, disbarred or suspended from the practice of law in Mississippi or any other jurisdiction; is not the subject of any disciplinary proceeding by The Mississippi Bar or like organization in any state; has no criminal charges (excluding traffic violations) pending against him or her anywhere; has not been convicted of a criminal offense (excluding traffic violations) since having been admitted to the practice of law; and has had no disciplinary proceeding by The Mississippi Bar, or like organization in any other state, adversely resolved against him or her. If Applicant cannot make these representations, Applicant shall attach a complete explanation.
3. Applicant shall notify the LRS within ten (10) days of actual notice that a complaint has been filed against Applicant with The Mississippi Bar, or like organization in any state, or that any complaint, criminal in nature (excluding traffic violations), has been filed anywhere against Applicant.
4. Applicant represents that he or she is covered by professional liability insurance and that such insurance shall be maintained throughout the time in which Applicant is enrolled with the LRS. Applicant shall immediately notify the LRS upon the termination or other lapse of such professional liability insurance coverage, whereupon Applicant shall be removed from the LRS.
5. Applicant shall indemnify and hold harmless the HCBA, its officers, directors, members and employees and the LRS committee for any claim, demand, action, liability, expense or loss resulting in whole or in part from Applicant's handling of any LRS referral or by Applicant's failure to comply with any provision of this Agreement.
6. Applicant shall immediately notify the LRS should the Applicant become ineligible or unable to accept referrals, whereupon Applicant shall be removed from the LRS.
7. Applicant understands that the information herein contained may be furnished, to the extent the LRS sees fit, to the persons who seek assistance from the LRS and that the LRS in so doing will be relying on the representations which Applicant has made herein.

Date: _____ Signature: _____

Name: _____
(Type or print legibly)

October Membership Meeting



Elizabeth Fargason, Metro Jackson Convention and Visitor's Bureau, and Denton Gibbes (right), Mississippi Department of Economic Development, were the speakers at the October Membership Meeting. They are pictured with Trip Barnes (left), HCBA Program Chairman, and Marcus Wilson, HCBA President.

LRS – Useful Tool

by **Connie Collier Jones**

I have found no magic formula for marketing my legal services, but as a sole practitioner, I can report that the HCBA Lawyer Referral Service has been an extremely useful tool in expanding my client base. By limiting the areas of practice for client referrals, I have had the opportunity to help many clients who truly need and appreciate the services I can provide.

Even though the results have not been overwhelming, and not every referral generates a paycheck for me, the Lawyer Referral Service call has a greater potential for a paying client than the general calls that I receive in any given week.

I would highly recommend this service to sole practitioners and small firms as a useful and inexpensive marketing tool.

Connie Collier Jones is a solo practitioner in Brandon.

Bar Exam Results

Linda Knight, Bar Admissions Administrator, announces the following statistics for the July Bar Examination.

Two hundred and seven applicants took the three-day summer bar examination. Of those, 171 achieved a passing score, giving a total pass rate of 82.6%. The statistics for the three-day exam break down as follows:

First-time takers.....	160 of 186 = 86.0%
Retakes	11 of 21 = 52.4%
In-state law school graduates.....	135 of 160 = 84.4%
Out-of-state law school graduates.....	36 of 47 = 76.6%

All three attorneys taking the shorter exam given to lawyers already admitted in reciprocating states were successful.

No applicants sought admission through a preceptor program.

The swearing-in ceremony was held at the Old Capitol Museum on September 28th. The Hinds County Bar Association extends congratulations to all of these new lawyers.

Mississippi College School of Law Holiday Library Hours

December 23 - January 1	CLOSED
January 2-5, Tuesday-Friday	7:30 a.m. - 5:00 p.m.
January 6-7, Saturday-Sunday	CLOSED
January 8-12, Monday-Friday	7:30 a.m. - 5:00 p.m.
January 13-14, Saturday-Sunday	CLOSED
January 15, Monday.....	Regular schedule resumes

Relax at the Reservoir Lodge and Re-imagine the Law

by Betty Daugherty

"To many of us who committed our lives to the practice of law, the law has turned out to be not a servant but a stern, unreasonable, and thankless master.

"Too often, it seems that all our efforts, however steadfast, however sincere, have resulted in money instead of satisfaction; isolation instead of friendship and intimacy; and unhappiness instead of joy."

- A Mississippi Attorney

Benjamin Sells, lawyer, psychoanalyst, and author of *The Soul of the Law* will lead a CLE seminar for lawyers to explore the deeper aspects of the legal profession. The participants will examine how the ideals of the law - objectivity, order, due process and the adversarial system - so fundamental to our

legal system, form and shape the psyche of all lawyers, and indeed, might be considered to constitute the Soul of the Law.

Sells will further discuss the reasons behind the distress that permeates much of today's legal environment: the breakdown of collegiality, job dissatisfaction, and a widespread feeling of isolation and loneliness, along with their relation to the ideals of objectivity, order, due process and the adversarial system.

And lastly, Sells will suggest ways in which members of the legal profession can end the conflict between their lives in the law, their own inner lives, and how the profession itself can deal with the conundrums of its corporate soul.

Mark your calendar for Thursday, January 11, 1996, for four hours of CLE credit including one hour of ethics. Look for a brochure coming to

you by mail. For more information call (601) 948-5488 at The Mississippi Bar. The seminar is sponsored by The Mississippi Bar, The Hinds County Bar Association, Family Law Section, Solo Practitioners Committee, Women in the Profession Committee, The Lawyers & Judges Assistance Committee.

Betty Daugherty is director of the Lawyers & Judges Assistance Program for The Mississippi Bar.

Pictorial Directory Update

The HCBA Pictorial Directory will be mailed in January. Members who are pictured in the directory will be sent a copy.

HCBA Members Run for Office

Four members of the HCBA are running for two Mississippi Bar positions. Crymes Pittman and Reuben Anderson are competing for Presidency of the Bar. Duties of the president include presiding at all meetings of the Board of Commissioners and writing a regular column in *The Mississippi Lawyer*. The president is also the primary spokesperson of the Bar on major issues.

Richard Montague and Richard Roberts are running for the title of Mississippi Bar Commissioner. Bar Commissioners are required to consult with lawyers in their circuit court district concerning Bar issues, activities and programs. In addition to other duties, they must report to local bars within the circuit court district on Bar business.

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Internship Programs Provide Law Students Maximum Exposure to Practical Application of Law

by David L. Trewolla

Internship programs at Mississippi's law schools continue to offer effective "hands on" experience for senior law students, who in turn provide valuable full time assistance to federal and state judges, prosecutors, public defenders and government agencies. These programs are authorized by the so-called "Limited Practice Act," Miss. Code Ann. Sec. 73-3-207 (1972), originally enacted in 1971.

Designated as a "Public Service Internship" in the Ole Miss law curriculum, the program is administered by Faculty Director Tom R. Mason, who notes that eligible students must have completed 60 hours of course work with a minimum 2.2 grade point average and specific course prerequisites. With the option to earn three or six hours credit, most Ole Miss stu-

dents choose the six hour internship. This involves 20 hours work per week during the fall or spring semester, or 40 hours per week in the summer. In addition to their work assignments in public service office across the state, the interns benefit greatly from biweekly class meetings during which they discuss individual work experiences. Internships with circuit judges and prosecutors work especially well. On average, 40% of each graduating class (approximately 70 students) participate in the program.

In the "Legal Externship Program" at the Mississippi College School of Law, eligible senior students must work a minimum of 120 hours per semester (8-10 hours per week) to earn two or three hours of academic credit. Interim Program Director Judy J. Johnson emphasizes the success of the

weekly classroom component of the course, which features presentations by local judges, prosecutors and public defenders on various topics in the criminal justice field. The course syllabus includes lectures on criminal sentencing, appeals, capital punishment, the prison system, judicial conduct and the functions of prosecutors and public defenders. On average, 25% of each graduating class (approximately 25 students) serve as legal externs, and all are currently being placed in the criminal justice arena.

Both law schools stress the importance of (1) close field supervision of students by experienced judges and attorneys acting as preceptors or tutors, (2) maintaining student journals to record work experiences, and (3) frequent reporting and evaluation sessions with faculty program directors. Originally focused on placing students as assistants to prosecutors, these programs have expanded to offer public service assignments in state and federal offices throughout Mississippi. A sampling of available student assignments in Hinds County alone includes positions with the Hinds County District Attorney, State Attorney General, U.S. Attorney, Hinds County Sheriff's Office, Hinds County Circuit Court, Mississippi Bar and the Mississippi Court of Appeals.

Program Directors Judy Johnson and Tom Mason are confident that their respective programs will increasingly enhance the law school experience for those students who desire an educational alternative beyond the classroom. They encourage judges and attorneys who are interested in serving as preceptors to contact them for further information.

David Trewolla is a member of the HCBA Editorial Board and an attorney with Dogan & Wilkinson.

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Correspondence regarding the newsletter should be directed to: Editor, 151 E. Griffith St., Jackson, MS 39201. 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 969-6097.

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

FIRST CLASS

IMPORTANT

**There will not be a HCBA
Luncheon Meeting in December.
The next meeting will be held
on February 20, 1996.**

HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

FEBRUARY 1995



President's Column

Richard C. Roberts III

Bad hair day? Whatever your excuse was, you will get a second chance to have your picture taken for the 1995 Pictorial Directory. Greystone Photography has agreed to five more days for photography sessions. The dates will be Monday, February 20 through Friday, February 24, from 8:30 until 5:30 at the Mississippi Bar Center. The initial turnout was great, but we are hoping for 100% participation. Please don't miss this last opportunity.

Chancellors to Speak

The Hinds County Chancellors will be our guest speakers at the February 21 Membership Meeting. Each Chancellor will present suggestions for successful practice before them. Questions of local practice and procedure will also be addressed. This will be a very informative and helpful meeting that you will not want to miss.

Library

The Board of Supervisors maintains a law library on the third floor of the Circuit Court building. By statute, the Hinds County Bar Association is authorized to make recommendations to the Board concerning the operation of the library. Our HCBA Library

Committee, chaired by Vernon Chadwick, has been studying ways to improve the library. The Committee is considering the feasibility of placing computers with CD-ROM capability in the library and maintaining a CD-ROM collection. If you have other suggestions for improving the library, please contact Vernon Chadwick or Carol West, HCBA Board Liaison for the Committee.

People's Law School

The People's Law School is one of the most visible and beneficial programs sponsored by our association. HCBA members volunteer their time

to present "seminars" on legal topics to members of the public. The seminar topics this year are Wills and Estates, Employment Law, Domestic Relations, and the Criminal Justice System.

These seminars have a definite positive effect on the public's perception of lawyers and the legal system. I want to thank Rebecca Wiggs, Chairwoman, and the other members of her committee for the time and effort they have been spending to insure another successful program.

All of our committees are doing a great job as we head into the home stretch of this bar year. My thanks to all of you.

NOTICE

- WHAT:** HCBA Brown Bag Professional Seminar Series
- TOPIC:** Alternatives to Traditional Litigation – Arbitration and Mediation
- SPEAKER:** Harold D. Miller, Jr.
- WHEN:** Thursday, February 23, 1995
Lunch 11:30 (bring your own)
Seminar 11:45 - 12:45
- WHERE:** Room 202, Mississippi College School of Law
- COST:** \$15 (members) • \$25 (non-members)
- CREDIT:** Seminar attendees will receive one hour of ethics CLE credit.

*Sponsored by the Hinds County Bar Association
Continuing Legal Education Committee*

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

February 21, 1995

12 Noon

\$10.00

Capital Club

The speaker will be The Panel of Hinds County Chancery Judges.

National Bankruptcy Attorney Certifying Agency Announces Spring 1995 Exam Sites

The American Bankruptcy Board of Certification (ABBC) will hold its bankruptcy certification examination on March 23, 1995 in Atlanta, Georgia at the Marriott Marquis immediately prior to the Southeastern Bankruptcy Law Institute's conference. The ABBC is not affiliated with the SEBLI. The exam will also be given in Columbus, Los Angeles, Morristown (NJ), Philadelphia, and Spokane.

An exam will also be administered on March 4th and 5th in Washington, D.C. at the site of the American Bankruptcy Institute's Annual Meeting. On March 5th, the exam will be administered in Baton Rouge, Boston, Denver, Nashville, San Francisco, Tampa, and Toledo.

The ABBC examination is part of a multi-faceted program to determine competency and is designed to be passed with little difficulty by a bank-

ruptcy practitioner with a broad reaching practice. A complete copy of the sample exam with answers may be obtained by sending \$10.00 to the American Bankruptcy Board of Certification at 510 C Street NE, Washington, D.C. 20002. (Note, after February 17, 1995 the ABBC will be located at 44 Canal Center Plaza, Suite 404, Alexandria, VA 22314-1592, 703-739-1023.)

The ABBC is an American Bar Association Accredited, Washington, D.C.-based non-profit organization dedicated to serving the public and improving the quality of the bankruptcy bar. ABBC certification serves the public by allowing clients to make an informed decision in choosing bankruptcy counsel. In addition, ABBC certification encourages bankruptcy attorneys to strive toward excellence and recognizes those attorneys who have

met the rigorous ABBC standards. The ABBC offers separate certification programs in business bankruptcy and in consumer bankruptcy.

The ABBC program is the largest national bankruptcy certification program and is sponsored by The American Bankruptcy Institute, the nation's premier organization of bankruptcy professionals. The ABBC Board of Directors consists of many of the nation's finest bankruptcy lawyers, former judges, and law professors.

ABBC certification is available to all qualified bankruptcy attorneys, without regard to membership in The American Bankruptcy Institute, and without discrimination on the basis of race, religion, gender, sexual orientation, disability, or age.

For program information or a free directory of certified attorneys write the ABBC at the above address.



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CLE Calendar of Events

February 23
Title Insurance in Mississippi.
UM-CLE. 601-232-7282

Underfunded Pension Plans.
UM-CLE. 601-232-7282

February 24 & 25
MS State Laws Pertaining to Mental Health Practice; Forensic Practice: Subpoena, Disposition & Expert Testimony. MS Psychological Association. 601-875-8440

March 7
Keys to Success in Real Estate Transactions in MS.
NBI. 715-835-7909

March 8
Limited Liability Companies: The Entity of Choice in MS.
NBI. 715-835-7909

March 15
Summary of Recent MS Law.
Abbott & Weems. 601-234-6956

March 16
Limited Liability Companies.
UM-CLE. 601-232-7282

March 17
Hot Topics. MS Trial Lawyers Association. 601-948-8631

March 23
Copyright and Trademark Law for the Nonspecialist.
UM-CLE. 601-232-7282

March 29
Workers Compensation in MS.
Lorman Business Center. 715-833-3940

March 30
How to Protect Secured Interests in Bankruptcy in MS.
NBI. 715-835-7909

April 4
Sexual Harassment.
UM-CLE. 601-232-7282

April 7
Insurance Litigation. MS Trial Lawyers Association. 601-948-8631

April 21
Real Estate Leases.
K. F. Boackle. 601-956-6444

HCBA Calendar of Events

February 21
HCBA Membership Meeting.
Noon. Capital Club

February 23
HCBA Brown Bag Professionalism Seminar. 11:45-12:45.
MC School of Law

March 2
George Street Social. 5:30-7:00

March 9
Small Firm Practice Committee Seminar. 4:00-6:00. Capital Club

March 21 & 28
People's Law School.
7:00-9:00. MC School of Law

April 4 & 11
People's Law School.
7:00-9:00. MC School of Law

April 18
HCBA Membership Meeting.
Noon. Capital Club

May 4
HCBA/JYL Law Week Dinner.
6:30. Primos Northgate.



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WHAT:
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SPEAKER:
Jerry Schwartz • Michael Martz

WHEN:
Thursday, March 9, 1995
4:00 - 6:00

WHERE:
Capital Club

COST:
\$5 - Mail check to HCBA,
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Jackson, MS 39201

CREDIT:
Seminar attendees will receive
two hours of CLE credit.

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For additional information, see
Joel Howell's article on page 10.

Mississippi Court of Appeals Commences Inaugural Term

by David L. Trewolla

Mississippi's new intermediate appellate court, officially designated the Court of Appeals of the State of Mississippi ("Court of Appeals"), became a historical reality on January 3, 1995 with the swearing in of 10 new judges elected the previous November. The Court, created by act of the 1993 Legislature and comprised of two judges from each congressional district, is expected to expedite the disposition of cases appealed to the Mississippi Supreme Court ("Supreme Court") by (1) transfer of cases from the Supreme Court to the Court of Appeals or (2) initial case assignment to the Court of Appeals.

What rules will govern practice before the Court of Appeals?

The Supreme Court has adopted and recently published the Mississippi Rules of Appellate Procedure ("M.R.A.P."), a unified set of rules which will hereafter govern appeals to the Supreme Court, including the subsequent initial assignment or transfer of cases to the Court of Appeals. Simply stated, the M.R.A.P. are identical to the previous Mississippi Supreme Court Rules with amendments and adoption of new rules where necessary to provide for the new Court's jurisdiction, judicial precedent and publication of written opinions. Changes to the former Mississippi Supreme Court Rules thereby fall into only three categories: (1) M.R.A.P. 16 is a new rule which states the jurisdiction of the Supreme Court and the Court of Appeals; (2) M.R.A.P. 17 is a new rule which prescribes the procedure for Supreme Court review of decisions by the Court of Appeals; and (3) the wording of previous Supreme Court Rules has been amended to accurately reflect the existence of the new Court of Appeals. Thus, appellate procedure will be as similar to previously existing procedure as possible.

What will be the jurisdiction of the Court of Appeals?

Rule 16 addresses jurisdiction of the

appellate courts and provides that all appeals from final orders of trial courts shall be filed in the Supreme Court, which in turn shall assign cases, as appropriate, to the Court of Appeals. Pursuant to Miss. Code Ann. §9-4-3(1) (Supp. 1994), the Supreme Court may assign any appeal to the Court of Appeals except cases involving (1) the imposition of the death penalty, (2) utility rates, (3) annexation, (4) bond issues, (5) election contests, or (6) a statute held unconstitutional by a lower court. Rule 16 adds to the statutory mandate that the Supreme Court will retain all cases involving attorney discipline, judicial performance, and certified questions from a federal court. The Supreme Court will also ordinarily retain cases involving (1) a major question of first impression, (2) urgent issues of broad public importance requiring prompt determination, (3) substantial constitutional questions as to the validity of a statute, rule or regulation, and (4) issues upon which there is an inconsistency in decisions of the Court of Appeals or Supreme Court, or a conflict between the two.

The Chief Justice of the Supreme Court, or his designated assignment justice, will have the discretion to determine which cases are assigned to the Court of Appeals. The order of assignment must be entered within 28 days from filing of the last appellate brief allowed in a case. Except for those cases which the Supreme Court is required by statute to retain, a party has no right to have his case heard by the Supreme Court. Although the Court's assignment decision is final and not subject to reconsideration on petition, the Supreme Court upon its own motion may transfer a case to the Court of Appeals at any time prior to the issuance of an opinion or dispositive ruling.

How may a party seek review of a Court of Appeals decision?

Rule 17 introduces the writ of *certiorari* to Mississippi appellate practice as a the procedure by which parties

may seek Supreme Court review of a judgment by the Court of Appeals. According to §9-4-3(2) (Supp. 1994), "[d]ecisions of the Court of Appeals are final and are not subject to review by the Supreme Court, except by [grant of] writ of *certiorari*...by the affirmative vote of four (4) of [the Supreme Court's] members." Review will ordinarily be limited to cases in which the Court of Appeals has rendered a decision which is in conflict with prior decisions of either appellate court, cases in which the Court of Appeals has not considered a controlling constitutional provision, and cases which should have been decided by the Supreme Court originally (per statute or the M.R.A.P.). Despite the presence of one or more of these guidelines for review, the Supreme Court may decline to grant a petition for writ of *certiorari*; likewise, in the absence of these factors, the Court has the discretion to grant *certiorari* review.

Procedurally, a party seeking review of a Court of Appeals judgment must first file a petition for rehearing in the Court of Appeals. If the petition is denied, the party must then petition the Supreme Court for a writ of *certiorari* within 14 days of the Court of Appeals' denial of rehearing. The petition for writ may not exceed 10 pages in length, and neither briefs nor oral argument in support will be allowed unless requested by the Supreme Court. While Rule 17 requires the Supreme Court to act upon a petition for writ within 60 days of its filing, the failure of the Court to issue a writ within that period shall constitute a rejection of the petition. Neither the grant or denial of a petition is subject to rehearing or reconsideration by the Supreme Court. The Supreme Court's review upon grant of *certiorari* will be conducted on the record and briefs previously filed in the Court of Appeals and upon any supplemental briefs (not to exceed 10 pages) filed. Upon grant of *certiorari*, oral argument will not be allowed unless requested by the Supreme Court.

Will Court of Appeals opinions be published and what precedential effect will the opinions have?

Former Supreme Court Rule 35 has been amended to provide guidelines for written and unpublished opinions of the Court of Appeals and their precedential effect. The Court of Appeals will write opinions on all cases heard but will not designate those opinions for publication during the Court's first year of operation. After one year, the Supreme Court will promulgate rules concerning the publication and precedential effect of Court of Appeals opinions.

Where is the Court of Appeals?

The Court of Appeals and the Administrative Office of Courts are located in the recently renovated 656 Building, a four story structure at the corner of North State and George Streets and diagonally across North State from the Mississippi Bar Center. A courtroom is now under construction on the bottom floor, where a receptionist, record room and the Administrative Office of Courts are also located. The 656 Building's upper three floors provide space for a library, conference room and offices for the judges, their law clerks, judicial assistants and other staff. Ample parking is available at the rear of the building in a parking lot which is accessible from Jefferson Street.

Hopefully, this article has answered many of your initial questions about the Court of Appeals. Bar members are encouraged to visit the Court's headquarters and should refer to the Mississippi Rules of Appellate Procedure and Miss. Code Ann. §§9-4-1 *et seq.* (Supp. 1994) to clarify the procedures and law governing practice before the Court of Appeals. If you have not yet received the appellate rules, you may order a copy from the Clerk of the Supreme Court, who by statute is also the Clerk of the Court of Appeals.

This article closes with a list of the 10 judges of the Mississippi Court of Appeals, their staff and related telephone numbers for your convenience. The Hinds County Bar Association expresses its sincere appreciation to

Martin Hegwood, Program Specialist for the Administrative Office of Court (AOC) and Editor of *The Full Court Press*, an AOC newsletter, for his invaluable cooperation in providing material for this article.

David Trewolla is a shareholder in the firm Heidelberg & Woodliff, P.A.

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Jenny Griffin 354-7414
Law Clerk: William Mallette

Roger H. McMillin, Jr. 354-7500
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Judicial Assistant:
Kathy Dungan 354-7494
Law Clerk: David Sullivan

Chief Judge
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Judicial Assistant:
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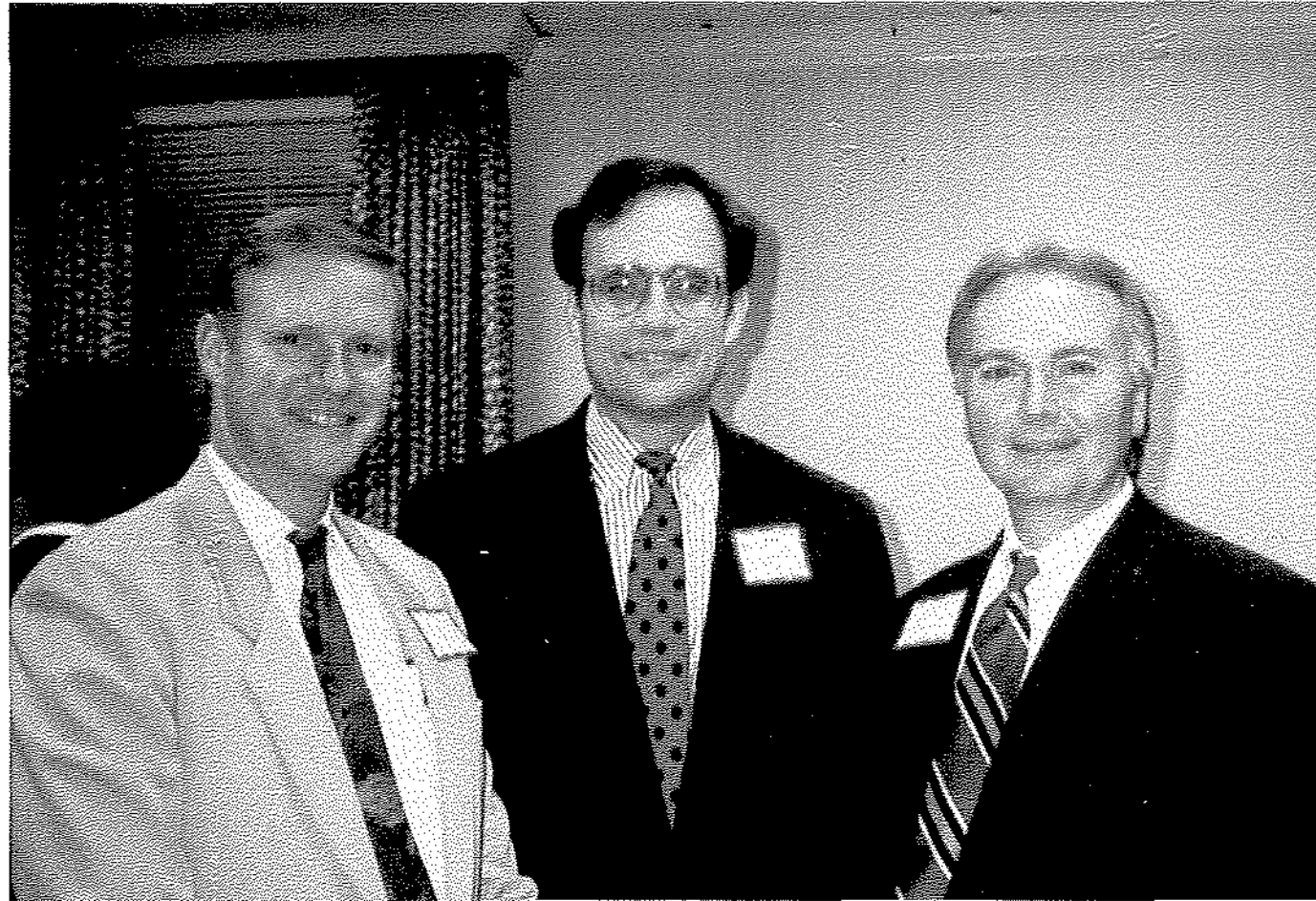
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Record Room 354-7461
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Staff Attorney 354-7510
Anne McInvale



Pictured above are the recently sworn judges of the Mississippi Court of Appeals: (front row, left to right) Judges Thomas A. Coleman, II; John J. Fraiser, Jr. (Chief Judge); Billy G. Bridges; Leslie H. Southwick; and Oliver E. Diaz, Jr.; (back row, left to right) Judges Roger H. McMillin, Jr.; Leslie D. King; Mary Libby Payne; Frank D. Barber; and James E. Thomas.

HCBA Christmas Social

HCBA members and guests enjoyed the Christmas Social on December 8 held at the MS Bar Center.



Joseph Wise, Delbert Hosemann, Richard Roberts



James Henley, Jane Lewis

People's Law School Schedule

Session 1: March 21

Wills and Estates

Session 2: March 28

Employment Issues

Session 3: April 4

Domestic Relations

Session 4: April 11

Criminal Justice System

Classes held at
MC School of Law

7:00 p.m. - 9:00 p.m.

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\$5 per session



Pat Evans, Bob Biggs, Linda Thompson, James Robertson



Paula Graves, Ben Williams, Judge Banks, Debbie Nicols



Mike Farrell, Al Malone, Beverly Poole, Donna Wright

Uniform Rules of Circuit and County Court

by Vaughn Davis, Jr.

On June 8, 1994, the Supreme Court of Mississippi entered its order approving the Uniform Rules of Circuit and County Court. These rules replace four sets of prior rules: The Uniform Criminal Rules of Circuit Court Practice, Uniform Circuit Court Rules, Uniform County Court Rules and Uniform Criminal Rules of County Court. The new rules become effective on May 1, 1995. The purpose of this article is to highlight some of the differences between the new rules and the prior rules as they apply in criminal cases. These new rules may be found in volume 636 So.2d.

The new rules are divided into three broad categories. Rule Series 1, 2 and 3 apply to all civil and criminal proceedings. Rule Series 4 and 5 apply only to civil proceedings. Rule Series 6 through 12 apply only to criminal proceedings.

Under new Rule 1.03 the Circuit court has more freedom to impose sanctions for failure to comply with the rules. Under the prior rule the court could punish a person offending these rules only as a contempt. Under the new rule the court may punish a violation by sanctions, contempt or other disciplinary actions imposed or initiated by the court. The new rules do not specify or limit the sanctions to be imposed nor do they identify what other disciplinary actions are available. The new rules also require that the name, address and phone number of the attorney who will try the case appear on all pleadings, motions or other applications to the court. They also require the name, address and phone number of the attorney who is prepared to argue the specific pleading, motion or application if the identity of that attorney is different from the attorney who will try the case.

Rule 1.12 makes no distinction between civil or criminal court files and appears to grant authority for criminal files to be checked out from the clerk with the permission of the court.

Although the new rules again prohibit any local rules which have not been approved by the Supreme Court, Rule 1.14 places a mandatory duty on attorneys to contact the clerk of the

court to ascertain the practices of the local court.

Rule 2.02 gives the Circuit Court the authority to hear any matter which may be heard without a jury in term time or vacation in any county in the judicial district.

Prior Rule 2.06 of the Uniform Circuit Court Rules required motions be pursued to hearing during the term in which they were filed or at the next term if filed during vacation. Otherwise, the motion would be considered abandoned. New Rule 2.04 makes no reference to terms of court. It provides that pre-trial motions will be deemed abandoned if not pursued to hearing prior to trial. It further allows motions to be heard after the commencement of the trial in the discretion of the court.

Habeas corpus in pre-conviction and extradition matters is addressed in Rule 2.07. This rule attempts to clarify and highlight the distinctions between pre-conviction *habeas corpus* and *habeas corpus* in extradition matters.

Under the prior Uniform Criminal Rules of Circuit Court any person who sought relief by way of a writ of *habeas corpus* who qualified for the appointment of counsel under §99-15-15, Mississippi Code of 1972 would be furnished counsel. Under the new rules the court is required to appoint an attorney for anyone seeking *habeas corpus* relief who is an indigent, makes an affidavit of indigency and is charged with a crime in the State of Mississippi for which he may be imprisoned or confined. The new rule does not require any minimum term of imprisonment and would seem to require court appointed attorneys for all indigents facing any potential jail sentence. The rule also grants the court the discretionary authority to appoint an attorney for any indigent seeking *habeas corpus* relief who has not formally been charged with a crime in this state.

The new rule also provides for service of the motion for *habeas corpus* on the "proper respondent" as well as the prosecuting attorney in the event the person is charged with a crime. The new rule further allows the court to waive the required three day notice

prior to a hearing if the court finds grounds sufficiently urgent and necessary for due process. However the new rule has added the requirement that the court make specific findings of the grounds for waiver and make those a part of the record.

The prior rule required that the answer to a writ of *habeas corpus* be signed and sworn to by the person making the answer. The new rule does not require that the answer be sworn.

The prior rule required the court to inquire into all the allegations set forth in the answer at the hearing on the writ of *habeas corpus*. This mandatory language has been deleted from the new rule. There is no guidance provided by the new rules as to what is to take place at the hearing. Finally, all provisions of the prior rule dealing with an appeal have been deleted.

With regard to *habeas corpus* in extradition matters, the court has provided four grounds upon which relief may be sought. These are the only factors which may be considered by the court. The new rules also provides that if the proper authorities of the State of Mississippi have issued the rendition warrant then the person detained under it shall not be entitled to bond. Further, the rule provides that introduction of a rendition warrant issued by the property authorities at the State of Mississippi creates a presumption that all requirements for extradition have been met and constitutes a *prima facie* case for the state. This section makes no provisions for a waiver of the three day notice. The rule further provides that extradition is a civil matter and does not require the appointment of an attorney nor the furnishing of any prior transcripts.

The new rules make no mention of the procedure to be followed in a post conviction *habeas* action.

New Rule 3.10 addresses jury deliberations and verdicts. These issues in criminal cases were generally addressed in Rule 5.14 of the Uniform Criminal Rules of Circuit Court. Under prior rule, if the jury were polled after announcing its verdict and a juror dissented the court was required to send the jury back for further consideration.

The new rule grants the court the authority to declare a mistrial at that point.

Rule 3.13 grants the court authority to assess costs against a party or an attorney in the event of a failure to notify the court of a settlement of a case prior to 5:00 p.m. on the day before trial.

Rule 6.02 implements the provisions of §29 of the Mississippi Constitution. The rule then identifies those persons who are eligible to make a ten percent (10%) cash bond which may be posted with the clerk of the court. While the procedure for posting such a cash bond has been available in the past, the new rule substantially changes the manner in which the money is distributed upon the final disposition of the case. Previously, such funds were returned to the accused and his attorney jointly unless the accused had assigned the funds to his attorney. The new rules provide that the funds will be disposed of as ordered by the court. The rule further provides that the funds will be used as follows:

1. To pay any court costs assessed against the defendant;
2. To pay restitution as ordered by the Court;
3. To pay fines;
4. To pay any assignment by the defendant to his attorney; and
5. A refund to the defendant or other disbursements allowed by the Court.

Unlike the old rules, no distinction is made between a person arrested with or without a warrant. The new rules require that every person who is arrested be taken before a judicial officer within forty-eight (48) hours after his arrest. This differs from the previous requirement that a person arrested without a warrant would be carried "forthwith" before a magistrate. The new rules do require that in the event that a person is arrested without a warrant that the judicial officer shall at the initial appearance determine whether there is probable cause for the arrest and note the probable cause determination for the record. The rule does not, however, provide any guidance as to how this determination is to be made by the Court nor whether the defendant is entitled to be present when the determination is made. The rule also seems to imply that only a person who

remains in custody and has not been released has a right to a preliminary hearing although the rules do not specifically so state.

Rule 6.04 provides that the defendant cannot properly object to evidence at a preliminary hearing on the ground that the evidence was unlawfully acquired.

Rule 7.02 grants the court limited discretion regarding the number of grand jurors which must be impaneled.

Rule 7.05 provides prosecutors with a method by which a recalcitrant witness before a grand jury may be compelled to testify.

Rule 7.09 allows prosecutors more freedom regarding the amendment of indictments. Specifically the new rules allows prosecutors to amend the indictment to enhance the punishment (habitual offender) without resubmitting the case to a grand jury.

Rule 8.08 provides the courts with specific guidelines regarding allowing a defendant to proceed pro se.

Rule 9.04 provides for discovery in a criminal case. This rule is substantially the same as prior Rule 4.06 of the Uniform Criminal Rules in Circuit Court. They are, however, some subtle changes to the rule. It is unclear what impact these changes will have. The new rule deletes a defendant's obligation to provide the substance of any oral statements made by a defense witness and limits a defendant's duty to provide reports, statements or opinions of experts to those which he may offer at trial.

Rules 9.06 and 9.07 deal with a defendant's competence to stand trial and the insanity defense. These rules have been modified to allow for the civil commitment of a person who is deemed to be incompetent to stand trial and has failed to regain his competence within a reasonable time after commitment to the state hospital.

Rule 9.08 is very similar to the prior rule regarding an omnibus hearing. The major change is a deletion of the waiver which occurred under the prior rule upon a failure to raise an error or issue prior to trial.

Rule 10.01 provides a standardized method of selecting alternate jurors. It also provides for the number of challenges allowed in cases involving multiple defendants. While the rule provides that jury selection will occur in

the same manner as provided in the new rules for civil cases (Rule 4.05) no provision is made for six person juries. It appears that appeals to county from justice court or municipal court will now be heard by twelve person juries.

Rule 10.04 deals with bifurcated trials. This rule has been changed to make a sentencing hearing and presentence investigation discretionary.

Rule 10.05 regarding motions for new trials has been changed in two respects. First, unlike the prior rule, the failure of the court to instruct the jury on all questions of law is now a ground for a new trial even in a misdemeanor case. Second, the time for filing of a motion for new trial has been set at ten days after the entry of judgment. Prior rules tied the time period to the adjournment of the term of court.

Rule 11.02 regarding pre-sentence investigations and reports is substantially the same as prior rule. The major difference is that the new rule allows for juvenile adjudications of delinquency to be included in a pre-sentence investigation for consideration by the sentencing judge.

Rule 11.05 seems to provide that, as in the federal system, upon the entry of any order the clerk is required to notify all attorneys of record.

Rule 12.02 shortens the time within which an appeal from justice of municipal court must be perfected to thirty days. It also requires that a cost bond be posted within the same thirty day period. Another significant change is that the new rule seems to permit the court to deny a trial by jury when the maximum possible sentence is six months or less.

Rule 12.03 extends the time for perfecting an appeal from County Court to Circuit Court to thirty days. The rule also allows for this period of time to be extended consistent with Rule 4(g) of the Mississippi Supreme Court Rules. The rule also allows for appeals from County Court to Circuit Court to be decided on briefs of the parties in the court's discretion. It further allows the court to direct oral argument in cases where neither party has requested oral argument.

Vaughn Davis, Jr. is a partner with the firm of Davis, Furby & Rogers and is a member of the HCBA Bench & Bar Committee.



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Law Practice Management Ethics Seminar

by Joel W. Howell, III

The Small Firm Practice Committee will sponsor a two-hour seminar with presentations by Jerry Schwartz, Schwartz and Associates, on Law Practice Management and Michael Martz, General Counsel of The Mississippi Bar, on Ethics. The program will be Thursday, March 9, at the Capital Club from 4:00-6:00. Two hours of CLE credit will be given.

The registration fee will be five dollars (\$5.00). Please send the check to HCBA, 151 E. Griffith St., Jackson, MS 39201 to reserve space. Registrations will also be taken at the door.

A cash bar will be available following the seminar.

Joel Howell is an attorney in Jackson and chairman of the HCBA Small Firm Practice Committee.

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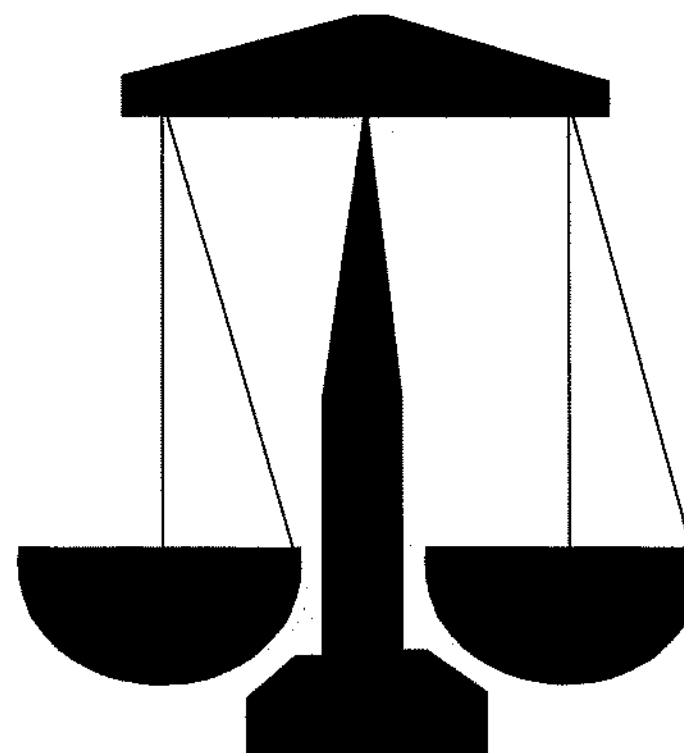
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Update on Appellate Rules in Mississippi

Luther Munford, Chairperson
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Correspondence regarding the newsletter should be directed to: Editor, 151 E. Griffith St., Jackson, MS 39201. 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 969-6097.

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

FIRST CLASS

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

HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

JUNE 1995



President's Column

Marcus M. Wilson

The sixty-fourth year of the Hinds County Bar Association begins with the implementation of the Lawyer Referral Service. This is your business!

You have just hired Melissa Jane Morgan as the LRS director. South Central Bell's® The Real Yellow Pages® will introduce the LRS to the public on June 15, 1995. You can say that you saw it first in the HCBA newsletter! But, if you want to be called first, enroll immediately by completing the enclosed application.

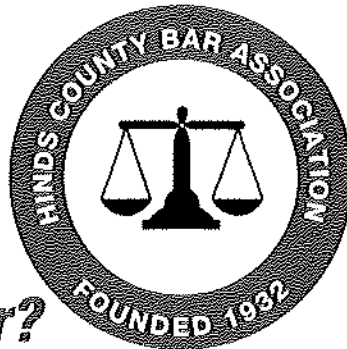
This is only the beginning, more good things will follow. In the meantime, if you have any suggestions or comments, please write.

Hinds County Bar Luncheon Announcement

Lawyers under fire! At every turn, that's what we face. Clients pull us one way, courts pull us another, someone needs it yesterday and you won't have it tomorrow. How do you manage the stress of a largely unmanageable profession? Does your strategy work? Do you instead suffer from chronic fatigue, depression or addiction? The Hinds County Bar Association luncheon on Tuesday, June 13, will introduce you to solutions available through the resource network of The Mississippi Bar's Lawyers and Judges Assistance Program. This upheated presentation will be moderated by Betty Daugherty, executive director of the LJAP, and will feature Rusty McDaniel of Recovery Consultations and Steve Allen of Phelps Dunbar, L.L.P. Join us for an informative hour which will direct you to a more rewarding and relaxing professional and personal life. The program will commence at 12:15 p.m. at the Capital Club.

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"Making Our Case For A Better Community."

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

June 13, 1995

12:00 Noon

\$10.00

Capital Club

The moderator will be Betty Daugherty and will feature Rusty McDaniel and Steve Allen.

CLE Calendar of Events

June 22
MS Sales & Use Tax Update.
NBI. 715-835-7909

June 27
Successful Judgment Collection in MS. NBI. 715-835-7909

June 29-30
Government Lawyer's CLE Seminar. AG's Office. 359-3680

July 11
Conflicts of Interest and Other Ethical Issues. MS Corporate Counsel. 968-4912

July 12
Orthopedics for Lawyers. PESI. 1-800-621-5336

July 14
Residential Loan Closings.
K. F. Boackle. 956-6444

Fair Housing Law. North MS Rural Legal Services/University of MS Law School Housing Law Clinic. 601-232-7873

July 19
Alternative Dispute Resolution in Mississippi. UM-CLE/MS Bar Committee on ADR. 601-232-7282

Workers' Compensation in MS. NBI. 715-835-7909

July 25
Effective Discovery in MS. NBI. 715-835-7909

July 28
Residential Loan Closings.
K. F. Boackle. 956-6444

1995 Ethics Seminar.
The Mississippi Bar. 948-4471

Workers' Compensation Law & Practice in MS. CISI. 715-835-2111

HCBA Calendar of Events

June 9
Panel Discussion Hinds County Chancellors. 2:00-3:30. Chancery Courthouse, Third Floor

June 13
HCBA Membership Meeting. Noon. Capital Club

August 15
HCBA Membership Meeting. Noon. Capital Club

August 24
George Street Social. 5:30-7:00. George Street

August 25
HCBA Golf Tournament. Noon. Deerfield Country Club

October 17
HCBA Membership Meeting. Noon. Capital Club

December 7
HCBA Christmas Party. 5:30-7:00. MS Bar Center

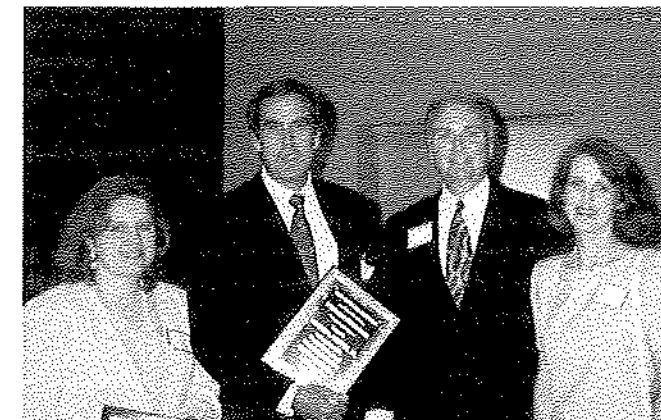
An Evening Honoring the Judiciary

The Evening Honoring the Judiciary on May 4, sponsored by the Hinds County Bar and the Jackson Young Lawyers, was well attended by judges, lawyers and guests. Held at Primos Northgate, this was the second year for the event during Law Week. Keynote speaker was N. Lee Cooper of Birmingham, ABA president-elect designee.

The Hinds County Bar presented its Outstanding Service Award to William L. Colbert and its Pro Bono Publico Award to Robert H. Pedersen. Recipients of the Jackson Young Lawyer Awards were Julia H. Terry, Pro Bono Publico, and M. Binford Williams, Jr., Outstanding Service.



Philip Gaines, JYL president, and Bin Williams



Julia Terry; Bill Colbert; Richard Roberts, past HCBA president; and Ginny Roberts



Pat Scanton, Marshall Bennett, N. Lee Cooper and John Clark



Joe Lotterhos, HCBA program chairman; N. Lee Cooper, keynote speaker; and Marcus Wilson, HCBA president

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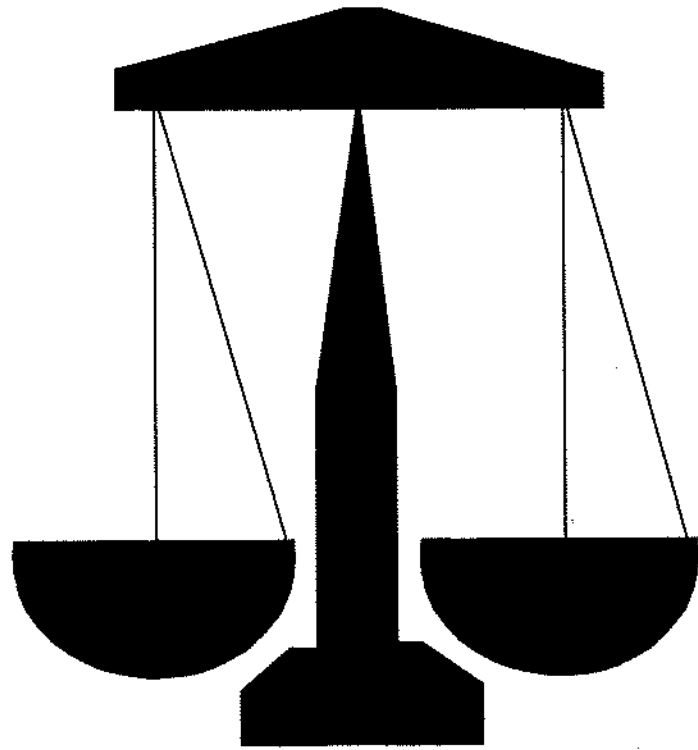
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JULIAN WATSON 362-9800

Chancellor William Hale Singletary

by Barry H. Powell

Judge Bill Singletary has served as Hinds County Chancellor since the beginning of this year. Judge Singletary received his undergraduate degree from Mississippi College and his law degree from the University of Mississippi in 1977. For the past fifteen years, he has been engaged in the private practice of law in his hometown of Clinton. Judge Singletary has served as a municipal judge, an assistant county prosecuting attorney, and an Assistant Attorney General. He served for ten years in the Mississippi House of Representatives.

As the most junior Hinds County Chancellor, Judge Singletary is responsible for hearing all contempt matters, for which he has set aside Thursday afternoons. Contempt hearing afternoons can be long; his first afternoon finished at 10:00 p.m. In order to handle these cases as expeditiously as possible for the convenience of attorneys, Judge Singletary calls the contempt docket at the beginning of the afternoon and then tries to hear the shortest cases first and the longest cases last. Judge Singletary paid special recognition to the work of the law firm of Watkins Ludlam & Stennis in providing attorneys to represent indigent defendants *pro bono* in contempt hearings. "This has been an excellent service both for the court and the indigents," said Judge Singletary.

Judge Singletary's *ex parte* day is on Thursday morning. Appointments are given at ten minute intervals for *ex parte* matters. Call Judge Singletary's court reporter, Ruth Olenski (968-6548), to get an *ex parte* appointment. If you come without an appointment, you will be worked in at the earliest gap between appointments. Judge Singletary is also willing to sign agreed orders during the week while he is on the bench.

Judge Singletary reminds lawyers who are coming to *ex parte* to be sure and bring the court file and get the motion or pleading "FILED" stamped before presenting the matter to the court. Judge Singletary encourages

attorneys applying for attorney's fees with estates to present an itemized fee statement and be sure to go over the statement first with the client. He is willing to discuss appropriate *ex parte* matters by telephone or, on short matters, to talk with the lawyers involved by telephone conference.

As a suggestion for lawyers trying cases before him, Judge Singletary said he has noticed in the few months that he has been on the bench a lot of repetition by lawyers in presenting testimony. When he has discussed this with lawyers, he has been told that they can never be sure when a chancellor has received sufficient testimony on a point. Judge Singletary said he is going to try to provide lawyers with more feedback during a trial as to what would be helpful to him and when he believes he has heard enough.

In one case inherited from his predecessor in which some testimony had already been heard before he took the bench, Judge Singletary listened to the prior testimony on the court reporter's tape recorder. He said he found that one advantage to listening to testimony this way was that he could use the fast forward button. He said sometimes he wished he had a fast forward button during some of his trials.

In trial procedures, Judge Singletary noted that it does not help for lawyers to pre-mark exhibits. Exhibits must be marked by the court reporter. However, if there are a number of agreed exhibits it is helpful for the attorneys to arrange to meet with the court reporter before testimony starts and to mark the exhibits at that time.

Judge Singletary said he understands that despite the best efforts of lawyers and the court, some cases are not going to settle until the last minute. He did request that all settlements be reached as early as possible and the court administrator notified immediately in order to clear the docket for other cases to be heard.

He noted that in addition to the normal jurisdiction of a chancery court in a big metropolitan area, Hinds County

also has statewide jurisdiction over a large number of cases and appeals that have been selected by the legislature to be heard in Hinds County Chancery Court. For example, this summer Judge Singletary will hear a medical certificate of need case out of the Delta that will take a number of days of trial time.

Judge Singletary said he would appreciate feedback from lawyers on the job he is doing and suggestions to make his court work more efficiently. He says there is no point just grouching about the way a chancellor runs his court and he would genuinely appreciate suggestions for his court.

In matters of general interest about the chancery court to lawyers, Judge Singletary noted that Hinds County Chancellors hear uncontested divorces the second Friday morning of each month, rotating among the chancellors. The Hinds County Chancellors meet together for about an hour the first Tuesday of each month to discuss matters of common interest and concern. The State Conference of Chancery Judges meets once a quarter on a Saturday to discuss matters of common concern to chancery courts state-wide. Judge Singletary serves on the Legislative Committee of the Conference of Chancery Judges.

Barry H. Powell is a partner with Alston Rutherford & Van Slyke and a member of the HCBA Bench and Bar Committee.

Reminder from Bench & Bar Committee

In his open discussion with members of the bar in January, Judge Coleman noted that the Mississippi Rules of Civil Procedure require that opposing counsel must be served with a copy of any Rule 45(h) subpoena.

Book Discussions Continue

Do something for yourself for a change! Join the Thursday noon book discussion group!

After a brief summer respite, the noon book discussions will resume with a change in day and venue. Beginning Thursday, June 29, a new series of lively weekly lunch discussions will be launched at the Bar Center. Hal Miller (Butler, Snow) will serve as moderator for Mona Harrington's *Women Lawyers: Changing the Rules*.

The book, chosen by the discussion group who recently completed *Stress Management for Lawyers* and *Soul of the Law*, looks at law and lawyering from the perspective of women who have graduated from Harvard Law School in the past 20 years. The focus of the discussion is determined by the participants, but the book should serve as a spring-board for looking at changes in the profession over the past several decades.

Bring your lunch and your viewpoint to the Bar Center at noon on Thursday, June 29. Everyone is welcome.

Call Betty Daugherty at the Bar Center to make reservations and to get a copy of the book. She can be reached at 948-4471; the book is \$11.95.

At the conclusion of this series, Ginny Munford (Watkins and Eager) will moderate discussions of Thomas More's *Care of the Soul*. Watch for an announcement.

Bar Exam Results

Linda Knight, Bar Admissions Administrator, announces the following statistics for the February 1995 Bar Examination.

Of the 123 applicants who took the exam, 98 (79.7%) passed. Seventy-six were first-time takers; of these, 66 (86.9%) passed. Forty-seven were retakes; 32 (68.1%) passed.

All three of the lawyers who took the attorney's exam were successful.



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The April Membership Meeting



Richard Roberts welcomed Harold D. Miller, Jr. as the April Membership Meeting speaker. Miller, a former HCBA president, spoke on ADR — It's Status in Mississippi.



Duane McAllister, president and publisher of The Clarion-Ledger, was presented with a plaque thanking the paper for its support of the People's Law School by John Henegan, 1994 People's Law School chairman, and Richard Roberts.



Members enjoying the April Meeting.

Mississippi College School of Law Library Hours

Revised Law Library Summer Break Hours

May 20-21, Saturday - Sunday Closed
May 22-26, Monday - Friday . . . 8:00 a.m. - 6:00 p.m.
May 27-28, Saturday - Sunday Closed
May 29, Monday 8:00 a.m. - 6:00 p.m.
May 30, Tuesday Summer Hours Begin

Revised Summer Law Library Hours

Monday - Friday 8:00 a.m. - 10:00 p.m.
Saturday 9:00 a.m. - 6:00 p.m.
Sunday 2:00 p.m. - 10:00 p.m.

Editorial

The highly respected publication you are now reading has lacked an editorial for a while (no one cares how long). Not one reader has requested that The HCBA NEWS take a stand on a single issue. In fact, your new leader Marcus Wilson has made known his desire that no politics seep into these pages, less any of us be sullied by whatever pointless controversy might be generated by any pointless support or objection to any of the pointless issues currently under consideration by our honorable elected leaders. Therefore, until further notice, all HCBA NEWS editorials will contain only useless drivel (this editorial being a prime example of the irrelevance you may expect in the future). If the new editorial board meets before the next issue (or even if they don't), this policy may change. You will find much useful information elsewhere in this and future issues, but expect nothing relevant or remotely interesting under the heading "Editorial." We will be considering other measures to make The HCBA NEWS look more like Jackson's morning daily. Suggestions will be nice, but probably ignored.

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Hinds County Bar Association Budget 1995-96

INCOME	
CLE	\$ 1,500
Grants (\$5,000 94/95)	5,000
Interest Earned	2,100
Law Firm Survey	1,000
Law Week Dinner	4,800
Lawyer Referral	20,000
Membership Dues	63,000
Membership Luncheon Fees	3,000
Miscellaneous	150
Newsletter Ads	2,000
Peoples Law School	1,500
Pictorial Directory	3,000
Secretarial Placement	5,000
Tournament - Golf	9,500
Tournament - Tennis	500
From Retained Earnings	5,875
Total Income	\$127,925

EXPENSES	
ABA Conference	\$ 4,500
Board Luncheons	1,500
CLE	1,000
Clerk Function	825
Committee Lunches	3,500
Grants	5,000
In-Town Travel	450
Insurance	300
Law Office Survey	500
Law Week Dinner	5,500
Lawyer Referral	38,000
Management Services	18,500
Member Socials	1,500
Membership Luncheons	4,000
Miscellaneous	500
Newsletter	8,500
Peoples Law School	1,000
Pictorial Directory	1,000
Postage	8,500
Printing & Supplies	3,500
Secretarial Placement	5,000
Social - Christmas	4,500
Telephone	100
Tournament - Golf	9,500
Tournament - Tennis	750
Total Expenses	\$127,925

Law Firm Updates

■ **Dogan & Wilkinson**
 P.O. Box 23062
 Jackson, MS 39225-3062
 351-3200

David W. Dogan, III
 Elizabeth King
 William J. Little, Jr.
 Thomas M. Louis
 Carl A. McGehee
 LeAnn W. Mercer
 James S. Nippes
 Larry A. Smith
 Victoria W. Thomas
 David L. Trewolla
 Charles R. Wilbanks, Jr.
 Robert W. Wilkinson
 John B. Edwards, II
 W. Benton Gregg
 Kimberly R. Lentz
 Grant Monroe

■ **Malone & Wright**
 525 Thomastown Lane, Suite B
 Ridgeland, MS 39157
 853-6090

Albert D. Malone
 Donna H. Wright

■ **McGlinchey Stafford Lang**
 200 South Lamar, Suite 1200
 Jackson, MS 39201
 960-8400

Melanie Devlin
 Steve Edds
 Sue Fairbank
 Harvey Fiser
 Mark Herbert
 Jerry Johnson
 Alan Moore
 Liz Mott
 Sam Scott
 Jeff Wagner
 Brian Cowan

■ **Wright Law Firm**
 P.O. Box 5003
 Jackson, MS 39296
 366-8090

William Wright
 Lyn Crawford
 Lee Rikard

If there are law firm updates you would like to have in the newsletter, send them to: HCBA/Newsletter, 151 East Griffith St., Jackson, MS 39201.

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 Jackson, Mississippi 39236

Gandy Lectureship To Be Held October 6-7

Continuing the tradition of meeting at Cedar Grove in Vicksburg on the first weekend in October, the Third Annual Evelyn Gandy Lectureship is scheduled for October 6-7, 1995.

Providing CLE and networking opportunities in the elegant setting of Cedar Grove Mansion, the series has proven to be one of the most popular activities of the year for women lawyers. The program, highlighted with a nationally known keynote speaker, begins after lunch on Friday, continues with panel discussions, a reception that includes bar leaders, and a gourmet dinner. On Saturday morning, the program culminates with additional speakers and group interaction.

Watch for the reservation form, list of speakers, and schedule that will be mailed in a few weeks. Mark your calendar now.

The program is co-sponsored by the Women in the Profession Committees of the Hinds County Bar and the Mississippi Bar, the Mississippi Women Lawyers Association, and the Mississippi College Office of Professional Services. For more information, call Ellen Yeates at the Law School (949-5621).

Third Annual Golf Tourney Scheduled

The HCBA/FYL Golf Tournament has been scheduled for Friday, August 25, at Deerfield Country Club. This will be the third year for the project which benefits Habitat for Humanity.

The event is being planned by committee members Mark Chinn, chairman; Harris Collier; Kenny Griffiths; Ben Piazza; Karla Pierce and David Thomas.

Several "hole sponsorships" have already been received: Certi-Comp Court Reporters, Inc.; Fowler Buick; Graphic Reproductions; Paine Webber; Ridgway's and Celeste O. Werkheiser.

Board of Bar Admissions Relocates

The Board of Bar Admissions is now located on the first floor of 656 North State Street. The phone is 345-6055; the fax is 354-6054. The mailing address continues the same:

Mississippi Board of Bar Admissions
P.O. Box 1449 • Jackson, MS 39202



Mississippi College School of Law

Continuing Legal Education

Annual Family Law Seminar

L. C. James, Chairman

Friday, June 9 • Ramada Coliseum
6 hours CLE • 1 hour Ethics

How to Succeed Representing Charities & Donors

featuring

Zoe M. Hicks - Atlanta, GA

Terry L. Simmons - Dallas, TX

Friday, July 14 • Ramada Plaza Hotel
6 hours CLE • 1 hour Ethics

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Hinds County Bar Association 1995-96

The following is a list of the current Chairs and Vice-Chairs of the Hinds County Bar Association Committees. Members are encouraged to contact these persons with questions you may have, information that may be helpful to the committee or assistance you might offer.

Alternative Dispute Resolution

Chair Harold D. Miller, Jr.
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Bench and Bar Relations

Chair Jeffrey P. Reynolds
Vice-Chair Julie E. Chaffin

Black Lawyer Participation in the Profession

Chair Dorian Turner
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Vice-Chair Ernest Taylor

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Child Advocacy

Chair David M. Thomas, II
Vice-Chair Francis Corley

Continuing Legal Education

Chair Louis G. Baine, III
Vice-Chair Joseph E. Roberts, Jr.

Golf Tournament

Chair Mark A. Chinn
Vice-Chair Karla J. Pierce

Law Related Education

Chair Pamela W. Dill
Vice-Chair Audry Matt Pesnell

Lawyer Referral

Chair Ben J. Piazza, Jr.
Vice-Chair J. Mark Franklin, III

Legal Economics

Chair William R. Wright
Vice-Chair John Land McDavid

Legal Problems of the Homeless

Chair Michael S. MacLanis
Vice-Chair Brooks Buchanan

Legal Secretary Placement

Chair William L. Colbert, Jr.
Vice-Chair Sandra Inman, PLS

Library

Chair Vernon H. Chadwick
Vice-Chair David E. Rozier, Jr.

Long Range Planning

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Program

Chair Harris H. Barnes, III

Small Firm Practice

Chair Donna H. Wright
Vice-Chair Reeve (Jay) Jacobus, Jr.

Tennis Tournament

Chair Harris H. Barnes, III
Vice-Chair Michael J. Malouf

Women in the Profession

Chair Rebecca Lee Wiggs
Vice-Chair Tammy G. Harthcock

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Correspondence regarding the newsletter should be directed to: Editor, 131 E. Griffith St., Jackson, MS 39201. 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 969-6097.

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

FIRST CLASS

IMPORTANT
HCBA Luncheon Meeting
12:00 Noon, June 13

HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

OCTOBER 1995



President's Column

Marcus M. Wilson

Last time, I wrote briefly about the history of the Hinds County Bar Association. Now let's talk about the future. What changes can we expect in the next decade?

The 1994 edition of the *Case Western Law Review* suggests:

- Computerized legal research will:
 - Suggest possible solutions to a client's problem and display the statutes, regulations and cases

that best illustrate those solutions.

- Locate and display the cases that are most favorable and most damaging to your client's position.
- Continuing legal education will be delivered to your desktop computer. An electronic on-line test will be given to assure attendance.
- Voice recognition software will reduce secretarial staffing.
- A pocket-size device will serve as a telephone, answering machine, fax machine, word processor, pager, rolodex, calendar, scheduler, calculator, CD player, radio and television, using one nationwide wireless telephone number.

During an "Advanced Computer

Legal Education" seminar in Jackson last month, other developments were mentioned:

- Productivity and efficiency, not size, will be the key to profitability.
- A movement away from hourly billings to task-based billings and flat fees.
- Voice mail messages will be displayed on computer screens.
- Electronic billings with the client having direct access to the status of his billing statement at any time.
- The client's file will be displayed on the computer screen as the phone is answered.
- Pleadings will be filed electronically.

The use of computers is no longer a choice, but a requirement.

HCBA Board of Directors



Serving as members of the 1995-96 Hinds County Bar Association Board of Directors are (seated) Richard C. Roberts, III, past president; Samuel C. Kelly, director; (standing) Alveno N. Castilla, director; John M. McCullouch, secretary-treasurer; Mark A. Chimm, director; Marcus M. Wilson, president; Albert D. Malone, director; T. Harris Collier, III, president-elect; Keith D. Obert, director; and Carol C. West, director.

HCBA Luncheon Announcement

Are you tired of hearing all of the negatives about Mississippi? Come to the October 17th meeting of the Hinds County Bar Association and hear a program presented by Ms. Elizabeth Fargason with the Metro Jackson Convention and Visitor's Bureau and Mr. Denton Gibbs with the Department of Economic Development for the State of Mississippi, concerning the many good things about Mississippi. This will be both an enlightening, informative, and entertaining program.

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

October 17, 1995

12:00 Noon

\$10.00

Capital Club

The speakers will be Elizabeth Fargason and Denton Gibbs.

CLE Calendar of Events

October 19
ALI-ABB.
UM-CLE. 601-232-7282

October 26
Litigation Case Management for Legal Assistants.
UM-CLE. 601-232-7282

Insurance Law Update.
Lorman Business Center.
715-833-3940

October 27
Perceived Disability.
Lorman Business Center.
715-833-3940

October 31
Child Custody and Visitation in Mississippi. UM-CLE. 715-835-7909.

November 2
Annual Workers' Compensation Seminar. MC School of Law.
601-949-5621

November 2-3
Individual Income Tax-1995 Laws.
MS Association of Public Accountants. 1-800-321-1276

November 10
Effective Jury Selection.
UM-CLE. 601-232-7282

November 17
Commercial Leasing.
UM-CLE. 601-232-7282

December 8
Mississippi Legal Process.
UM-CLE. 601-232-7282

HCBA Calendar of Events

October 17
HCBA Membership Meeting.
Noon. Capital Club

October 19
HCBA Social.
5:30-7:00. The Fairview

November 9
Small Firm Practice Seminar/CLE.
2:00. Capital Club. (See page 6)

December 7
HCBA Christmas Party.
5:30-7:00. MS Bar Center

Mary Mahoney New Mississippi College School of Law Library Director



Mary Mahoney is the new director of the Law Library at Mississippi College School of Law. Ms. Mahoney comes to Hinds County from Marquette University

Law Library in Milwaukee, Wisconsin, where she served as deputy director. Ms. Mahoney earned her B.S. and J.D. at the University of North Dakota and received the M.Lib. from the University of Washington.

Mississippi College School of Law Library will be entirely automated by November 1, 1995. As the library becomes a part of the information superhighway, you the legal practitioner will be affected. While the library's main function has always been to serve the research needs of the

students and faculty of Mississippi College, the library will continue to be available for use by the legal profession. With automation, however, it is now necessary for bar members to obtain a library card to obtain full advantage of the library services.

The card will be available for a mere \$10.00 annual fee. More information is available in the library on the card's uses and limitations. Eventually the card may be necessary to gain entrance to the facility in order to provide better security for patrons and materials.

The visiting lawyers room continues to be available for members of the bar. Interlibrary loan services will be provided to card holders when materials are not held in the local area. Hours of the library will be posted in and around the law school.

OFFICE SPACE - SALE OR LEASE -

3,100 sq. foot office building with 1,500 sq. ft. on-site parking located at 226 North President Street in Jackson, one block from the State Capitol. Will consider tax swap for other real estate. Contact A. J. Stone at (601) 353-4400.



Mississippi College School of Law

Continuing Legal Education

Eighth Annual Workers' Compensation Practice & Procedure Seminar

Thursday, November 2, 1995
Ramada Coliseum
Jackson, Mississippi
6 hours of CLE credit including
1 hour of Ethics

*Linda A. Thompson, Chair
Administrative Judge
Mississippi Workers'
Compensation Commission*

Annual Labor & Employment Law Seminar

Thursday, February 8, 1996
Ramada Plaza Hotel
Jackson, Mississippi
*Samuel L. Begley, Chair
Maxey, Wann & Begley*

Annual Business Law Seminar

Thursday, March 7, 1996
Ramada Plaza Hotel
Jackson, Mississippi
*Thomas B. Shepherd, III, Chair
Watkins Ludlam & Stennis*

**For Information Contact
William R. Townsend,
Assistant Dean
(601) 949-5621**

Mississippi College School of Law Library Hours

Regular Hours

Monday - Thursday 7:30 a.m. - Midnight
Friday 7:30 a.m. - 9:00 p.m.
Saturday 9:00 a.m. - 9:00 p.m.
Sunday 2:00 p.m. - 10:00 p.m.

Thanksgiving Hours

Wednesday, November 22 7:30 a.m. - 5:00 p.m.
Thursday, November 23 Closed
Friday, November 24 9:00 a.m. - 5:00 p.m.
Saturday, November 25 9:00 a.m. - 5:00 p.m.
Sunday, November 26 2:00 p.m. - 10:00 p.m.

Exams and Christmas Hours

Friday, December 8 7:30 a.m. - Midnight
Saturday, December 9 9:00 a.m. - Midnight
Sunday, December 10 Noon - Midnight
Monday - Friday, December 11-15 7:30 a.m. - Midnight
Saturday, December 16 9:00 a.m. - Midnight
Sunday, December 17 Noon - Midnight
Monday - Wednesday, December 18-20 7:30 a.m. - Midnight
Thursday - Friday, December 21-22 7:30 a.m. - 4:30 p.m.

(Schedule subject to change without notice.)

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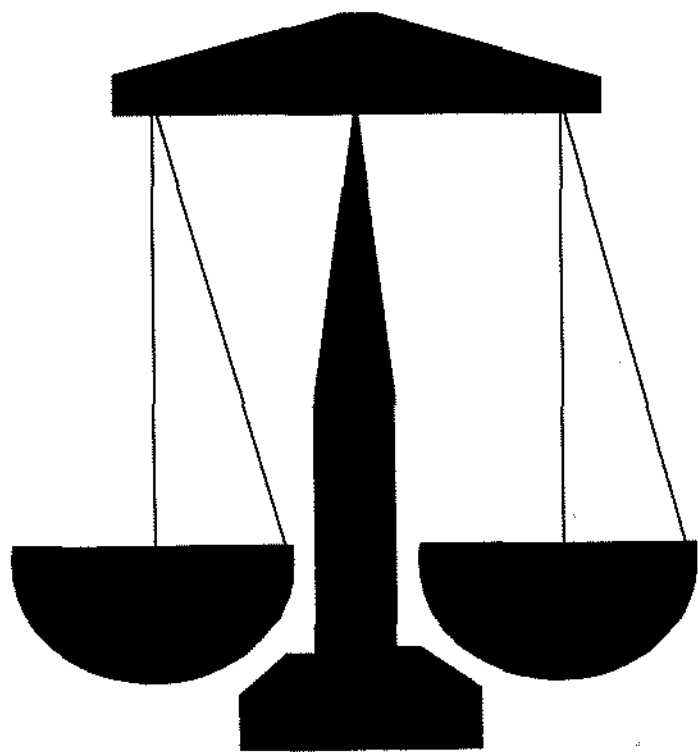
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- Office Overhead & Buy Out Plans

Offered by Paul Revere Insurance Company to Hinds County Bar Association members through its approved representatives.

JON WIMBISH 987-9837

Media Relations and Business Development for the Small Firm

Thursday, November 9, 1995

Capital City Club

2:00 p.m. - 5:00 p.m.

AGENDA

- 2:00 p.m. - 3:00 p.m. **Business Development** – Jerry Schwartz
President – Legal Management Services, Inc. of Memphis, TN, a firm providing consulting services on law office management.

This presentation will highlight effective business development techniques for attorneys.
- 3:00 p.m. - 4:00 p.m. **Media Relations** – Joanna Broussard
President – BBP Marketing Group, Inc. of New Orleans, LA, a firm specializing in Public Relations for Attorneys and CPAs.

This presentation will focus on effective ways to handle the press. Part of the program will deal with advertising by lawyers. The program will also cover public relation aspects of cases in the public spotlight.
- 4:00 p.m. - 5:00 p.m. **Ethical Considerations as to Media Relations and Business Development**
A Panel Discussion:
Alex Alston, Jr. – Alston, Rutherford, Tardy & Van Slyke
Brad Pigott – U. S. Attorney
Thomas E. Royals – Thomas Royals & Associates
Grady Tollison, III – Tollison, Austin & Twiford
- 5:00 p.m. - 5:30 p.m. Reception (cash bar)

For more information contact:

Donna H. Wright
Malone & Wright
(601) 853-6090

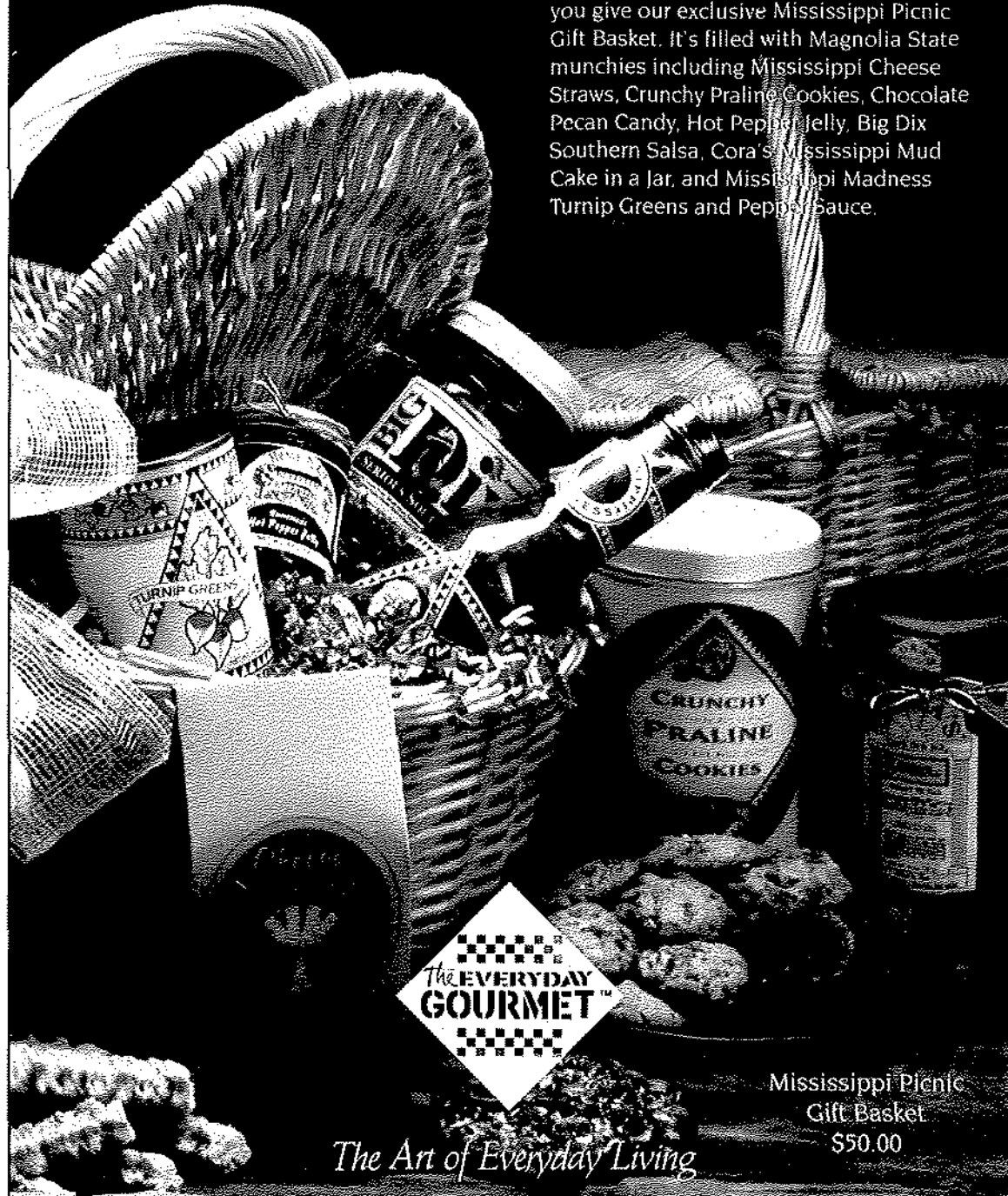
Registration Fee: \$5.00

Sponsored by the Small Firm Practice Committee of the Hinds County Bar Association

Three CLE hours (including 1 hour of Ethics)

The Art of Apple Polishing

You'll score big-time holiday brownie points with bosses and business associates when you give our exclusive Mississippi Picnic Gift Basket. It's filled with Magnolia State munchies including Mississippi Cheese Straws, Crunchy Praline Cookies, Chocolate Pecan Candy, Hot Pepper Jelly, Big Dix Southern Salsa, Cora's Mississippi Mud Cake in a Jar, and Mississippi Madness Turnip Greens and Pepper Sauce.



Mississippi Picnic
Gift Basket
\$50.00

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HCBA Golf Tournament Raises \$5000 for Habitat for Humanity



HCBA Golf Committee Chairman Mark Chinn congratulates Steve Kruger for the longest drive at the HCBA Golf Tournament held Friday, August 25, 1995, while Ben Piazza looks on in relative obscurity.



Mark Carroll, Roger Riddick and Steve Kruger celebrate winning first place in the First Flight. (Not pictured, teammate Tommy Page)



Second Place, Second Flight - David Webb, Tayloe Simmons, Walter Newman, Danny Drake



Karla Pierce, Tournament Director, and Mark Chinn, Golf Committee Chairman, pose for a photograph after the tournament.



(Left to right) Bill Pemberton, Phillip Poitevin and Jerry Baldwin pose with their prizes for the highest score as a team, along with Mark Chinn.



Karla Pierce and Judge Breland Hilburn share a moment with Ruma Haque (the photographer, not shown).

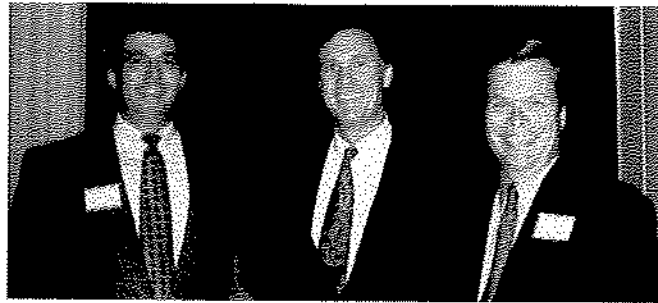
(Thanks to Ruma Haque and Debra Allen for the photos.)

People's Law School Begins Plans



Beginning work on the 1996 People's Law School sponsored by the HCBA are committee members Richard M. Fountain; Peter L. Doran, chairman; Patricia W. Bennett; and Todd Woods. The classes will be March 19 and 26 and April 2 and 9 at Mississippi College School of Law.

August Membership Meeting



Secretary of State and gubernatorial candidate Dick Molpus was the speaker at the August HCBA Membership Meeting. He is pictured with Trip Barnes, HCBA program chairman, and Marcus Wilson, HCBA president.

Lawyer Referral Service Update

by Melissa Morgan, LRS Director

Spread the word about the HCBA Lawyer Referral Service ("LRS")! During the past three months, the LRS has received almost 3,000 calls and referred over 700 of the callers to attorneys registered with the service.

Referrals are being made most fre-

quently in the following practice areas: criminal defense, domestic relations, general litigation, labor & employment, personal injury and real estate transactions.

Attorneys already registered with the LRS may request that his/her

practice areas be changed.

The opportunity is still available to join the LRS. Just complete and return the Application and Agreement form found in this newsletter. Please call Melissa Jane Morgan, LRS Director, at 948-5488 for further information.

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Join the Referral Service

by Mark A. Chinn,
Chinn & Associates

I would like to recommend the Hinds County Lawyer Referral Service to every small firm and solo practitioner. In the few months since the opening of the referral service, our firm has received at least ten (10) referrals of Family Law cases. Of course, we have not been able to take *all* of the cases, but we have taken some. The bottom line is that the service has more than paid for itself already! I highly recommend this service to all small firm practitioners. It will be worth your investment.

Pictorial Directory Update

The HCBA Pictorial Directory will be ready in three months. Members who are picture in the directory will be sent a copy.

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Law Firm Updates

■ Baker Donelson Bearman & Caldwell
P. O. Box 24417
Jackson, MS 39225
351-2400

William N. Reed
Richard G. Cowart
James L. Jones
Barry K. Cockrell
William S. Painter
Jonell B. Williamson
Craig Bonnell
Bradley Smith
William Grete
Karen Spencer

■ McCoy Wilkins Stephens & Tipton
P. O. Box 13429
Jackson, MS 39236
366-4343

Derrick Jones, a May graduate of Mississippi College School of Law, has joined the firm.

■ Daniel Coker Horton & Bell, P.A.
P. O. Box 1084
Jackson, MS 39215-1084
969-7607

Daniel Coker Horton & Bell, P.A. opened an Oxford branch earlier this year. Residents in the Oxford office are James Welch, George Read and Trey Byars.

Also earlier this year, Daniel Coker merged with Ott, McKee, Shivers & Lindsay.

Mark Smith, a May graduate of Ole Miss, has joined the firm in the Jackson office. Byron Carter, formerly with Hill, Hill, Carter, Franco, Cule & Black in Montgomery, Alabama, has also joined the firm.

If there are law firm updates you would like to have in the newsletter, send them to: HCBA/Newsletter, 151 East Griffith St., Jackson, MS 39201.

Hinds County Bar Association

Social

Thursday, October 19

5:30 p.m. to 7:00 p.m.

The Fairview

734 Fairview Street

Spouses Welcome

☐ HINDS COUNTY BAR ASSOCIATION ☐

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Correspondence regarding the newsletter should be directed to: Editor, 151 E. Griffith St., Jackson, MS 39201. 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 969 6097.

Hinds County Bar Association, Inc.

151 E. Griffith Street

Jackson, MS 39201

FIRST CLASS

IMPORTANT

HCBA Luncheon Meeting

12:00 Noon, October 17