

President's Column

By Meade Mitchell



Thanks for being a member of CABA. So many of you are active in CABA's activities, and we thank you. If you are not active, we would love for you to get involved. CABA participation is a way to give back to the community, to get to know fellow lawyers, to serve your bar, to meet area judges, to make a difference, or maybe all of these for you. Whatever the reason, we welcome your participation.

You can become involved by attending the membership meetings, CLEs and socials. You can also join one of these active committees:

- Bench & Bar Relations/Judges' Dinner
- Community Outreach Projects/ Pro Bono
- Diversity
- Golf Tournament
- Law-Related Education
- Membership
- Newsletter
- Small Firm/Solo Practice
- Social
- Women's Initiative

We are seeing fantastic interest in the committees for 2016–2017. Hopefully, you

have signed up for one. If not, it is not too late! Bar associations highlight the best attributes of our profession. Over the years, we have all seen our share of lawyer jokes, like the ones on the next page.

While perhaps funny, such jokes do not portray lawyers in the best light (and certainly not the way I see them). On the other hand, the bar associations of our country strive to showcase the noblest attributes of lawyers. That is what CABA is all about. CABA's mission is:

To promote, and maintain among its members high standards of professional service and conduct toward clients, fellow lawyers, the public and the courts; to promote the efficient administration of justice through constant review of the law ensuring the highest quality integrity on the bench; to furnish a forum in which problems of the lawyer and the administration of justice generally can be studied and discussed; to promote and preserve the adversary system of justice and trial by jury; to promote and cultivate the spirit of the corporation and good fellowship among the members of this association; all to the end of fostering and maintaining the highest respect of the members of the community.

Lawyer jokes will not stop because you participate in CABA (and some may still be

Continued on Next Page ...

Inside

2

Lawyers Talking at Primos Part II
Will the War Stories Get Passed On in the Digital Age?

6

Socrates of the South
A Tribute to Professor Jeffrey Jackson

9

CABA's 2016 Student Essay Contest
Should Schools Be Allowed to Regulate Students' Social Media?

10

The Road Lawyer At Home & Abroad
Boston in the Spring & Italy in the Fall

21

An Evening Honoring the Judiciary
Photos of this Year's Award Winners and Attendees

Upcoming Events

August 16

Membership Meeting
Capital Club at 12:00 pm

October 18

Membership Meeting
Capital Club at 12:00 pm

December 1

Christmas Party
Old Capitol Inn • 5:30—7:30 pm

LUNCH IS ON US!

Lunch at our regular meetings is now a free membership benefit.

Pay your membership dues today!





“They’re cheaper in bulk.”

amusing). But, you can do your part in creating a positive perception of lawyers by becoming an active CABA participant and volunteer. CABA is your bar association and by aiding its mission of bringing out the noblest attributes of lawyers, you can always say: “Yes, I’m an Attorney, But I use my powers for good.”

So, whether you practice in Hinds County



or the metropolitan areas of Madison and Rankin Counties, we encourage you to volunteer. Maybe you can even nudge your fellow lawyers to as well. At a minimum, please take a brief break from law practice and attend our bi-monthly membership meetings (lunch is provided as a benefit of your membership).

I look forward to seeing you at one of the many CABA slated activities, and I am honored to be serving as President of CABA this year!

Meade Mitchell,
CABA President
Email: Meade.mitchell@butlersnow.ocm
Phone: (601) 259-8688

IT’S JUST LAWYERS TALKING AT PRIMOS PART II

By Terryl Rushing

As parents, our job is to provide our children with emotional support, shelter, food, clothing, and an unlimited data plan. Many of us offer the added benefit of unsolicited advice. I’ve seen some parents who basically

backseat drive their children’s entire lives with a continual stream of helpful hints. I like to take a broader, big picture approach, with just a few, but important, pieces of wisdom. For my daughter, it was, “Never drink anything you didn’t see poured from a container, and keep your drink with you at all times” and “Never

trust a man who wears a bow tie.” (Sorry, folks, just a personal preference.) With my son, it was, “If you get serious about a girl, take a long, hard look at her Mother” and “There’s no such thing as a short-sleeved dress shirt.” (Oops, another personal preference.)

When my son entered law school, entire new vistas of advice-giving opened. Before classes started, for example, I told him, “Raise your hand a lot the first two weeks, and the professors will get tired of you and leave you alone for the rest of the semester.” Of course, I also told him to go to every class, always prepare, and take copious notes, but I think that all fell on deaf ears. When he started clerking and was about to attend his first

trial, I told him, “If you’re walking into the courtroom, and your client turns to you and says, ‘There’s something I need to tell you,’ that rumbling sound you hear is his case falling down around you because of what he is about to say. Choose not to hear it.” He actually had that experience—or one pretty similar—and he called me on the way home to say, “Mom, you were right!” No, duh...

So who is raising the current crop of young lawyers? In the first part of this article, I related some stories about the watering holes and gathering places that existed for lawyers in downtown Jackson many years ago. Those were places where young attorneys could observe

either by snail mail or by hand. The Post Office served, more or less, as a primitive Wi-Fi hotspot, which had to be visited at least once a day. Pleadings were often delivered to the courthouse by the lawyers who drafted them, who would run into other lawyers in the hallway. Sitting in courtrooms for docket calls and hearings, lawyers would talk. Most attorneys left their offices for coffee or lunch, if for no other reason than to catch up with colleagues and stay abreast of the gossip.

To get a sense of whether the dispersion of lawyers has changed our sense of community, I polled a cross-section of attorneys, some of whom practice downtown and some who

places that stayed open after office hours were few. As a result, it was common to find lawyers from all practice backgrounds, as well as judges from all courts, seated at the same table or bar.

According to the responders, the benefits of informal contact went well beyond the opportunity to say hello, or even to exchange juicy gossip or war stories. As one noted, “The interaction led to friendships, and the friendships led to advice—priceless advice.” Another observed that, while many lawyers still have close friendships with other lawyers they met in years past, the geographical isolation prevents them from interacting with younger attorneys, which is sad for both groups. One lawyer remembered the impact that the informal discussions had on him as a young lawyer, in that “just listening to the banter, rumors, gossip, and recent cases was tremendous.” He lamented the lack of another way “to keep the ‘pulse’ on what’s going on.”

Litigation itself has changed in the last thirty years, with the emphasis shifting from personal appearances in court to paper motion practice and telephonic hearings. Several lawyers mentioned how much they learned—legal and otherwise—from sitting in a courtroom full of attorneys, waiting their turn to argue a motion. An attorney remembered, “I fondly recall that there always seemed to be a place in a courthouse to drink coffee, and the interaction over coffee was constant.” Isolation also affects the manner in which cases are settled. A Brandon attorney who used to practice in Jackson gave her view:

Before computers took over our lives, we settled cases by taking files to the respective courtroom and met face to face with the lawyers and entered into an agreement. Today, I send emails to anyone that has a hearing with me and settle prior to Court. Of course, this is much more efficient for the Court, but I do miss ‘knowing’ whom I am talking to, either by phone or email. It’s like the lost art of writing letters—just quick emails. I would wish that we could slow down a little and enjoy each other more!

Additionally, as one attorney noted, a disadvantage to the loss of personal contact is that it hinders opportunities for case referrals and employment. Finally, some pointed out that a move out of downtown has a disparate impact on employees, based on where they live. Downtown is a hub of activity because it’s,

“The interactions led to friendships, and the friendships led to advice—priceless advice.”

sage practitioners, and where, if those young lawyers were wise, they would stay quiet and listen to them. This part of the article will address the changes that have occurred since so many firms have moved out of the city center and the impact of the changes on lawyers, young and old.

Law firms moving away from downtown areas began in most major metropolitan areas in the 1980’s. Several factors prompted the attorney diaspora—cheaper office space, the availability of parking, the fact that clients were moving out of downtown—all of these were cited as reasons for the move. Jackson was no exception, although the movement here started a bit later. By 2013, an article listing the largest law firms in Mississippi included sixteen in the Jackson metropolitan area. Where almost all of them that were in Jackson in the 1990’s were based downtown, of those sixteen, only eight currently have offices in the center of the city. Four firms are located in Ridgeland, along Highland Colony Parkway, three are located near Meadowbrook Road and I-55, and one is in Flowood. Of course, several small and medium sized firms, as well as sole practitioners, have also relocated outside downtown Jackson.

It was not just geographical happenstance that drew lawyers together in those days, but also the manner in which legal business was conducted. Then, pretty much every official legal communication was in paper form, delivered

practice further out. The responses came from large firm lawyers, small firm lawyers, sole practitioners and one judge, all of whom shall remain nameless for purposes of this article. (PS-If you promised me a response, but never sent it, it’s too late.) Their answers predictably lamented the loss of face time with other lawyers, but they also showed that some practitioners have adapted to the change. The answers were varied, and sometimes surprising, but the differences likely reflect the personalities of the responders. Lawyers who actively seek a community seem to find some form of it, while the more passive lament the chance social opportunities of a former time.

Both lawyers who moved from downtown and lawyers who stayed feel that the practice changed for them when they no longer had as much regular, informal contact with other lawyers. This was so with lawyers in large firms and smaller firms, as well as sole practitioners. The attorneys whose offices are clustered in the Meadowbrook Road area or Highland Colony Parkway say that nearby restaurants offer some opportunities for interaction; however, that interaction is pretty much limited to other lawyers in that area. One lawyer noted that, because these restaurants are so geographically scattered, none becomes, reliably, “the” spot for running into other attorneys. In contrast, she said, downtown restaurants and bars were clustered in a relatively small area, and the

well, a hub. As in the center. One downside to moving out of the city center is that, while it shortens the commute for some, it lengthens it significantly for others.

It's not just the geographical dispersion and changes in litigation practice, but also the reliance on electronic communication, that have changed the ways in which lawyers interact. Email conversations lack the depth of a face to face encounter. "Lawyers simply click the mouse and say what they have to say and get back to business." One lawyer gave this thoughtful assessment of how his sense of community has been affected by technology:

Technology is a double edged sword in that it greatly enhances our ability to quickly communicate with one another and process and file documents much quicker, etc.; however, much can be lost in email communication that otherwise would be more effective with a telephone conversation or a face to face conversation. As with most other advancements, we must strike the proper balance so that we do not lose our sense of community with one another.

So, what's the verdict? Most lawyers feel some sense of loss. One described feeling disconnected, and she said that she has lost track of friends and colleagues. Another opined that she felt completely out of touch. She eats lunch in the office and goes directly home after work, although she did offer that it could be a function of age. Many have found alternative ways of staying in touch, primarily through social media. Some belong to organizations catering to their particular practice and stay in touch, at least with like-minded lawyers, that way. When asked whether bar association meetings were helpful, the responses were mixed. Some lawyers said that lunch meetings and the Bar Convention were some of the most important ways they kept in touch; others reported that they were no help at all. The judge who responded came from a different perspective, in that judges are governed by the judicial canons that are designed to isolate them from the Bar. Even so, that judge has seen the legal community come together in a time of crisis, like Hurricane Katrina. So it may be that we are more connected than we believe.

Ironically, in some larger legal markets, there is a growing trend to move out of the suburbs and back downtown. News stories report this

trend in Boston, Chicago, Washington, Denver, and Minneapolis, just to name a few. The trend is driven by several factors, one of which is the desire to attract employees from the millennial generation. Young professionals want to be close to the "action." They want restaurants, music venues, a vibrant night life. In Jackson, as in other urban areas throughout the country, they are heeding the clarion call to move into town. In a perfect world, they would live, work, and play in the same urban area.

Those young professionals are not just lawyers; corporate employers are making the move to entice this new generation of employees. An example is McDonald's, which recently announced plans to move from Oak Brook, Illinois, to Chicago's West Town neighborhood. Law firms correspondingly move back to town

to be closer to their major clients. Of course, the move is more palatable in cities that have made large investments to create mixed-use, walkable downtowns; although Jackson's downtown has seen a surge in redevelopment, we may not be quite there yet.

So, is there a problem? If so, is there a solution? Most of the attorneys who responded are older. As they have already had the benefits of an interactive legal community, they feel the loss as regretful, but not something that impacts their careers at this juncture. The lawyers who should be most concerned are the younger attorneys, who don't have the opportunity to mix and mingle with their older counterparts. I see my son and his friends attending a myriad of events designed to promote fellowship among his peers, but

MISSISSIPPI COLLEGE LAW LIBRARY HOURS

FALL 2016

August 14—December 1

Monday—Thursday	7:00 am—midnight
Friday	7:00 am—7:00 pm
Saturday	9:00 am—7:00 pm
Sunday	noon—midnight

EXCEPTIONS

LABOR DAY: September 2—September 5

Friday (Sept 2)	7:00 am—5:00 pm
Saturday & Sunday (Sept 3 & 4)	CLOSED
Monday (Sept 5)	9:00 am—5:00 pm

THANKSGIVING: November 18—November 27

Friday (Nov 18)	7:00 am—5:00 pm
Saturday & Sunday (Nov 19 & 20)	CLOSED
Monday—Wednesday (Nov 21 & 23)	7:00 am—5:00 pm
Thursday—Sunday (Nov 24—Nov 27)	CLOSED

GRADUATION: December 18

Friday	7:00 am—5:00 pm
--------	-----------------

Final Exam Hours to be posted at a later date.

Hours subject to change without notice.

For more info call the Circulation Desk at 601-925-7120

younger lawyers may need to be proactive to connect with the older legal community.

This should not be just their responsibility, but all of ours. We know we stand on the shoulders of legal giants: Lucy Somerville Howorth, William Keady, Charles Clark, Evelyn Gandy, Earl Thomas, Soggy Sweat, and R. Jess Brown, to name a few. We also know that we have *rubbed* shoulders with the Bar's curmudgeons, rascals, misogynists, misanthropes, and true eccentrics (some of whom became judges). One of the best stories related to me in researching this article was from a female lawyer, who found herself sitting at a lunch counter with an attorney (who shall also remain nameless) who embodied traits from each of those categories. He introduced himself as a lawyer, and he asked what she did. She replied that she was a lawyer, too.

He responded, "I don't approve of that." She replied, "I don't approve of the fact that you don't approve of that." And that was it. No lengthy argument, no shouting match, no Bar complaint—just two lawyers who staked out their positions and moved on.

These lawyers, good and bad, are our heritage, and young lawyers need to hear the stories about them. They need to know that you can lose a case—sometimes through spectacular stupidity—and life will go on. In fact, if they can stand to talk about it, the loss will become one of their favorite stories. They need to know that most of us have tried a case before a cantankerous judge by gritting our teeth and repeating to ourselves, over and over, the mantra, "Wait for the appeal." They need to know that your most obstreperous adversary in a case can become one of your

best friends over drinks a few months later. How can this wisdom be passed on?

To young lawyers, I'd say take a partner to lunch. You can even buy if you take them somewhere cheap. To older lawyers, I'd say take an associate or a law clerk to lunch. Surprise them by being human. A lawyer who started at my old firm still talks about our mentoring partner lunch, where we picked up barbecue and a six-pack of beer and drove around rural Hinds County. (These days, though, you should probably leave out the driving part.) We all know some war stories that are just too good to die with us; they cry out to be passed on. What we have lost, it seems, is the opportunity for *accidental* gatherings with other attorneys to tell those stories and pass on advice. We can still make purposeful efforts to do that, and we should. We must. ➔

2016 Spring SOCIAL

April 28, 2016 • River Hills Club



Socrates of the South: A Tribute to Professor Jeffrey Jackson

by Tom and Paula Broome

Query...That word followed by your name coupled with a question that you never thought of, much less could imagine answering. It evoked waves of emotion coursing through your body. You knew no matter how you answered, if you even could answer, that you were being engaged and challenged by the Socrates of the South. His iron fist and velvet glove approach, coupled with his sharp wit and sly commentary, made his classroom a legal learning laboratory that every student craved. You prayed fervently that your hours of preparation for class would grant you wisdom beyond your years so that you could go toe to toe, footnote by footnote, case by case with the legal legend. You knew to get to class on time because when the appointed hour came, the door closed and it was game time. Woe unto the unsuspecting soul who thought it was ok to show up late for class, as you then got to be the star of amateur hour. Never would you let your guard down or would you seek to draw attention to yourself. Those who thought the back row would be safe from his chicanery were very disappointed. There was nowhere to hide.

His expectations of your capabilities and talents were of epic proportion. You strived to reach for the stars because he expected and demanded it of you. His classroom cajoling made you step up to the plate and go for it. As time would progress during the semester, his classes that had originally made your stomach turn at night became the source of great pride as you came to master the subject material. However, he could always curb the thought that you had learned it all by giving you the dreaded Type 'K' examination question on the final, which felt much like a colorectal examination of your brain. Despite the trepidation and fear he could instill, he was the hands down winner every year of the Professor of the Year award such that the United States Mint called and asked him to quit hoarding all the silver bowls!

The "Pitt" bull of the classroom was much more tame outside the classroom— more akin to his beloved miniature Dachsund, Daphne. You could drop by his office at any time and he would gladly sit with you and give his time freely to help you understand any legal concept or discuss life or career strategies. He would write recommendation letters that would make potential employers think you could walk on water, upside down. No one could be more generous as he with everyone who crossed his path. Truly he would befriend and care for all with whom he came in contact no matter their station in life. During our Law School Bar Association fish fries and BBQs, he was the first in line to sit in the dunking booth to raise money for some charitable endeavor. There was no lack of students or faculty, for that matter, who wanted to put him in the tank! If you think his classes were exciting, just ask the MC Law School faculty about their meetings.

His home was your home. For those international students who could not travel for the holidays, he and his family became their surrogate family complete with all feasts attendant thereto. The most cherished role of all was to be one of his research assistants as you got to be on the "meal plan." He would work you like a mule, but he would take you to dine with the legal leaders in the community and buy your lunch as you relished in the stimulating conversation. He knew them all, and they were equally as thrilled as the students to be able to dine with the Zen Master of the Law. You had better be prepared for those lunches as well as you were for his class. You would be, of course, because you did not want to disappoint him. For you knew if you did, the event would be forever chronicled in his endless

memory bank to pull up at a moment's notice. Fear of failure and a genuine desire to gain his respect was always a healthy motivator when hanging out with him.

The ethos of this giant was formed in coal mining country in Carmichaels, Pennsylvania. He was the son of the late Russell Thomas Jackson, a hard working coal miner, and the late Julia Popp Jackson, a homemaker who was a devout Roman Catholic who taught many generations their first grade catechism. His Mom was a wonderful cook and charter member of the Steelers and Penguins Nation. He had three older brothers—Thomas, Terry and Tim. One can only imagine what life must have been like in their home as they each inherited the strong personalities of their



Professor Jackson: "A legal legend and best friend to all."

parents. His father suffered a debilitating stroke early in life. The boys became men quickly. His brother Terry was accepted into Yale on scholarship, and this opened opportunities for his brothers. Their diligent work ethic, coupled with their keen intellect, helped Tim and then his younger brother to be admitted on scholarship to The Choate, a Connecticut prep school with the likes of John F. Kennedy as alumni. There they rubbed elbows and were educated with the political and powerful elite families of the East

Coast, but they never lost their common touch or forgot from whence they came, including their Hungarian ancestry.

After prep school, he was accepted to Haverford College, a top liberal arts college rooted in the Quaker traditions. Of course, he excelled at everything there and made lifelong friends. However, we must chuckle as we think about the Christmas we gave him a framed copy of a Haverford song whose lyrics referenced being “a right little, tight little Quaker.” This shall forever remain etched in our memory. The philosophical differences between The Choate and Haverford probably are about as deep and wide as the Grand Canyon, yet we know that they formed the man we came to love and respect like no other. Perhaps what led to his more mischievous side and sarcastic humor was his job as the house parent for a halfway house for juvenile delinquents. He knew all the tricks of their trade as he was a “rounder” as a child. But that more than anything, it led him to understand their needs so as to save many a lost soul with his kindness and tough love.

The University of Pittsburgh School of Law attracted his attention and upon admission he excelled as a member of the Law Review, Moot Court Board and ultimately the prestigious Order of the Coif. It was with great pleasure that we attended a dinner at Rossini’s in Ridgeland with him and his lifelong friend from law school, Ricardo Cicconi, and son Chris a few weeks before his untimely passing. It was fascinating to learn what kind of student he had been in law school, and to hear the crazy tales from his

and he told his younger brother he had someone he wanted him to meet. A dinner party was arranged at Tim’s home, and throughout the night he kept finding himself alone with this intriguing and beautiful young doctor. He finally got the hint and asked her out. During that date, he taught her how to play bridge from start to finish, and the rest is history. Melinda’s specialties include internal medicine and psychiatry so we often joked that he married his therapist! Without question she was the only person in the same league as this intellectual giant. He knew he found his great love when he met her. Not only could she cook like a Master Chef, she could cure mental patients who could not talk, as well as make anything mechanical work like a charm. She was and is his soulmate and the love of his life.

In 1987, he and Melinda moved to Jackson where she went to work at the Mississippi State Hospital at Whitfield and he began his storied teaching career at Mississippi College. He was selected as a Justice Tom C. Clark United States Supreme Court Fellow in 1992 when he moved to Washington, D.C. and joined the Administrative Office of the United States Courts as a Senior Research Analyst. While there he was instrumental in assisting with the first Long Range Plan for the Federal Courts. His work served as a continuing blue print for the Federal judiciary which made him a much sought after commentator and expert. But alas, he returned to Mississippi College in 1993 and became the Owen Cooper Professor of Law where he went on to inspire law students, the bar and the bench to their highest potential.

His encyclopedic knowledge of the law was

Mississippi Law, Mississippi Insurance Law and Practice, Mississippi Civil Procedure, and Ethics and Professional Responsibility for Mississippi Lawyers and Judges, as well as multiple law review articles. He was the go to person for information on bar preparation and CLE/CJE’s. Countless lawyers and clients have benefited from his knowledge and expertise.

There were many passions that he had in his life besides serving his Lord and the law. One was his die hard love for the Pittsburgh Steelers. Of course, he was a man who lived by rules. The first was never to interrupt him during a Steelers game. If you did, the wrath was swift and certain. As a student, you begged God to let the Steelers win every game before your class began. You knew that if the Steelers had a bad night, you would have a class you would never forget. Unwittingly he single handedly recruited entire sections of law school students into the Steeler nation. You had to root for them if for no other reason than survival in his class. Some of the best times were his epic Steelers Superbowl parties at his home where a TV was perched in every room. Thank goodness that the Steelers were so talented at winning games! We all need a Terrible Towel, don’t we!

His other sports team of choice was the Pittsburgh Penguins hockey team. No doubt his influence in Heaven brought the 2016 Stanley Cup home for the Penguins. It is our personal beliefs that the rough and tumble world of hockey was inspirational in his teaching methodology. He made learning a contact sport much like hockey. You had to keep your eye on the little puck (no pun intended) at all times and work with the players on the floor to score points for ultimate domination. It was not until recently that we learned that he was on the hockey team at The Choate. The visual of him slicing through the ice wielding a big stick as a young chap is almost more than we can comprehend!

Yet another of his passions was cooking and entertaining. He often joked that he loved to cook only to satisfy his more intense love which was eating. There is no telling how many thousands of mushroom cap appetizers he has prepared or how many dinner parties and extravaganzas he and Melinda have hosted at their home. When the holiday season rolled around, you knew what would be going on at their home. Literally hundreds of goody bags would be filled with delightful delicious candies, roasted pecans, cookies, etc.

“His quest for knowledge and justice have inspired generations of lawyers and judges to come.”

co-conspirator and stalwart. Even in law school, his peers knew he was special.

Upon graduation he went to work at the Rose Padden and Petty law firm in Fairmont, West Virginia. His prowess as a litigator was honed at the feet of his beloved mentor Herschel Rose. His cross examinations of witnesses were legendary and drew crowds to watch as he politely led unsuspecting witnesses to their demise. During this same period, he met the love of his life—Dr. Melinda Mullins. His brother Tim was a doctor on staff at the West Virginia University Hospital

of mythic proportion. Anyone who would call and ask his guidance will tell you he could rattle off cases and cites and could give you hornbook lessons on the most obscure areas of the law at the drop of a dime. Law firms and clients sought him out to be their expert or, at the very least, sought to get him out of the game because they feared being opposite him. Even though he was admitted to practice in West Virginia and Pennsylvania, he literally was the godfather of Mississippi law, having written or edited numerous treatises including the Mississippi Rules Annotated, Encyclopedia of

Their kitchen would be like a professional baking factory, as they would distribute their bundles of joy all over the country. No one ever walked away hungry or disappointed. However, if you wanted to see him go into overdrive, just tell him that you did not think he had enough food prepared for everyone. We often joked that we had to pick up a sack of Krystal hamburgers to eat when going to his home because we knew there would not be enough food.

His passion for his friends was overwhelming. You could count on him no matter what. He was a true friend in word and deed. He would reach out to his labyrinth of connections to help resolve problems or create solutions for those in need. We felt blessed from God to have him in our lives as a mentor, teacher, friend and brother. Paula and I often joked that he was my brother from a different mother or his Southern brother. To this day, we have never understood how I was selected by him to be in this coveted role, but you can sure bet that I was ever so proud of it. He helped launch our careers and marriage, and stood by us in the rain and the heat during elections, and cried with us as we said goodbye to loved ones. We cherished those texts and calls asking what we had done for him lately. It was his humorous way of reminding us that we needed to be doing something for somebody else every day in improving their lives in some small way.

His humor was never in short supply. Our families would go out to eat and he would always get the check, and then complain that I could not pick up a check because my arms were apparently too short to reach it. One of my most cherished reminders is a computer drawing he texted me just a week before his passing of a man with alligator arms. When I was finally able to wrestle the check away from him and pay for it, I caught unmitigated you know what. He would make a scene by getting the owner of the restaurant to be in the picture with us as I paid the bill. What we would not give now to get that grief again.

His biggest passion was for his family. Anyone who knew him knows this is an understatement. His love for his wife Melinda and his daughters Roxann and Elly was infinite and complete. It has been an absolute privilege watching both his daughters grow up from their early childhood to become impressive young adults. Their father thought the sun rose and set with them every day as their accomplishments were proudly displayed

at home on the refrigerator, at the office or on his phone. He gave them the support and love they needed to flourish and grow into their own careers. They were the rock stars of his world and he wanted to share that with all around him. With good reason too, as the girls, as we affectionately referred to them, are some of the most talented, beautiful, smart and down to earth people you will ever meet. Their personalities are irresistible and are just a delight.

One only had to go visit their home to realize the vital role of Melinda in his life. She was his rock, his right hand and the love of his life. She managed to keep this gentle giant grounded yet never held back his reins. She sometimes tried to temper his irreverent behavior but rarely succeeded. He found great humor in inviting us over and suddenly changing into his bathrobe while exclaiming to Melinda that we might leave if they started turning off the lights. Melinda would just shake her head and say, "Jeffrey". (One

has not lived if you never saw Jeff Jackson in bathrobe and slippers! Just saying...). His rascally nature was quite the opposite of Melinda's, and perhaps that is why their marriage was the envy of so many. They just clicked and everyone around knew it. Whether feeding the masses at their gatherings or dropping the calligraphy note of congratulations, you knew perfection when you saw it. This match was definitely made in heaven as we used to say, because she was the only one who could keep a handle on "himself." This was not lost on "himself." He made no secret of how much he loved their date nights, their seasonal cocktail concoctions, the elaborate Christmas villages in their home, and quite truthfully their mornings on the back porch sipping coffee and reading the papers. Love, honor and cherish were words that meant something in their home.

It was two years ago that he learned that he had Stage IV prostate cancer. We cried and hugged as we learned the devastating news. In



New CABA Officers!

2016-2017 CABA Officers and Directors

- Meade W. Mitchell President
- Tiffany M. Graves President-Elect
- Michael J. Malouf, Jr. Past President
- J. William Manual Secretary-Treasurer
- John H. Dollarhide JYL President
- Alicia S. Hall JYL President-Elect
- Tiffany P. Grove Director – Post 1
- Bradley C. Moody Director – Post 2
- Tammye C. Brown Director – Post 3
- Jennie A. Eichelberger Director – Post 4
- Patricia H. Evans Executive Director

the face of not-great odds, he became a fearless cancer warrior. We all knew the pain that he had to be in, but he tried hard to never let it show. He constantly joked about his mortality when you would call just to say you were checking on him. If he needed something from us, he would point out that we had to do it because we couldn't refuse a dying man. His quick wit and sarcastic humor was welcome and, as was typical, he always made a point to put those around him at ease—as if we were the ones facing the biggest challenge of our lives. His positive attitude made us believe he might just beat the big “C”. For two years we all journeyed the ups and downs of his treatment,

but never once saw him ask why him or why now.

On April 26, 2016 after having a great day, he laid down to take a short nap and awoke in Heaven that evening. I can only imagine the first words that he heard as he approached the Pearly Gates. “Query, Professor Jeffrey Joseph Jackson are you ready to watch the Penguins take the Stanley Cup?” Then you can hear Jeff say, “May it please the Court? You betcha I am.” Then God says, “Come on in my good and faithful servant. Your Dad, Mom and Captain Jack (his beloved great nephew) are already watching the game and waiting on you.”

In this life, if we are lucky, that rare person

crosses our path and their impact is immeasurable. Professor Jeffrey Joseph Jackson had a profoundly positive influence on every one who had the good fortune of meeting him. His legacy of love and respect for all is everlasting. His quest for knowledge and justice have inspired generations of lawyers and judges to come. He will be forever in our midst as we see his students in courtrooms and offices throughout the world. He has inspired us all to be better human beings and to take care of each other. Pray for strength, comfort and guidance for his family and friends in the days ahead. Rest in peace, dear friend, rest in peace—for your life was well and fully lived. 🍀

CABA'S 2016 STUDENT ESSAY CONTEST

This past spring, CABA's Law Related Education Committee organized an essay contest intended to generate interest among area high school students in law-related issues. The committee co-chairs, Christina Seanor and Jim Rosenblatt, coordinated the review of over 100 essays submitted on this year's topic. The winning essay was submitted by Lila Robertson, a rising 8th grader at Jackson Academy. Lila is the daughter of Bill and Dana Robertson of Jackson. Lila may be the next attorney in her family, following in the footsteps of her mother and maternal grandfather.

Winning Essay: Should a school be allowed to regulate its students' social media postings made off-campus and after school hours and to discipline students who violate those regulations?

By Lila Robertson

If children grow up being regulated and fearing breaking school policy, they will never be able to make their own choices and develop independently. Without the opportunity to develop decision-making skills, they may make poor choices posting things when they are older. Mistakes made as adults can cost jobs and ruin futures. I do not think schools should be allowed to regulate students' social media postings off campus or after school hours, because it is important for students to develop personal responsibility without school involvement.

I also think that children should be supervised by their parents outside of school. Parents and schools may have different opinions about what they allow children to post on social media. This could give rise to conflicts. Parents should have the right to determine what their children can post. If a student posted something like,

“Happy birthday to this weirdo! P.S I hate you,” to their best friend, the school would be concerned. However, parents and the involved students would know it was a harmless post or an inside joke. Also, parents whose children have private social media accounts may not want the school to form opinions about their child based on posts. For example, if a school has a “no skirts above the knee policy,” parents who are otherwise okay with shorter skirts, might want their child to be able to post a picture dressed in a shorter skirt without worrying it could result in the school administration thinking less of their child or them. Besides, if the parents purchased the device their child is posting on, they should not be forced to let a school regulate the posts that come from it.

In addition, having students' social media postings regulated creates a financial burden on the school. In order for the school to regulate every single social media post from every single

student on every single one of their accounts, it would take a lot of work. Students can always find ways to bypass the regulations (i.e. blocking the school, using code language, having fake accounts, having hidden devices, etc.) Also, the school is going to have to enforce their policies if students do not choose to follow them. This would take great effort from the many staff members who would have to be hired to implement the policies. Parents would then be forced to either pay higher tuition fees for private schools or higher taxes for public schools. Time and effort could be better spent in another way.

We need to accept that social media is not going anywhere; it has become an extension of children's lives. Parents need to teach their child how to use their device responsibly. Schools can influence good practices by offering educational courses in social media responsibility, but they need to leave the regulation of those practices to the parents and students. Parents and schools need to help students learn personal accountability by teaching the best practices and allowing students to make mistakes. 🍀

The Road LAWYER

AT HOME & ABROAD

A Celebration of Humanity and Heroes in Boston and Baseball, and in the Spring

You may not know the name of 33 year old Adrienne Haslet, but you should. And the same for 32 year old Patrick Downes.



Patrick Downes throws the first pitch out at Fenway Park; from the Boston Red Sox Twitter page.

Most have forgotten Jeff Bauman, but few will forget after Jake Gyllenhaal plays Bauman in the big screen movie “Stronger,” being directed by David Gordon Green and to be released in 2017.

Then there was young Martin Richard, who died so unexpectedly when he was only eight years old.

Twenty American veterans of other wars—wounded in Iraq and Afghanistan—were led by double amputee Stefan Leroy of the 82nd Airborne Division that Sunday afternoon into fabled Fenway Park, and the next day from rural Hopkinton, Massachusetts, to Copley Square in downtown Boston, and in the Spring.

The Road Lawyer thought he knew what heroes mean to Boston and its people. TRL got his law degree there. Friends live there. Sons went to school there, and one found a wife at a college not so far west of Greater Boston. Little brother ran The Marathon years ago.

Continued on next page...

The Road Lawyer in Italy

Late October is a perfect time to visit northern Italy—the weather is beautiful, sunny and cool, and most of the tourists have departed. For a ten to twelve day trip, the following itinerary works well: Venice, Lake Como, Milan and Florence.

Venice is one of the world’s most beautiful cities. During a three or four day visit, see the following: (1) Saint Mark’s Square and the magnificent Saint Mark’s Basilica, most famous for its stunning medieval mosaics; (2) the Church of Santa Maria Glorioso dei Frari, completed in 1442, renowned for its spectacular collection of Venetian art, including one of the world’s most beautiful altarpieces, Titian’s “Assumption”; (3) the Galerie dell’Accademia, founded by Napoleon in 1807, it contains a magnificent collection of Venetian art—Bellini, Giorgione, Titian, Tintoretto; (4) the island of Murano, to see a fascinating glass-blowing demonstration and a dazzling array of the glass works. Your hotel can arrange for a “free” water taxi to visit Murano, and although the visit comes with some sales pressure it is worth it for the experience; (5) Travel the canals of Venice by boat—either the more expensive gondolas or the much cheaper, and more crowded Vaporetto (water bus) which is Venice’s primary public transportation.

Three additional tips: (1) Venice is best seen on foot, and getting lost can be a pleasure; (2) music abounds, Vivaldi who was Venetian, is particularly popular; and Venice has a world-class opera house, La Fenice. Opera tickets should be purchased as early as possible; other concerts tickets can be bought upon arrival; (3) John Berendt’s book, “The City of Falling Angels” on Venice is excellent.

About a three-hour drive from Venice is Lake Como, another one of Italy’s really spectacular destinations. This area’s most celebrated hotel is the Villa d’Este. Originally built in 16th century as a princely estate, it sits on twenty-five acres of wonderful gardens and woods. With a beautiful interior, delicious cuisine, great service and beautiful view of Lake Como, it is worth the splurge. A trip by car around Lake Como should include a visit to Villa Carlotta with its beautiful Italianate garden and the picturesque towns of Lecco

Continued on page 17...

Reunions. Business meetings. Visits. “Cheers! Where everybody knows your name.” “Denny Crane of ‘Boston Legal’”.

Did George O’Brien win his election? Did poor Charlie ever get off the “M. T. A.”?!? [For the under 60 set, the references are to a politically oriented ballad by The Kingston Trio; many knew it by heart in the early 1960s.]

Patriots’ Day weekend 2016 was one chill bumps experience after another, with the fun in abundance found only at ballpark thrown in for good measure.

The Shot Heard Round the World

Schools close all over Massachusetts on the Third Monday of each April. A story is told and retold in the town halls, and via all of the media, one unique within the lore and glory of New England’s Bay State more surely than the story of Plymouth Rock.

There are re-enactments of events in Lexington and Concord back on April 19, 1775. Many still argue the details. Who fired the first shot? On command? By carelessness, nervousness, or from fear? Who was the first to fall?

Ralph Waldo Emerson best taught us none of these questions matter and immortalized the moment with his *Concord Hymn* (1837)

**By the rude bridge that arched the flood,
Their flag to April’s breeze unfurled,
Here once the embattled farmers stood,
And fired the shot heard round the world.**

In the 21st century, of course, it has become the last day of another of those the three day holiday weekends so many consider their birthright. It is usually the fourth game of a Red Sox home series played on a green Fenway field, and in the sun, given the time of year. The Canadian-based Toronto Blue Jays were the closest thing to “Red Coats” that could be rounded up for the long weekend skirmish in April of 2016.

Others Who Come to Boston and Become Heroes

Boston has been home to many sports heroes through the years. Heroes called Celtics, Bruins, and, yes, Patriots. And even Red Sox. Only the Giants of San Francisco have also won three World Series in the 21st century.

For 120 years the Greater Boston Area has cheered and honored other heroes on Patriots’ Day. A group that has gradually grown, until now there are thousands of men and women from around the world who come every April to exercise the privilege they have so painfully earned, to run the most storied 26 mile, 385 yard course there is—the Boston Marathon.

The only people who doubt that these men and women are heroes are some of those who have never tried to run a marathon. 27,491 heroes took part in the staggered start of the 120th running of the Boston Marathon.

Day One in the Spring— Just Getting There

Sunday afternoon, April 17, 2016, was beautiful in Boston. Temperatures hovered in the upper 60s that afternoon, a dream for those with baseball on their minds. Those set to run the next day were nervous. Marathoners prefer temps about 20 degrees cooler.

Getting to Fenway and to your seat on game day has always been an adventure. Public parking is close to non-existent. Faculty and staff at nearby Boston University have long augmented their salaries not insignificantly by renting their campus parking spaces to Sox fans (or so the saying goes).

Forty-five bucks would get your car parked that Sunday in April 2016, if you got there soon enough - like the night before, as otherwise the traffic was impossible. Wherever you are in the Bay Area, your only practical option is to find your way to the nearest T station (not sure whatever happened to the M. T. A. or poor Charlie²

except that he is memorialized with the cheap, reusable CharlieCard that MBTA proudly promotes), and take the next train to Park Street Station.

There the adventure begins. The old style trolley cars, formally the Green Line, still weave their underground way to and from Park Street. You can’t help wondering whether the trolley system is older (and more quaint!) than Fenway itself, though both have been spruced up a bit since TRL last was here.

One thing hasn’t changed. Securing a few cubical inches of space on the Green Line trolley car on game day is a sardine-like experience. The critical challenge is maintaining a sight line so that you can be sure you are squeezed out of the trolley and on to the platform at Kenmore.

That’s a little trick if you haven’t been to Fenway in a while. Boylston, Arlington and Copley stations are still in place, as they were long before Charlie’s famous and interminable ride. But destination Kenmore a/k/a Kenmore Square is no longer next. Not sure when the Hynes Convention Center stop was inaugurated. Just remember as you are winding your way beneath the streets of Boston, Kenmore is now the fifth stop.³ Of course, you can just go with the flow.

CITGO’s Eternal Tower

Once you worm your way out of the T car, the anticipation builds. Fans climbing on top of fans, all eagerly ascending the ancient stairways, an inverted funnel to the sunshine. And there it is! You’re still four blocks—and a Mass Pike overpass—away from the rear facade of the Green Monster.

The CITGO sign removes all doubt you exited at the right T stop. As the saying goes, “London has Big Ben, Paris has the Eiffel Tower, and Boston has Fenway Park with the CITGO sign behind it.”

Citgo ran a wonderful full back page ad in the front section of *The Boston Globe*,

1. [En.wikipedia.org/wiki/M.T.A._\(song\)](http://en.wikipedia.org/wiki/M.T.A._(song)).

2. Those of a mature and mellow age no doubt recall the Kingston Trio’s once familiar song. See

[https://en.wikipedia.org/wiki/M.T.A._\(song\)](https://en.wikipedia.org/wiki/M.T.A._(song)), also https://www.youtube.com/watch?v=S7Jw_v3F_Q0.

3. See http://www.mbta.com/schedules_and_maps/subway/

Monday, April 18, 2016, with the simple text, “Then at mile **23, I saw the sign.** The guy next to me kept encouraging me, **and I pushed to the finish.**”

When not under oath, TRL has been known to insist that back in the summer of 1989—his only time at Fenway with a seat behind home plate—he saw a Jim Rice home run go into the tower supporting the CITGO sign, the next-to-last HR the Red Sox Hall of Famer ever hit.

The Cask ‘n Flagon at the corner of Landsdowne and Brookline has also had a face lift but, as usual, it’s packed well over an hour before game time, even on a Sunday afternoon.

Prelude and Dimensions of “The Curse”

Fenway Park opened for business just over a century ago, and in fitting form. The year was 1912. Smokey Joe Wood won 34 games in the era before pitch counts or relief pitchers. Tris Speaker hit .383 and led the Sox to a World Series victory over John McGraw’s New York Giants.

Three years later the Sox had another charmed summer in the Fenway. A big strapping southpaw from Baltimore joined the pitching staff and showed promise with his bat as well. In 1915 the Red Sox bested the Philadelphia Phillies in the World Series. They beat Brooklyn in 1916.

After letting the other Sox team—the one from Chicago—slip ahead in 1917,⁴ the next year the Babe Ruth-led Boston Red Sox brought Fenway Park its third World Series win in four years. They beat the Chicago Cubs, four games to two.

Everyone in America knows the broad strokes of what happened after that. “Next year” found a new meaning. It’s not just that in 1919, Ruth set a new MLB home run record

and was then sold to the despised Yankees. Other top Sox players went south to New York as well.

Red Sox owner Harry Frazee needed far more money for his Broadway musicals than Ruth and his other players could bring, so he mortgaged Fenway Park to the Yankees as collateral security for a \$300,000 loan! The Curse of the Bambino was in full force and effect.

The 1918 World Series linked the Sox and the Chicago Cubs⁵ as the loveable losers in their respective leagues, until the Red Sox’ miracle comeback in 2004.

“There Goes the Greatest Hitter Who Ever Lived”

Understand that The Road Lawyer has had tickets in Fenway’s right field bleachers more than two or three times over the years. There is no way a Sox fan over forty can sit there and not wonder just how many home runs Ted Williams might have hit, if only he had had a short right field porch to shoot at, like the 314 foot one the Yankees built in 1923 for Babe Ruth.

Shortened in 1940 by 23 feet to accommodate the respective bullpens for both team’s relievers, Williams was still looking at a straight-away distance of 380 feet in right field every time he came to the plate in Fenway.

And, of course, if Williams had not lost 4½ years in his baseball prime, serving his country first in World War II and then in Korea? Not only is Ted’s .406 batting average in 1941 likely to make him the last .400 hitter that Major League Baseball will ever see. He is the only player ever to hit a home run in his last time at bat—twice!

John Updike’s paean in the Fall of 1960⁶ made most forget that the Kid hit one out back in May of 1952, just before he left for Korean service flying first wing to John Glenn,⁷ and

at a time when he and most others in baseball assumed his baseball playing days were over.

Of course, you cannot approach those seats in deep right field without straining to see if you can catch a glimpse of the “red seat.” On June 9, 1946, a supposedly still rusty Williams back from WWII hit a pitch so hard and far that it landed on a startled gentleman’s straw hat in the 37th row deep in Fenway’s right field bleachers. That HR has been scientifically measured at 530 feet. The famous seat is painted a bright red.

The Green Monster, Vintage 2016

But back to the future. You hustle across the bridge and on to Yawkey Way. On to Landsdowne, and to Brookline Ave and Van Ness. Over the years more home run balls actually landed on Landsdowne Street than prior to 1957 had hit Flatbush Avenue in Brooklyn.

TRL knew special seating had been added atop the Green Monster but had been curious how such an engineering feat had been accomplished. Then you turn down Landsdowne Street and see the strong green steel supports protruding so sturdily westerly but substantially out from the ballpark proper.

So that’s how they did it! Until suddenly you summon what you can remember of tenth grade geometry to try and figure at what height and distance a baseball would have to be hit so that it could come close to straight down in the end and actually land on Landsdowne Street. It would take a Bucky Dent blooper hit twice as high as the heart-breaking real thing, and even then a helluva wind blowing in from behind “the Monster.” Or has the commentator’s call “over the Green Monster and out on to Lansdowne Street” been reduced to a euphemism?

4. The Road Lawyer, “Highway Eats”, Hinds County Bar Association Newsletter, June 2008, pgs 12-14; www.caba.ms/Articles

5. The Road Lawyer visited Wrigley Field in 2014. See The Friendly Confines on Addison at Clark, www.caba.ms/Articles, posted June 2014. At press time, the Chicago Cubs—led by former Red Sox

general manager Theo Epstein—are alive and well in their 2016 effort to break the Curse of the Billy Goat!

6. John Updike, “Hub Fans Bid Kid Adieu,” The New Yorker (October 22, 1960)

7. Nicolaus Mills, “John Glenn’s service in Korea with Ted Williams,” cleveland.com/opinion/index.

ssf/2014/07/john_glenns_service_in_vietnam.html; Brown, “Remembering Ted Williams: A Marine Fighter Pilot (2001), mca-marines.org/leatherneck/remembering-Ted-Williams-marine-fighter-pilot; Jonathan Mayo, “As Good A Marine As He Was A Ballplayer,” mlb.mlb.com/mlb/news/tributes/mlb_obit_ted_williams.jsp?content=military

“Sincerely held religious beliefs”?—Be careful what you ask for

TRL and crew, nine in all, were in the right field bleachers that Sunday afternoon. Thanks to the big screen (the one that from those seats largely blocks your view of the CITGO sign), you could see dignitaries assembling around home plate for the ceremonial first pitch. Twenty men, half-a-dozen in wheel chairs, were introduced, members of the Achilles Freedom Team of wounded veterans set to compete in The Marathon the next day.⁸



Patrick Downes, backed by members of Achilles Freedom, throws first pitch at Fenway Park; from Boston Globe photo gallery.

Then Patrick Downes stepped forward. He'd lost his left leg below the knee in the 2013 bombing. On that sobering Marathon Monday, there were two young brothers said to have been motivated by jihadist passions about American involvement in Iraq and Afghanistan.

“Sincerely held religious beliefs” in their minds' eye, the brothers exploded two bombs amidst the massive crowd near the marathon finish line. Three people died. Another 264 were wounded.

Downes was one of the 264. A southpaw,



Patrick Downes meets David Ortiz; from the Boston Red Sox Twitter page.

he would pitch to another kind of Boston hero. Big Papi, as David Ortiz is affectionately known, had announced that he would retire

at the end of the 2016 season.¹⁰ Downes and his wheelchair mates—vets wounded in Iraq and Afghanistan—were introduced to a thunderous applause. A gigantic American flag covered the Green Monster in left field. Heroes and Country were honored.

Play Ball!

Starting pitchers that Sunday afternoon offered a study in contrasts. The Sox sent knuckle baller Steven Wright to the mound. The scoreboard started posting pitch speeds

in the mid-70 mph range. The only way you could tell Wright was trying a fast ball was when the pitch gun would hit 83 mph or so. Toronto flame thrower Aaron Sanchez from Barstow, California, regularly registered a 97 or a 98 on the speed gun.

It was no surprise when perennial slugger Jose Bautista of the Dominican Republic smashed a two run home run off of Wright in the top half of the first inning. Hold on to your hats!

But for some reason that was all the damage the Jays could do with Wright. Lots of loud outs. A couple of K' balls that registered in the 60s on the speed gun, one at a jaw dropping 56 mph! After six innings, the Jays remained stuck on two runs. Globe sports writer Peter Abraham reported the next day that in two starts, 12 and 2/3 innings, Wright had held the hard hitting Blue Jays only three earned runs. He earned himself a spot in the starting rotation.¹¹

At press time, Wright was sporting a 8–5 record, with a 2.18 ERA. Far and away the best among Sox starting pitchers. Compared with big bucks off season acquisition David Price's 4.68 ERA and veteran Clay Buchholz' bloated 5.90 ERA, it wasn't clear who is the more embarrassed, the so called stud starters or Sox player personnel assessors.

Of Silence and of Stars

Toronto was still ahead 2–0 when the Sox recorded the third out in the top half of the fourth inning. The Fenway public address announcer asked the crowd for quiet for a special introduction.

Mother, father, sister and brother of Martin Richard were presented, honored and loved by the 37,000 plus on hand.¹² Young eight year old Martin had been wantonly killed near the Marathon finish line on April 15, 2013.

Still beyond belief! A memory painful and vivid, searing the heart of the hometown of long

8. “Freedom Team’ of 20 US vets to run Boston Marathon,” <http://www.nhregister.com/sports/20160417/freedom-team-of-20-wounded-us-vets-to-run-boston-marathon>.

9. In H.B. 1523 enacted into Mississippi law during the 2016 legislative session repeatedly exalts “sincerely

held religious beliefs” and protects them from state interference.

10. <https://www.bostonglobe.com/2016/04/17/redsoxbluejays-gallery/ONGxVAeaNHskPvNMTMY3uN/story.html?pic=1>

11. Peter Abraham, “Wright making pitch,” The

Boston Globe, Sports, page C2 (Apr. 18, 2016).
12. <https://www.bostonglobe.com/2016/04/17/redsoxbluejays-gallery/ONGxVAeaNHskPvNMTMY3uN/story.html?pic=6>



Family of the late Martin Richard atop Boston Red Sox dugout; from Boston Globe photo gallery.

ago Quaker martyrs Marmaduke Stephenson, William Robinson and Mary Dyer, and the more recently of three Kennedy brothers.

Boston's love affair with David Ortiz began in that magical 2004 playoff run. Papi's performance against the Yankees, against all odds and spitting in the face of fate and history and a hated curse, filled Beantown fans with an eternal joy no religion can equal.

Fourteen years of memories had the Patriots' Day weekend Sunday afternoon fans on their feet every time Papi came to the plate. In the bottom of the fourth, he stroked one off of fireballer Sanchez that had that sound, look and feel. Some 37,000 rose as one and with a roar until..., Jays' outfielder Kevin Pillar reached high and caught the ball, his back against the flag pole in deep left center field.

Sox fans came alive in the bottom of the ninth when Travis Shaw timed a fast ball just right and pulled it into the Sox right field bull pen. Sox were now down only 5-3.

Shaw's HR landed not too far from where Ted Williams 521st career HR landed in "the Kid's" last time at bat in on September 28, 1960.

That's where it ended, two outs later.

Showing the Colors in that Special Fenway Way

The paid attendance at Fenway that Sunday afternoon was 37,497. TRL saw what seemed a few empty seats in the upper deck way down the third base line, but the problem there may have been eyesight. The place was packed.

Fans by the thousands wore jerseys bearing

the names and numbers of their heroes. Big Papi Ortiz' No. 34 was far and away the most popular. More than a few 15's below "Pedroia" and "Muddy Chicken." All were disappointed when the Red Sox' gritty second baseman wasn't in the starting lineup and when he didn't pinch hit in the bottom of the ninth.

Scattered jerseys for the blossoming killer "B's"—Betts, Bogaerts and Bradley, plus a few other new names that make up the rest of the Sox who get serious playing time in 2016. A Craig Kimball No. 46 for the former (Pearl) Mississippi Brave, acquired during the off-season.

But what you look for are the well-worn shirts honoring heroes of days gone by. Pre-'04 newcomers to Red Sox Nation who never knew the Curse are regarded as weenies.

Several No. 8's for Yaz. Jason Varitek's No. 33 more than once. Pedro's No. 45. One No. 38 for Curt Schilling, hero of the bloody sock on his right foot in Game six of the most historic League Championship Series of all time. In Boston some things are more important than political correctness.

The surprise was two by-no-means-new No. 18's, the number that one time "Wolf Man" Johnny Damon wore. As with Schilling, those who served in the fall of 2004 get a pass.

Other turncoats like Clemens and Ellsbury and Papelbon were deservedly ignored.

A ragged No. 25 honored the ill-fated Tony Conigliaro. A No. 5 for Nomar.

As always, heroes from other sports were honored by fans wearing their jerseys. No surprise at all to see several Patriots jerseys bearing Tom Brady's No. 12. One Celtics jersey No. 33 for Larry Bird, but no No. 6 for Bill Russell or No. 14 for Bob Cousy.

The 1960s were a long time ago (though TRL remembers well experiencing the birth of Celtic Price from those \$2 nose-bleed seats in the old Boston Garden). The bronzes of Samuel Adams and Honey Fitz at Faneuil Hall have been joined by Red Auerbach on a bench with his famous victory cigar.¹³

This Sunday there were T-shirts and sweat shirts—some showing their wear more than others—proclaiming "New York Marathon,"

Chicago Marathon," "Portland Marathon," "London Marathon," "Paris Marathon," and yes one "Athens Marathon."

A Big Boston Tip-of-the-Cap to Thumping Theodore

One jersey number never goes out of style in Boston. No. 9. Only Enos Slaughter's Mad Dash home from first base near the end of the seventh game of the 1946 World Series, when a surprised Johnny Pesky didn't turn and relay Leon Culberson's throw from left field quickly enough, kept the town from being renamed Williamsville.

A big chunk of Boston has been named for the Splendid Splinter. The Ted Williams Tunnel opened in 2003. With a fatal mishap in the summer of 2006, the TWT has otherwise funneled traffic under Boston Harbor, connecting Logan International Airport and the final leg of the Mass Turnpike a/k/a I-90 allowing direct access to Route 1A in East Boston.¹⁴

The only problem now is that "tunnel" misleads the newcomer who does not expect what is more like an Egyptian labyrinth and has no clue that, among Boston's inimitably mad drivers, tolerance for appropriately prudent



Jimmy Robertston and grandson.

13. www.faneuilhallmarketplace.com.

14. https://en.wikipedia.org/wiki/Ted_Williams_Tunnel

newcomer motorists is an unknown concept.

After the game TRL and his almost 12 year old grandson posed in front of a bronze of “The Teammates” outside right field facing Van Ness Street. Beck did not know the names DiMaggio, Pesky, Doerr and Williams. Is that boy’s dad bringing him up right?

And teaching him that like Joseph Warren and John Quincy Adams, like Robert Gould Shaw and Henry Abbott, not all Boston heroes won all of the battles they fought?

A Smorgasbord of Beverage and Culinary Offerings

No TRL ballpark report is complete without a culinary report. The days of “buy me some peanuts and Cracker Jack” are long since gone, except as Seventh Inning Stretch lyrics, and mere “Beer, here!” vendors patrolling the grandstands are a fading species.

TRL found the Heineken’s draft at the concession stand behind Section 34 the usual pleasure. Still the IPAs and craft beer were everywhere. At Fenway Budweiser and Millers have definitely taken a market share hit. Thoughts of a variation on the way Boston native Oliver Wendell Holmes, Jr., once put it, “you cannot argue a man into liking a particular glass of beer.”¹⁵

A full beverage guide is readily accessible on-line, premium and domestic beers, liquor and cordials, but you would miss several innings of the game to go through the list. A five page concessions guide is equally daunting, from Asian Cuisine to Veggie Burger and Dog, including “Gluten Free/Friendly Franks, Pizza and Snacks/Deserts”.¹⁶ Give me a break!

The massive Luxury Suite Menu exists, though it is not clear why. At some of the snooty new “old” ballparks, maybe. But at Fenway Park!?

Wally’s Clubhouse Amenities and Entertainment is open for the third through

seventh innings of each home game, for parents who want to retard their children’s maturity into real members of Red Sox Nation.¹⁷

Day Two in the Spring—Just Finish!

Sunday had been wonderful. The Sox 5–3 loss to the Jays was quickly put aside. September was a long ways away. As the Sun set behind the Charles River all hearts and minds were focused on the day soon to dawn.

Long bus rides out into the New England country side. Interminable waiting, then more waiting. Finally, it happened. The starting gun was fired. The 120th running of the Boston Marathon was under way.

Soon it was 10:30 a.m. The staggered start had been completed. Thousands of heroic runners in Hopkinton had taken their first steps on the grueling gradually downhill grind to Mile 21 and Heartbreak Hill in Newton, again and again, until finally when your quads are burning with pain, more downhill to 665 Boylston Street in Boston.

As the runners began, the Sox and the Jays were set to begin the Patriots’ Day baseball game at Fenway. The first pitch is always at 11:00 a.m. Among the planners’ many hopes are that the fans will disperse before the marathoners start flooding into the finish line area, with but a different sight line from that same CITGO sign.

Jeff Bauman and Jake Gyllenhaal were front and center at the pre-game ceremonies at Fenway. On Marathon day three years ago, Bauman had been standing at the finish line to honor and cheer his finance, Erin Hurley, who was running Boston for the first time. He lost both his legs in the madness of that Monday in 2013. Bauman and Gyllenhaal simultaneously threw out ceremonial first pitches to Red Sox players David Ortiz and Hanley Rameriz.¹⁸

An eighth inning two run single off closer

Craig Kimbrel hoisted the Jays to a 4–3 win over the Sox. Damn!

The Heroic Experience

Most regular 10K runners have at least fantasized about the marathon and being a part of that wave after wave of runners crossing the Boylston Street finish line well over the three hour mark.

The best narrative descriptions of the course/experience are Mile-By-Mile Guide To The Boston Marathon,¹⁹ and Boston Marathon Course Tips for Runners.²⁰ Worth a read, if you’ve ever had the fantasy.

Unofficially, the “Scream Tunnel” at Wellesley College²¹ is the iconic moment in The Marathon. A runner really has to be slow and/or prudish to avoid being kissed by a Wellesley student. The college crowd can be raucous in the Boston College area about Mile 23. Several hours of beer-drinking are still inspiring full throated roars of encouragement as the less-than-elite runners pass, a helpful enhancer for that final resolve to “finish”.

Some of the slower runners are always among the more heroic. Patrick Downes, the lower part of his left leg a prosthesis, finished in 5:56.46. “I ran with the city in my heart—Martin, Sean, Lingzi, Krystie,” Downes told a local television interviewer, naming the four (three spectators and an officer) who died in the bombing and



Patrick Downes embracing a friend at the Boston Marathon; from Runner’s World website.

15. Holmes, Natural Law, 32 Harv. L. Rev. 40, ___ (1918).

16. <http://boston.redsox.mlb.com/bos/ballpark/information/index/jsp?content=concessions>.

17. http://mlb.com/bos/fan_forum/kidnation_clubhouse.jsp.

18. masslive.com/redsox/index.ssf/2016/04/jeff_bauman_jake_gyllenhaal_th.html.

19. <http://boston.cbslocal.com/guide/mile-by-mile-guide-to-the-boston-marathon/>

20. <http://www.runnersworld.com/print/boston-marathon/boston-marathon-course-tips-for-runners.html>.

21. Clinton Nguyen, *Boston Marathon: What’s the Wellesley Scream Tunnel All About?*, <http://bostinno>.

streetwise.co/2015/04/17/boston-marathon-what-is-the-wellesley-college-scream-tunnel-all-about?; <http://www.wellesley.edu/about/collegehistory/traditions/marathonmonday>, http://archive.boston.com/yourtown/wellesley/gallery_in_the_marathon/

the aftermath, the bombing in which he lost a lower leg. Downes was the first bombing victim to complete the entire marathon on foot.²²

Adrienne Haslet had been a ballroom dancer, had competed on *Dancing with the Stars*. She also lost a lower left leg on April 15, 2013. She struggled in this year's Marathon, had trouble with her prosthesis, spent more than an hour in a medical tent, then sucked it up, returned to the road and finished.²³



Adrienne Haslet completes the Boston Marathon; from Runner's World website

All who finished were heroes. Scott Garrison, 28, of Hattiesburg, finished in 3:07.36. Grace Carroll, 23, of Ocean Springs, finished in 3:28.34. Seventy-four year old Kenneth Williams of Corinth, organizer of the Coca Cola Classic 10K, finished in 4:57.51. Altogether, twenty-one who registered a Mississippi residence, finished.

Lamar Robertson, 45, grew up in Oxford, Mississippi, went to college in the Boston area, and now lives in Silver Spring, MD. He finished in 3:52.50.²⁴

A Football Coach from State among the Heroes

Mississippi State Bulldog football coach Dan Mullen was a newcomer to distance

running. In his 3½ months of focused training, Mullen played by the “golden rule” of marathon training. Do **not** do a training run longer than 20 miles. That last six will kill you, and you won't be able to do the marathon.²⁵

What Dan Mullen did is special. His sole resource was his guts and his alone. Few football mad Mississippians have a sense of what it's like to be out there completely on your own, competing against yourself. No teammate to



Dan Mullen running the Boston Marathon; from Mullen's personal twitter.

throw a crucial block, or sacrifice himself, or give an assist in whatever team sport, without which the great athlete would never be seen so great. Only runners know.

Mullen finished in 4 hrs., 28 min., 35 sec.²⁶ A 10:15 per mile pace. Don't knock it unless you've done it.

Mullen learned the meaning of the two

parts of a marathon, the first 20 miles and the last six plus. It's at Mile 21 in Newton that you hit “heartbreak hill”. “Your body is completely exhausted.” “It just becomes a mental challenge to finish.”

The home stretch is a bit past Fenway Park. He could hear the cheers from the finish line. Adrenaline took over. “It was that sense of joy.” “Running that last half-mile was awesome.”

Mullen has raised more than \$45,000 for the Mullen 36 Family Foundation that supports children in scholarships, arts, athletics and healthcare.²⁷

A Special Kind of Spectator Sport

There are any number of reasons why The Marathon draws such crowds. It's a holiday, for one thing. 21st Century Americans love their three day holiday weekends. Yet at once there is more to it than that.

Patriots' Day is to the Greater Boston Area as the Fourth of July is to Philadelphia. But it is more even than that. It's a time when we are in awe of those who can summon such courage and strength against great odds. For roughly half a day once each Spring so many locals and people from all over and even from across the seas by common consent come and pause and celebrate our common humanity, and exult in it.

People by the hundreds and then by the thousands bring their folding chairs, their picnic blankets, and line both sides of most of the 26.2 miles from Hopkinton to Ashland to Framingham to Natick to Wellesley to Newton and to glory on Boylston Street near Copley Square.²⁸

So many struggled so hard for the best view of the heroes of the day, a few likely with thoughts of Rev. William Emerson—grandfather of the Transcendentalist—and his family, who

22. “Patrick Downes Becomes First Boston Bombing Amputee to Finish Marathon,” <http://www.runnersworld.com/print/boston-marathon/patrick-downes-becomes-first-boston...4/16/2016>.

23. “Amputee and Bombing Survivor Adrienne Haslet Completes Boston Marathon,” <http://www.runnersworld.com/print/boston-marathon/amputee-and-bombing-survivor...4/20/2016>.

24. raceday.baa.org/searchable-results.html.

25. On Nov. 20, 1979, TRL made that fatal mistake. A training run on an unofficial course around and

along the hills of Oxford in an unofficial time of 3:48.16. Still a basket case, and a “no show”, for the Mississippi Marathon in late December.

26. raceday.baa.org/searchable-results.html. Interestingly, this website shows Dan Mullen as being from “Starkville, Michigan.”

27. The Dan Mullen story and quotes come from Michael Bonner's two stories in *The Clarion Ledger*, “Mullen's Marathon Raises \$40K for Charity,” Sec. C, Tues., April 19, 2016, and “Marathon is lesson for Mullen, his players,” Sec. C, Wed.,

April 20, 2016, the tales of TRL's brother and son, both veterans of Boston and other marathons, and his own mistake. See Mullen's own narrative at campusrush.com/dan-mullen-mississippi-state-boston-marathon-1739677423.html. It will make you want to run Boston, or die trying.

28. See Boston Marathon Route, Best Spots for Watching the Race, <http://www.boston-discovery-guide.com/boston-marathon-route.html>.

from the Old Manse viewed the embattled farmers at the Concord Bridge on the original Patriots' Day in the Spring of 1775.

Some pick their special spot, set up camp, and admire and celebrate and cheer wave after wave of runners as they pass by. All of this, of course, after they have found a place to park not too far from roadsides in areas where community planners never dreamt of public parking.

Some leap frog to two or more sites. Most of these have a runner they are there to support with a special cheer, at three separate points along the way, if they are lucky, can navigate the narrow two lane back roads from town to town, and find places to park on even narrower back roads.

There are always the handfuls of residential curmudgeons who bring a "Bah! Humbug!" attitude to Marathon Day, and do what they can to shift their self-imposed misery on to those who would park on so much as an inch on their

frontage. Fat chance of those types escaping for non-marathon related activities anyway!

Some runners give strict orders to their support group to deliver Gatorade-type concoctions at, again, a maximum of three scientifically selected intervals, oblivious to the logistical difficulties their group will have performing their assigned tasks, evading the curmudgeons, and to the fact that most runners rely on what the BAA provides along the way and otherwise wing it.

At the end of the day, runner after runner credits the cheering crowd for contributing so greatly—and at points (like Wellesley and B.C.)—to the humanity of the Boston experience.

Tuesday Morning

TRL had a taxi pick up at 4:30 a.m. the next morning and began the winding ride through Boston,

beneath Boston through the great tunnel. An hour later Logan International Airport was packed. International is the operative word. So many in everyline—getting boarding passes, checking baggage, going through security—were showing passports.

Still more bore indicia of the day before. Or at least, like TRL, had been hangers on. There was time. Seems that all knew to get to Logan early that Tuesday morning.

To be sure, there were a handful of regular business travelers, headed some whither to close a big deal. You know the look. The first class seat types. That Tuesday morning was for those with the calm and contented look of heroes and admirers of deeds done and experiences shared that were beyond the understanding of ordinary big shots. ➔

Road Lawyer *The Road Lawyer in Italy*

and Bellagio. Another option is a day-cruise on Lake Como.

Milan, Italy's second largest city and its financial and fashion center, is one hour south of Lake Como by car. The highlights of Milan include: (1) the Duomo, an enormous Gothic cathedral: construction began in 1351 and was finally completed in 1809 just before the coronation of Napoleon as King of Italy; (2) the Galleria Vittorio Emanuele, a late 19th century Belle Epoque shopping center located in the heart of Milan; (3) La Scala, one of the world's most famous opera houses and where Verdi established his reputation. A tour of the building includes a visit to the La Scala Museum with its large collection of opera memorabilia; and (4) the church of Santa Maria della Grazie, home to Leonardo da Vinci's famous mural of the "Last Supper". After many years of restoration, this amazing painting (which was nearly destroyed in an American bombing raid in 1943) has regained

its clarity and luminosity. Reservations are required. Viewings are in 15 minute time-slots with no more than 25 visitors at a time.

Four hours south of Milan by car is, Florence, a city of great artistic wealth and the birthplace of the Renaissance. Highlights include: (1) the Duomo, the cathedral of Florence with its amazing dome by Brunelleschi; and don't miss the Baptistry with its bronze doors by Ghiberti; (2) the Uffizi Gallery, Italian Renaissance art doesn't get any better than this—you may want to visit this museum twice, it is that special; (3) Galleria dell'Accademia to see Michelangelo's statue of David; (4) Ponte Vecchio, built in 1345, Florence's oldest bridge across the Arno River; and (5) Santa Croce, a beautiful Gothic church with a green and white marble façade dating from the 19th century containing the tombs of Michelangelo, Galileo, Machiavelli and Rossini. Also of note are a series of frescoes by Giotto.

For a change of pace, take a drive south of Florence into the Tuscan countryside with its vineyards, olive groves and beautiful hill towns. Visit Montalcino—the home of Brunello, one of Italy's best red wines. A couple of bottles

of this delicious wine is the perfect souvenir of your Italian trip.

Coming next: The Road Lawyer Visits Argentina and Chile. ➔

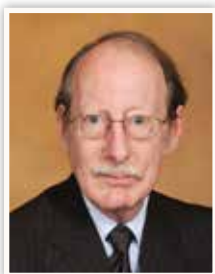


» On Computing

Focused on the Contemporary Lawyer



Free Trials of New and Useful Apps



By Joel Howell

Technology in the application world continues to evolve, for both platforms and, thanks to the internet, Robert Ambrogi and others, here are some apps for trial (Except as noted, all apps are available for Android and Apple devices).

AgileLaw (<http://www.agilelaw.com/>): enables paperless depositions. Litigators can now replace piles and piles of printed document exhibits with laptops and tablets. Although the app is free, using it requires a paid account with Agile Law

DepoPlus app (in the Apple store) makes your depositions fully interactive. You can now use your Ipad to stream deposition video or make video clips by simply highlighting text. This is the perfect app for editorial purposes when it comes to depositions

DepoView app (<https://itunes.apple.com/us/app/depoview-for-ipad>) is a simple app for your iPad or iPhone. On this app you can create case folders and transcripts and also share you work through the app, Dropbox, or OneDrive.

Westlaw Case Notebook Portable E-Transcript (In the App store) The name of the app says it all. This allows users to review and annotate E-Transcripts anytime, anywhere.

Bloomberg Law (<http://www.bna.com/bloomberglaw/app>) is a simple app that lets you view the news and analysis targeted to your interest; you can also receive alerts, so you can be up to date on all legal news.

The free **Fast case** (www.fastcase.com) app allows users to do quick legal research on the go! This is one of the most convenient law apps out there. Research federal and state cases right on your phone or tablet.

On the Go by Bloomberg BNA (<http://www.bna.com/resource-centers-on-the-go>) This app gives you a variety of resource centers involving litigation and transactional related areas of law. It also includes practice tools, expert analysis, new and commentary, and other wonderful features.

Picture it Settled (In the Google Play store) helps litigants analyze their positions and develop successful negotiation strategies. It uses data harvested from thousands of cases.

The **DocketLaw** app (www.calendarrules.com/docketlaw) helps you keep your deadlines in check by basing the calendar off of the Federal Rules of Civil Procedure.

PacerMonitor (In the Google Play store) is an app to help you stay on top of your Federal Court case dockets and filings.

TrialDirector (In the Apple app store) enables you to create case folders on you tablet or phone and add exhibits and videos through either an iTunes or Dropbox account.

TrialTouch (In the Apple app store) gives you on-the-go access to case materials, it also includes photos, videos, medical imagery, and more.

The **Lexcity** (<https://www.lexcity.com/apps>) this app provides help with witness prep, depositions, hearings, mediation, and trial or arbitration.

E-Discovery Project Calculator (In the Apple app store) is an app that helps you calculate and estimate the size and cost of your E-Discovery. ➔



Questions or comments?

Drop me an email: jwh3@mindspring.com

CLICK HERE

for scenes and winners
of this years...



An Evening HONORING the
JUDICIARY Banquet

CAPTAIN EQUITY

ME, ME, ME VS. HER *And Then There Were Two*

Just in case it might have slipped by you, we are indeed living in historic times. For the first time in this nation's history, a major political party has nominated a woman for the office of President. While not everyone will agree just yet, i.e. Bernie Sanders, it is a done deal. Hopefully for the Democrats, Senator Sanders and his ardent supporters will close ranks behind Hillary Rodham Clinton as November nears. For most Americans, that would be enough history for any Presidential election. But it is not and you know what is coming.

Yes, it is none other than The Donald, arguably the richest and most entertaining albeit the most erratic and narcissistic major party nominee ever. Instead of a resume boasting elected offices and legislative accomplishments, Mr. Trump's reads like a list of real estate holdings and businesses ranging from casinos to steaks to universities. (Well, really just one university that isn't a university at all, but more on that later). The last time a non politician was nominated for President was General Eisenhower who made his reputation by vanquishing Nazi Germany in World War II. As you recall, he was elected to two terms starting in 1952 and the country did pretty well. Among other things, Ike gave us the Interstate Highway System. If only we could do as well now days, but I digress.

That should be enough groundbreaking news for any election cycle, but fortunately or unfortunately, we are just getting started. Never have both major party nominees had such high unfavorable ratings. Each has his or her dedicated followers, but when it comes to negatives each polls at historical rates.

For The Donald, one need only listen to his

stream of consciousness rants against Hispanics, Muslims, women, POWs et al. to understand the animus. And then there are the individual attacks on all the other candidates and former candidates -- Lyin' Ted, Little Marko, Crooked Hillary, Low Energy Jeb, etc. Anyone who takes Trump to task for any reason is a target. The most representative is Senator Elizabeth Warren aka Pocahontas for her claim to be Native American. All journalists are targets as well when they ask hard questions. "Sleazy is the most used term to label journalists who are just doing their jobs. But it is the attack on federal judge Gonzalo Curiel, who is overseeing the civil suit against Trump University that speaks volumes of harsh, bigoted rhetoric. According to The Donald, the judge is a Mexican, despite being born in Indiana. Because of his heritage, that makes him incapable of ruling fairly when it comes to the Trump University litigation

Seems like Trump's lawyers would file a motion of recusal while politely insisting on their client keeping his thoughts to himself. But, apparently not. As with all things, Trump knows best. Can anybody say judgment, temperament or how about Res Ipsa Loquitur?

And as far as policy pronouncements, The Donald makes it up as he goes along. He is not shy about what he believes which is in some ways a plus and a big part of his appeal. The problem is that what he says is good for about a day at best before he says the opposite while denying he ever made the first statement at all. Maybe that works in the world of high profile real estate, but with domestic and foreign policy, not so much. Realism comes up a bit short as well. Deporting 11 million people might appeal to some but it is about as realistic as rounding up all the Japanese Americans during World

**STATE LAW LIBRARY
OF MISSISSIPPI HOURS**

GARTIN JUSTICE BUILDING
450 High Street, Jackson, MS 39201
601.359.3672 • Monday—Friday: 8am—5pm

2016 HOLIDAYS

Sept 5	Labor Day
Nov 11	Veteran's Day
Nov 24	Thanksgiving Day
Dec 25	Christmas Day

War II...oops. Bad example! But even though there is questionable precedent for something like this which wasn't FDR's finest hour after Pearl Harbor, the numbers of an undocumented immigrant round up wouldn't be close to eleven million people the job would require. Besides the sheer expense, it also ignores the breakup of families it would entail, and the fact that it is 2016. Should immigration be reformed? Absolutely, but not like this.

Oh yeah, and speaking of policy, torture is okay too as is the killing of all families of terrorists as is banning all Muslims from the United States. You get the point. Can anybody say U.S. Constitution?

So it is pretty easy to understand why The Donald would scare a lot of people away. And we haven't even mentioned the nuclear codes. Just imagine if Donald got insulted by any leader with a nuclear weapons arsenal That alone is enough to make me want to vote for anybody but The Donald, which brings us to Hillary aka Her.

While Trump is as subtle as an eighth

grade, showoff, bully, Hillary Clinton is a much tougher person to figure out. In fact, it has been said that she is the person with the greatest name recognition that nobody really knows. What we do know is that she has more baggage than a Samsonite factory outlet store. It starts with the Big Dog aka aspiring First Gentleman, Bill Clinton. Most Democrats love him, Republicans not so much. His exploits with women were nearly his undoing, but he survived them, just barely. Fair or not, Hillary shares some of the downside of that negative reputation. She is seen by many as an enabler and by others as a victim and every possible combination in between. She is also a synonym for "Whitewater," "Benghazi" and her private email server. And of course there are the six figure private speeches to Wall Street. Some of this is fair, some of it is not. But everybody seems to be aware of it all in varying degrees.

Beyond all the negative baggage there is the word "Ambition." To her fans, that is a good thing. To her detractors, it is clearly not. So the inquiry returns to her unfavorable ratings. Who is the real Hillary Rodham Clinton? Does anybody

really know? Like Trump, her supporters are clear in their devotion, but there are millions of registered voters who just have no idea. I'm afraid I can't be of much help, except to say that she doesn't scare me like The Donald does.

So there it is, Trump running on a platform of ME, ME, ME and Clinton running as a non descript Her. Who will win? That is easy for me. I'm voting for Hillary even though I am an old white man from the Deep South albeit a scared to death voter who would be waiting out a Trump Twitter fit in the White House Situation Room. When the crisis arises, and it surely will if he is elected, you can find me in the nearest Fallout Shelter assuming one could be found.

And then there is the unforeseen. By the time you read this, who knows what may happen. If the past is any indicator, we aren't finished with surprises anytime soon. In the meantime, stake out the nearest fallout shelter close to your home and at the very least, be entertained until November while keeping your fingers crossed. For exactly what I can't really say, but at least it hasn't been a dull summer. 🍀

July Membership Meeting

CABA offered its members an hour of CLE in Ethics, presented by Mississippi Bar counsel Adam Kilgore.



An Evening HONORING the JUDICIARY Banquet

Shown below are scenes from the event and award winners recognized.

The Capital Area Bar Association and the Jackson Young Lawyers Association held their “Evening Honoring the Judiciary” on Tuesday, April 14, 2016 at the Country Club of Jackson. CABA members, honorees, and guests enjoyed a reception at 6:00 p.m. followed by dinner at 7:00 p.m. This annual event recognizes our judiciary and the critical role of this co-equal branch of government in ensuring and preserving the rule of law established under our Federal and State constitutions.

This year, CABA changed the format of this year’s dinner to emphasize our honorees. In lieu of a keynote address, Scotty Welch, a member of the planning committee for the dinner, recognized the federal and state judges in attendance and thanked them for their service and their support of CABA.

The following award winners were also recognized:

- Allyson W. Lambert, JYL Outstanding Service Award
- Hunter Aiken, JYL Pro Bono Award
- Wendy Huff Ellard, CABA Outstanding Service Award
- Sibyl C. Byrd, CABA Pro Bono Award



A Allyson W. Lambert received the JYL 2016 Outstanding Service Award, shown with JYL President Laine W. Staines.



B Wendy Huff Ellard received the CABA 2016 Outstanding Service Award, shown with CABA President-Elect Tiffany M. Graves.



C Sibyl C. Byrd received the CABA 2016 Pro Bono Award, shown with CABA Secretary-Treasurer, Tiffany M. Graves.



D The Gavel was passed from JYL President, Lane W. Staines, to JYL President-Elect, John Dollarhide.



E The Gavel was passed from CABA President, Mike Malouf, Jr., to CABA President-Elect, Meade W. Mitchell. CABA Secretary-Treasurer Tiffany M. Graves accepted the Gavel on behalf of President Mitchell.

An Evening HONORING THE **JUDICIARY** *Banquet*



An Evening
HONORING THE **JUDICIARY** *Banquet*



An Evening HONORING THE JUDICIARY Banquet



CABA Professionalism Award

Each nominee for the CABA Professionalism Award must be a practicing attorney who demonstrates consistent adherence to the professional standards of practice, ethics, integrity, civility, and courtesy; encourages respect for, and avoided abuse of, the law and its procedures, participants, and processes; and shows a commitment to the practice as a learned profession, to the vigorous representation of clients, and to the attainment of the highest levels of knowledge and skill in the law and contributed significant time and resources to public service.

Past recipients of the CABA Professionalism Award:

- | | | |
|----------------|----------------|-----------------|
| William Wright | Ben Piazza | Tom Crockett |
| Beth Orlansky | Barry Powell | Alex Alston |
| Steve Orlansky | Christy Jones | George Hewes |
| David Kaufman | John Corlew | William Goodman |
| Robert Gibbs | Gee Ogletree | Reuben Anderson |
| Barry Ford | William Winter | Harold Miller |
| John Henegan | Louis Watson | |

At the June membership meeting, CABA recognized the winners of its 2016 Professionalism Award, Professor Patricia Bennett and Scotty Welch, shown with CABA President Meade W. Mitchell and Amanda Green Alexander, Chair of the Selection Committee for the Professionalism Award.



June Membership Meeting





CABA Newsletter Committee Members

(listed below In order from left to right beginning with back row)

Blake Smith, Mike Malouf, Jr., Marlane Dove, Meta Copeland, Pat Evans
Terryl Rushing, Joel Howell, Linda Thompson, Jimmy Robertson



OFFICERS

Meade W. Mitchell President	Tiffany M. Graves President-Elect
J. William Manual Secretary—Treasurer	Michael J. Malouf, Jr. Past President

EXECUTIVE DIRECTOR

Patricia H. Evans

NEWSLETTER EDITORIAL BOARD

A. Kate Margolis—**Editor**
Meta S. Copeland—**Newsletter Coordinator**

DIRECTORS

Tiffany P. Grove— Post 1	John H. Dollarhide President, Jackson Young Lawyers
Bradley C. Moody— Post 2	Alicia S. Hall President-Elect, Jackson Young Lawyers
Tammye C. Brown— Post 3	
Jennie A. Eichelberger— Post 4	

Luke M. Dove	James L. Robertson
Laura M. Glaze	Christopher R. Shaw
John C. Henegan	Philip W. Thomas
H. Lee Hetherington	Linda A. Thompson
Joel W. Howell	Greta Kemp
John Land McDavid	David Maron
Will Manuel	Terryl Rushing
	Blake Smith

Correspondence regarding the newsletter should be directed to: CABA Newsletter Editor, 151 E. Griffith Street, 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 601.969.6097.

Visit our website at www.caba.ms