



**JUNE 2018** 



## President's Column

#### By Tiffany M. Graves<sup>1</sup>

I have served on the Board of Directors of the CABA for seven years—two as the President-Elect and President of the Jackson Young Lawyers Association, two as a Director, one as Secretary-Treasurer, one as President-Elect and, finally, this year, as your President. It has been an honor to serve CABA in each capacity and watch our members become increasingly more active and engaged over the years. I want to thank you for trusting me to serve as your President. Your support this year has been incredible.

To say it has been a busy year would be an understatement. While I am proud of all of our programming this year, I am extremely pleased with the response to our "Flash CLEs." As if the CABA calendar is not already busy enough, we decided to offer three additional CLEs this year as a benefit to our members. It is not lost on the Board how challenging it has become to recruit and retain members. We regularly have discussions about how to increase the value of a CABA membership in order to attract more attorneys from the Metro Area. We can no longer rest on our laurels as the "only game in town;" rather, we have to consider what we are offering and how we are offering it to assure membership growth and sustainability.

We held three "Flash CLEs" this year. We called them "Flash CLEs" because all but one was only an hour. Our idea was to provide an hour of instruction around a substantive area of the law that we would not otherwise cover at a membership meeting. The CLEs were all free to members and held at the Mississippi Bar Center. The first CLE was "Finding Your Niche: Merging Your Passion with Your Law Practice." It featured a panel of attorneys who have developed successful practices in very specific areas of the law. The second was "Lawyers in Transition: Protecting the Present and Planning for the Future." Members received extremely helpful advice on how to plan ahead and protect clients' interest in the event of disability, retirement or death. Finally, the third CLE was "Closing the #Divide: How Young Lawyers Can Transcend Generational Differences as They Transform the Practice of Law." The members who attended the last CLE were treated to a presentation by Nakimuli Davis-Primer, Chair of the Diversity Committee and the 2018 recipient of CABA's Outstanding Service Award. Nakimuli has carved out a niche of her own related to the study of generational diversity and the law practice. The CLE was both informative and interactive.

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CABA Membership Meeting Noon • The Capital Club

The views expressed in the articles published are solely those of the authors and do not represent the views of CABA, its officers, directors, or staff.

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## CABA Membership Luncheon Meeting

Tuesday June 19, 2018









Several attorneys who would not necessarily describe themselves as "young" attended and offered their insights on how to navigate the practice as a new or young attorney.

Attendance at the "Flash CLEs" truly surpassed my expectations. When I first brought the idea to the Board, I was not sure how they would receive it, or what I was getting myself into by wanting to plan even more CLEs. However, it was immediately apparent after the first event that we were doing a good thing by offering them. The compliments I have received from many of you about the "Flash CLEs" has only helped to validate that. What I like most about the topics we chose is that they offered something for everyone. The "Finding Your Niche" CLE was attractive to young attorneys as well as our more established members who were thinking about adding a new layer to their practices. The "Lawyers in Transition" CLE saw attendance from a more "seasoned" group of attorneys who were considering or in the process of winding down their practices and wanted to know how best to go about it. We are grateful to Missye Martin, Deputy General Counsel of The Mississippi Bar, and Chip Glaze, Director of the Lawyers and Justice Assistance Program of The Mississippi Bar, for their insights on such an important topic for attorneys, young and old. Finally, the "Closing the #Divide" program brought in our younger members—those who are trying to navigate the sometimes choppy waters of our profession. All of our members matter to us, but it is crucial that our young lawyers know they have a place in CABA. We hope to find even more ways to integrate CLEs like that one to help young attorneys find their way and settle into the practice and the profession as a whole.

As you can see, I am pretty proud of the "Flash CLEs," but we accomplished many other things this year that have brought me similar joy. We ramped up our presence on social media to better engage those members who routinely turn to Facebook and Twitter for information and insights. Our Women's Initiative Committee hosted an extremely successful panel event which featured established women attorneys from a variety of practice settings. A long-term goal of mine, we held an all-day "How to Hang Your Shingle" CLE to assist prospective (and existing) solo and small firm practitioners with developing and innovating their practices. I started a similar program when I was the

Executive Director/General Counsel at the Mississippi Volunteer Lawyers Project, and it has been my hope that CABA would take it up in some way. I am so pleased that we made it happen this year. Finally, we saw an uptick in attendance at our socials (several of which were co-sponsored by other bar associations), "An Evening Honoring the Judiciary," and membership meetings. We topped 100 at our April membership meeting which featured a roundtable of appellate court judges.

**CABA's successes are a direct reflection of you, our active and involved members.** We look to you to serve as speakers, authors, advocates and leaders to uphold the profession of law and protect our system of justice. You never let us down, and I thank you for your continued, and for many, long-standing support.

Before I close, I want to extend special appreciation to the 2017–18 Board of Directors and our Executive Director, Pat Evans. As you know, Pat is retiring after 29 years of serving

CABA. It is hard to imagine CABA without Pat, but I am happy to share that we have found someone who we think can slowly begin to fill her shoes. Jane Collins Harkins, an attorney and instructor of accounting at Millsaps, started with CABA on May 1. She has been spending a lot of time with Pat learning the ropes and preparing to take over fully on June 1. I think Jane will do an excellent job for CABA, and I am pleased to have been a part of her selection.

With Pat's retirement, a new era has dawned, and I am excited about CABA's future. I leave you in the very capable hands of my successor, Bradley colleague, and friend, Will Manuel. Will has been my right hand, and I know he will do an outstanding job. I will spend my eighth year on the Board as your Past President, a role that I believe I will savor after this one.

Thank you again for allowing me to lead the CABA, the state's largest and most active voluntary bar association. It has been an experience that I will never forget.

# MISSISSIPPI COLLEGE LAW LIBRARY HOURS

#### **SUMMER 2018**

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Fall Hours to begin Sunday, August 12.

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# Thank You, Pat!

### CABA Celebrates Pat Evans' 29 Years of Service as Executive Director



We hoped it would never happen—but Pat Evans is officially retiring from the position of CABA Executive Director, effective May 31, 2018. Her tenure began 29 years ago—on May 1, 1989, when she became Executive Director of

the Hinds County Bar, the predecessor to CABA.

At the time Pat was also Director of Admissions and Placement at Mississippi College School of Law, later, in 2004, to become Dean of Admissions. She retired from the Law School in 2012, after being honored with the naming of the Patricia H. Evans Admissions Suite and an endowed scholarship given annually in her name.

For 29 years, Pat has been the mainstay of CABA, the one who has made the presidents and committee chairs look good. When asked to comment about her service, Pat responded, "I am proud of everything each president and the chairpersons and committee members have accomplished for CABA and the community."

During those years, Pat's three children have grown up and gotten married. Then came two grandchildren, Pat's great joy. Mary Reid, daughter of Leslie and Justyn Dixon, is now an Ole Miss co-ed in pre-med studies, and Sims Dixon, tallest member of the family, has finished his freshman year at Madison-Ridgeland Academy.

In retirement, Pat will continue in service



Pat Evans with her debutante granddaughter, Mary Reid Dixon, and escort, grandson Sims Dixon.



Pat Evans with her three children, Leslie Dixon (left), David Evans, and Leigh Ann Evans.

### **Past CABA Presidents Remember Pat Evans**

"When I became president, the former executive director quit immediately. I suspect he did not want to work for a woman. That was in the bad old days. I was bemoaning the fact to Pat that I was about to become president without an executive director. She said 'I could do that!' I was totally surprised. It was a gift from God. It had never occurred to me that it was something she would be interested in. And everyone knows what a super job she has done. Everything ran like clockwork from the beginning. I cannot ever thank her enough for turning what could have been a very difficult year into velvet." – Judy Johnson

"Pat took care of everything!" - Mark Chinn

"Pat was the quintessential executive director. She not only understood the purpose of our organization and supported its officers, directors, and members, but she also had the long view about our profession. She had an innate sense of where we had come from, where we were going, and where we needed to be going while maintaining the core values of our profession. She served, guided, and supported the officers, directors, and members of our local Bar during a time when our profession was rapidly adapting and changing on a number of different levels just as our society was. We were extraordinarily fortunate to have her unstinting dedication and tireless efforts on behalf of our local Bar during this time." – John Henegan

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Pat Evans with her grandchildren, Mary Reid and Sims Dixon.

to her church, the Chapel of the Cross in Madison, where she is a licensed lay reader, chalice bearer, former vestry member, trained Stephen Minster, and Stephen Ministry leader.



Carefree world travelers in Venice: Sims Dixon, Pat Evans, and Mary Reid Dixon.

Pat is also known as the "hostess with the mostest" for her many friends, and she has already made travel plans with some of them to kick off her retirement. This includes Oxford, Mississippi, and in the fall she'll be there with Ed Perry cheering for the Ole Miss football team.

Pat is past president of her Luncheon Club, past president of the Literary Club, and past president of the Jackson Symphony League, and she continues to serve on a JSL Foundation Board. Both Pat and Mary Reid were honored as Goodwill Volunteers of the Year (2015), a first for a grandmother and granddaughter to be honored at the same time.

Pat, these 29 years have flown by in a hurry—probably because you made running this bar association look so easy. Thanks for everything, and God speed in your next endeavors!

### Past CABA Presidents Remember Pat Evans (continued)

"Pat and I went to the ABA Bar Leadership Conference in Chicago as I was preparing for my year as President of what was then called the Hinds County Bar Association and her second year as its Executive Director. We came away with a number of ideas and decided to focus on two initiatives to make the year special. We decided on a Law for Lay People program which our local bar continued for several years, and we were also able to convince the membership to build a Habitat for Humanity Home. In both instances, Pat made those projects work. She was a very special executive for all of her years as our local bar executive." – Leonard Van Slyke

"Who is Pat Evans? Pat is more than just resourceful, she is a connector, she is a lover of fine things and fine people. She appreciates the idiosyncrasies of each CABA President. I recall fondly when I became President of CABA, I had concerns as a relatively young President and small firm practitioner who was juggling motherhood and the practice, while voyaging into the world of serving as President of this great organization. In her calm and reassuring voice, she said "oh this is not a big deal we will figure it out together and Amari can hang with me during events." And just like that all was well in my world as President. True to her word, she was there every step of the way. She offered words of wisdom and kindness. Though Pat was the Dean that encouraged me through Law school, during my year of President of CABA, I gained a friend and Amari gained another fairy godmother who still sends beautiful holiday cards and whispers kinds words of encouragement to both of us. She is a steady beat in the chaos of "trying to get it right" world of lawyers. For this and much more I am eternally grateful! Thanks Pat!" – Amanda Green Alexander



"Without question, the most enjoyable aspect of my year as President of the Hinds County Bar Association was working with Pat Evans and the relationship we formed that year. Pat made everything easy. She is the consummate planner and logistician, and her organizational skills are just suburb. Pat makes everyone feel special, and had the unique ability to make all of the Presidents feel like they were her favorite. But despite what Judy Johnson and most of the other past Presidents will say, I know I was really her favorite!" – *Richard Roberts* 

## SOCIAL MEDIA Follow Us on Facebook & Twitter!



Statistics show that 90% of organizations now maintain social media profiles, and CABA is among that majority. You can find the Capital Area Bar Association's page on Facebook and find us on Twitter (@CABALaw). Whether you like us, follow us, or comment on posts, you are helping build CABA's social media profile.

# An Evening HONORING the JUDICIARY Banquet

The Capital Area Bar Association and the Jackson Young Lawyers Association held their "Evening Honoring the Judiciary" on Thursday, May 17, 2018 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.

..... Event Photos



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# An Evening JUDICIARY Banquet HONORING THE JUDICIARY Banquet Event Photos



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# An Evening JUDICIARY Banquet HONORING THE JUDICIARY Banquet Event Photos



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# An Evening JUDICIARY Banquet

Event Photos



## Jackson Federal Courthouse named for retired

# Senator Thad Cochran

#### By Terryl Rushing

So, let's say your favorite uncle and noted raconteur, Eddie Ballotman, recently went to the voting booth in the sky. Eddie was a regular at Gene's Pool Hall, where he regaled patrons from opening until closing with his views on the federal government. His political stance could best be described as Contrarian, and he took both parties to task on an equal basis. Poll workers dreaded seeing Eddie, as he felt constrained to share his political wisdom with anyone waiting for to cast a ballot. "I've been thrown out of better places than this!" was his usual boast, as he was escorted out the door and off the premises.

Eddie was on his way from a Dakota Pipeline Protest Planning Meeting and on his way to his concealed carry class when he was run over by a Prius whose driver was blinded by his own cigar smoke. He was buried with great pomp and circumstance, complete with a red side/blue side casket. You want to do more, though, for the man who dedicated his life to opposing the federal government, no matter which party was in power. Maybe—could you get a federal building named after him?

The short answer—well, the long answer, too, actually—is "not likely."

It takes, literally, an Act of Congress to name a federal building. Legislation effecting a name change passes through different committees, depending on the type of building to be named. For a Post Office, House bills are referred to the Oversight and Government Reform Committee, while Senate bills are referred to the Homeland Security and Governmental Affairs Committee. While these bills are typically passed without controversy, there are certain rules for picking an honoree, particularly in the Senate. The first rule is that, with some exceptions for judges or elected officials, the

honoree must be deceased. Uncle Eddie meets that requirement. Still, you cannot simply submit his name to Congress and hope for the best; typically, the members of Congress for the district in which the postal facility is located jointly sponsor the bill. Given Uncle Eddie's reputation as a literary firebrand—both to members of Congress and the local media—it is not likely that *any* member of Congress, much less the entire delegation, would sponsor such legislation.

At any rate, the largest postal facility in the Jackson area, probably in the state, is taken. In 1994, the "new" downtown facility was named the "Medgar Wiley Evers Post Office," for reasons that need not be explained. On Labor Day of that year, his widow, Myrlie Evers, cut the ribbon at the dedication ceremony, while a church choir sang, "He's so Wonderful." No one has ever sung that about Uncle Eddie.

What other federal buildings located in Jackson could be "honored" with Uncle Eddie's name out front? The VA Hospital is also out. Legislation to name a VA facility must originate

in the Veterans' Affairs Committee of either branch of Congress, and their rules prohibit naming a VA facility after an individual unless the individual is deceased and is a veteran who (i) was instrumental in the construction of the facility to be named, or (ii) was a recipient of the Medal of Honor, or, as determined by the chairman and ranking minority member, otherwise performed military service of an extraordinarily distinguished character; a Member of the United States House of Representatives or Senate who had a direct association with such facility; an Administrator of Veterans Affairs, a Secretary of Veterans Affairs, a Secretary of Defense or of a service branch, or a military or other federal civilian official of comparable or higher rank; or an individual who, as determined by the chairman and ranking minority member, performed outstanding service for veterans.

Again, each member of the congressional delegation representing the state in which the designated facility is located must indicate, in writing, his or her support of the bill.

## STATE LAW LIBRARY OF MISSISSIPPI HOURS

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#### 2018 HOLIDAYS

July 4	 Independence Day
Sept 8	 Labor Day
Nov 11	 Veteran's Day
Nov 22	 Thanksgiving Day
Dec 25	 Christmas Day

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Eddie tried to enlist in the Marine Corps two months after President Nixon signed the settlement agreement that ended the Vietnam War. He might have had more luck if he hadn't shown up in his "F\*ck the Draft" t-shirt, and even better luck if he hadn't burned that American flag on the front steps. By that point, even his solemn proclamation that he wanted to go to Vietnam and "shoot everything in sight" couldn't save his doomed military career, and that office may have been the fabled "better place" that Uncle Eddie was thrown out of.

At any rate, the VA facility in Jackson is already named for G.V. "Sonny" Montgomery, who not only was awarded the bronze star for his service during World War II, but retired from the Mississippi National Guard as a major general. Montgomery served in the United States House of Representatives for thirty years, thirteen of which were as chairman of the House Veterans Affairs Committees. During that time, he promoted legislation increasing veterans' access to home loans, life insurance, medical coverage, and education—a slightly more productive career than Uncle Eddie's lawn mower repair shop.

What about a federal building? Uncle Eddie frequented his—he knew all of the employees at his local IRS and Social Security offices by name. They knew him by name, too; it just wasn't "Eddie." A courthouse? Uncle Eddie loved them, too; in fact, he was what the Clerk's Office would term a "frequent filer." Again, not likely.

Bills to name most federal buildings generally originate in the House Transportation and Infrastructure Committee or the Senate Environment and Public Works Committee. Their requirements are generally similar to those for naming Post Office facilities—the individual must, with certain exceptions, be dead; the Congressional delegation must agree with the nomination; and, at least for the House Committee, the honoree should have a "good reputation." Again, Uncle Eddie has nailed the "dead" requirement, but his reputation has likely foreclosed the possibility that a building will be named after him.

Not to be confused with the federal courthouse,1 the federal building in downtown Jackson is named after Dr. A. H. McCoy, making the structure the first federal building in the country to be named for an African American. His remarkable life and accomplishments prompted a local grassroots movement to name the building after him. In fact, his dental practice was located on part of the building's site. McCoy founded other businesses and helped develop the Farish Street business district. He was also active in the Mississippi chapter of the NAACP. The closest Uncle Eddie ever came to the NAACP was a demonstration where he attempted to protest both the NAACP and the Klan. That resulting head injury may explain some of his more aberrant behavior.

So, we finally come to that almost-new, imposing federal courthouse just north of the Medgar Wiley Evers Post Office. Can Eddie get that one? Nope. Congress has officially named the Jackson Courthouse as the "Thad Cochran United States Courthouse," honoring the recently retired United States Senator. The measure was included within Congress' most recent omnibus spending bill. Democratic Senator Patrick Leahy of Vermont pushed to include the language within the bill.

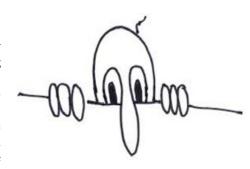
"I count Thad among my dearest friends, and his leadership in the Senate is sorely missed," said Senator Leahy. "Despite being on different ends of the political spectrum, over the years Thad and I crossed the aisle to work hand-in-hand for the American people. His legacy will live in Mississippi and across the country for generations and it was an honor to be a part of this small gesture." The renaming was also supported by Senator Roger Wicker. "This is a fitting tribute to Senator Cochran's lifetime of public service," said Senator Wicker. "As our republic's tenth longest-serving senator, Thad has fought hard for the people of Mississippi and consistently sought the best interests of our nation. I am honored that the same federal courthouse that houses my Jackson office will bear his name."

Arthur Johnston, clerk of the United States District Court for the Southern District

of Mississippi, released a statement saying that Senator Cochran was instrumental in obtaining funding for the construction of the facility, had a hand in nominating and securing Senate confirmation for every District Judge currently in service in the court and also Mississippi's four judges on the U.S. Court of Appeals for the Fifth Circuit. He also practiced law in the court. "So, for all of these reasons, not to mention his longstanding reputation for statesmanship, it is quite fitting that this building be dedicated to him," said Johnston.

Johnston says they are working with the General Services Administration (GSA) to schedule a dedication ceremony that will hopefully take place within the next 90 days.

All is not lost, however, for Uncle Eddie. Despite its relative newness, things in the Thad Cochran United States Courthouse will break. Elevators and toilets, in particular, have a propensity for going out of service, and when those two amenities are non-functional, an "Out of Order" sign is necessarily posted on the offending equipment. I propose that Uncle Eddie be honored with the Eddie Ballotman Out of Order sign:



OUT OF ORDER. Eddie was here.

On a completely unrelated note—In February, the Southern District began offering information to the public via a Twitter account, accessible @USDC\_MSS. As of last week, the account has 213 followers. Apparently, the technology has not advanced to the point where we can determine if any of them is a Kardashian.

<sup>1.</sup> This is a particularly meaningful distinction if you are stuck in an elevator at the federal courthouse, but that's another story.

# CHARLES E. GRIFFIN,

## CABA Professionalism Award Recipient

By Meade W. Mitchell



It was CABA's honor to present this year's Professionalism Award to Charles Griffin. The Professionalism Award is CABA's highest honor. It is presented to an individual based on a lifetime of service

to the profession and the bar. The award is submitted to an individual that exhibits the best our profession has to offer.

The committee that selects the yearly recipient of this award is always composed equally of experienced area lawyers and members of the federal and state judiciary. Each year the committee receives many nominations for this honor. This year the six lawyer members and six judicial members of the Professionalism Committee met and considered many nominations before selecting this year's recipient.

This year's recipient, Charles Griffin, is a 1987 graduate of Ole Miss Law School. He has represented many clients in both civil and criminal matters, with an emphasis on complex commercial litigation and trial work. He has served as a Municipal Judge, a City Attorney, a Special Assistant Attorney General, and a City of Jackson Public Defender. He maintained his own firm from 1988 to 2011, and since has practiced with the Butler Snow firm.

His peers recognize his talent and devotion to the legal profession, as well as his drive to uphold standards of professional excellence and integrity. Charles is AV-rated by Martindale Hubbell and is also recognized by The Best Lawyers in America<sup>®</sup>. He was named as aTop 50 Mississippi Super Lawyers<sup>®</sup> for nearly a decade and received the Lifetime Achievement Selection by America's Top 100 Attorneys<sup>®</sup>.

He supports the work of organized bar groups promoting the conduct, aims and

qualities that exemplify the best of the legal profession. He is a member of the American Bar Association; National Bar Association; Mississippi Bar Association; Magnolia Bar Association; and Capital Area Bar Association. He was Chairman of the Commercial Litigation and Financial Institutions Section of the Capital Area Bar Association from 2012–2013. He is a Fellow of the American Bar Association and the Litigation Counsel of America. Charles has served as Co-Chairman and Chairman for numerous Committees including the Pro-Bono and Complex Torts Subcommittees for



the Litigation Section of the American Bar Association. He has also served on numerous committees including the Minority Trial Lawyer and Corporate Counsel Committees of the Litigation Section of the American Bar Association; the Admissions Committee of the Federation of Defense and Corporate Counsel (FDCC); and the Trial Tactics, Commercial Litigation and Newsletter Committees of the Defense Research Institute (DRI).

In addition to his outstanding contributions as a practicing attorney, Charles has contributed to legal scholarship and education by serving as an instructor at Jackson State University and he co-founded the Law Student Diversity Interaction Program for the Mississippi Bar Association. In addition, he has spoken at many continuing education seminars throughout his career, including meetings for the Federation of Defense & Corporate Counsel (FDCC); the Magnolia Bar Association; the Minority Corporate Counsel Association; the Litigation Counsel of America; and the American Law Institute-American Bar Association.

He is a leader within his firm. He served as the Co-Chair of the firm's Inclusivity Committee and serves on the firm's Pro Bono and Associates Review Committees. He has not only distinguished himself within the legal profession, but also in his involvement in our community. He received the R. Jess Brown Memorial Distinguished Community Service award, and served as a Board Member for the Jackson Downtown Business Improvement District.

Charles is described as the ultimate professional. He lives by the motto of "love your neighbor as yourself" and treats everyone with respect. Rather than draw attention to himself, he selflessly promotes his partners and friends. If there is any question as to whether something is morally, ethically or professionally right, he abstains. Charles has a big heart and generous spirit that are evident to all who know him.

Throughout his career, he has distinguished himself as one of the most highly skilled attorneys in his practice area. He has further distinguished himself by serving as an effective advocate for his clients in a way that promotes the highest ideals of professionalism in his interactions with courts, the bar and clients.

Meade W. Mitchell

Chair, CABA Professionalism Committee

# Balancing the Scales:

## Leading Women Lawyers on Meeting the Challenges of the Legal Profession

By Kaytie Pickett



The Capital Area Bar Association's Women's Initiative Committee, co-chaired by Keishunna Webster and Kaytie Pickett, was proud to present a panel titled, "Balancing the Scales: Leading Women

Lawyers on Meeting the Challenges of the Legal Profession," on March 20, 2018. Stephanie Donelson; Charlene Priester of The Priester Law Firm; and Aileen Thomas of Jones Walker.

Ms. Rippee guided the panel through a series of thought-provoking questions on the challenges the panelists faced in their careers. Ms. Thomas emphasized to the attendees the need to set priorities and, on the truly unimportant things, to not let the perfect be the enemy of the good. Ms. Edney spoke on setting boundaries and expectations, knowing one's own value, and reaching out to lift others up. Ms. Priester kept the crowd laughing, but the attendees took seriously

one's life and of earning trust from colleagues.

The CLE was well-attended by women at all stages of their legal careers, from first-year lawyers to the Honorable Patricia Wise and the Honorable Latrice Westbrook. The Women's Initiative was thrilled with the robust turnout and grateful to Baker Donelson for hosting and sponsoring the event, as well as Jones Walker for additional sponsorship, and CABA's leadership for their support of the program.

CABA's Women's Initiatives Committee plans and oversees various initiatives and









Rippee of Watkins & Eager moderated the panel, which featured some of Jackson's most distinguished female lawyers: Margaret Cupples of Bradley Arant; La'Verne Edney of Baker her wisdom on the advantages of having your opponents underestimate you. And Ms. Cupples addressed the importance of having a network of supportive women and mentors in service projects of interest to women in the legal profession. To join the Women's Initiatives Committee, please visit <a href="http://caba.ms/committees.">http://caba.ms/committees.</a>

## THE CABA BOARD OF DIRECTORS

is pleased to announce that

# Jane Collins, Harkins,

has been named as CABA's Executive Director



Jane is an Instructor of Accounting at Millsaps College, where she teaches accounting and tax classes for the Else School of Management. She earned her B.B.A. from Millsaps College, her J.D. from the University of Mississippi, and her L.L.M. in Estate Planning from the University of Miami. Jane began her transition into her new role of Executive Director on May 1, 2018. She can be reached at <a href="mailto:capitalareabarassociation@gmail.com">capitalareabarassociation@gmail.com</a>. CABA welcomes Jane into her new role as its Executive Director!

# MISSISSIPPI CIVIL RIGHTS MUSEUM

### "The unexamined life is not worth living." – Socrates

By John C. Henegan<sup>1</sup>



Recently, while we were in New Orleans, my wife and I visited during breakfast with a young woman from San Francisco who had just finished a business trip in New Orleans. She told us that she was

staying over an extra three days and going on a self-guided civil rights tour through Montgomery, Birmingham, Oxford, and Jackson before returning to New Orleans and flying back to San Francisco. She had planned to do this for some time. Hearing about the opening of the Mississippi Civil Rights Museum in December 2017 had spurred her to extend her stay and take her "side trip" before going home. The conversation made me think that perhaps the proponents of building the museum who said that it would promote tourism in Mississippi were correct.

On a recent Saturday, I looked on the museum's web site for its hours, regular and special exhibits, announcements, eating facilities, gift shop, admission price, parking, etc. <a href="https://mcrm.mdah.ms.gov/">https://mcrm.mdah.ms.gov/</a>.

I learned there are five special films on display every hour, including films about Emmitt Till, Medgar Wiley Evers, and the Freedom Summer murder victims—Michael Schwerner, Andrew Goodman, and James Chaney. Two of the five films, all developed exclusively for the Museum, have won national

awards. https://mcrm.mdah.ms.gov/news.

The Mississippi Department of Archives and History also has a special exhibit open until October 14 of over 30 beautiful quilts—each one handmade between 1830 and 2014 and given to MDAH since it was established by the State Legislature. <a href="https://mcrm.mdah.ms.gov/exhibits/special-exhibits">https://mcrm.mdah.ms.gov/exhibits/special-exhibits</a>.

Significant corporate contributions continue to come in to the museum. Toyota recently gave \$750,000 to celebrate the tenth anniversary of its Toyota Corolla plant in Northeast Mississippi, which has announced that it is adding 400 more jobs at the plant. Also, for the rest of the year, Entergy—in recognition of its 95th birthday in Mississippi—donated monies to the Museum that will enable the first 95 people who enter each day for the rest of the year to be admitted free unless they are part of a tour group of 10 or more.

Rather than take the Web site's directions to the Museum, I took the Pearl Street exit off I-55 South and headed down the left exit ramp to Jefferson Street rather going over the bridge to South State Street. At Jefferson, I turned right and after two blocks entered the parking garage under the William Winter Building. The parking is free, and the museum plaza is accessible by stairs and elevators. I walked up the outdoor stair case to the ample plaza, where ornamental juniper, pampas grass, and crepe myrtle welcome the eye. From there it was a short walk to the main entrance of the Civil Rights Museum and the History Museum.

The Civil Rights Museum has eight galleries, with seven arms radiating from a

central circular room. https://mcrm.mdah.ms.gov/exhibits/galleries. The first gallery is the exclusive entrance into the exhibit area. It leads you around its walls to the adjacent gallery on the left rather than into the center gallery. This is somewhat counterintuitive but makes sense as you tour the museum. The map available at the front desk of the building offers the best layout of the galleries including the sites where the five films are being shown. Pick one up when you enter.

The radiating galleries are arranged chronologically so that you move clockwise around the center. The central gallery has a generous seating area for people who want a break from walking through the arms of the museum. The central gallery also has music and multiple images, special drawings, and quotes from leaders of the civil rights movement on its circular walls.

The names of the galleries in the order that they appear on the museum map and a thumb nail description of what they cover follow:

- Mississippi Freedom Struggle—a historical overview of slavery in North America and the historical context of the Civil War.
- 2. Mississippi in Black and White—covers the period of black codes, Reconstruction, the enactment of laws disenfranchising black adult males, Jim Crow laws, and the rise and decline of the Ku Klux Klan.
- This Little Light of Mine—features music and a place to rest your feet.
- **4.** A Closed Society—covers the country's

Continued on page 15...

<sup>1.</sup> John Henegan is a member of Butler Snow LLP in Ridgeland, Mississippi and a regular contributor to the CABA Newsletter. The views expressed in this article do not reflect the views or opinions of his law firm or anyone in his firm or the views or opinions of the Capital Area Bar Association, its officers, directors, members or associates, or any of the organizations with which any of them are associated.

entry into World War II, when Black Mississippians served in the U.S. armed forces fighting to secure the freedoms for others in foreign lands only to come home to a nation and a state still holding fast to Jim Crow as well as the response of the country to *Brown v. Board of Education*, the establishment of the White Citizens Council in the Deep South, and the State Sovereignty Commission by the Mississippi Legislature.

- 5. A Tremor in the Iceberg—covers the civil rights movement from 1960 until the middle of 1963 beginning with the Jackson Public Library sit-in by the Tougaloo College Nine, the arrival of the Freedom Riders in Jackson by bus, rail, and plane, the enrollment of James Meredith at Ole Miss, and the assassination of Medgar Evers, NAACP state field leader, on June 12, 1963, with extensive information about events in McComb, Jackson, Canton, and Clarksdale.
- 6. I Question America—covers the last half of 1963 and Freedom Summer of 1964 including events in McComb, Jackson, Holmes County, Canton, Philadelphia, and the Mississippi Freedom Democratic Party.
- 7. Black Empowerment—covers the 1965 challenge to the seating of Mississippi's congressional delegation and the adoption of the Voting Rights Act to the early 1970's black leaders running Head Start programs and being elected to the State legislature.
- **8.** Where Do We Go From Here? This feature offers contemporary reflections from a variety of voices about the progress we have made and the challenges that remain.

The amount of graphic information in narrative and pictorial form that visitors encounter

when walking through the radiating galleries is staggering, not even accounting for the films and interactive multi-media displays. One way to deal with this is to pick a subject such as segregation, voting rights, education, or economics and a person or city or county and follow them throughout the galleries or you may want to focus on one era and one gallery at a time. The vast majority will be new even if you followed the series of articles about the fiftieth anniversary of the civil rights era in Mississippi that appeared in this newsletter between 2011 through 2015 or have read several books about the subject.

what the people of our State went through, and ask yourself whether what happened back then could ever happen again.

Admission on the third Saturday of every month to the Civil Rights Museum and the History Museum is free. As I left the Civil Rights Museum and headed to the Gift Shop at 2:30p.m., I asked a volunteer how many people had visited the museum so far that day. She showed me her counter and said that 1,088 people had been to the museum that day. At the front desk a staff member told me that the museum had over 100,000 visitors since it opened five and one-half months ago.

The Museum is serving its purpose. It provides a venue where you can encounter the past, learn what the people of our State went through, and ask yourself whether what happened back then could ever happen again."

The Museum's web site touts our State as "ground zero" of the civil rights era and what you learn in the galleries certainly supports the claim. The unvarnished information is at times appalling or deeply sobering or both. While I was there a group of African-American teenagers laughed and smiled as they had their photos taken while standing under a doorway entrance titled "whites only." Every film room that I looked into was full of people silently watching whatever topic was covered.

The most disturbing image was the postmortem photograph of Emmitt Till. Even though I have seen it in numerous settings in the past, it is as horrific today as the first time I saw it. There are signs posted in different areas that prepare visitors for this. Spirits of the visitors lifted in the galleries covering the era following the adoption of the Voting Rights Act of 1965 and the enactment of other federal civil rights legislation that followed.

The Museum is serving its purpose. It provides a venue where you can encounter the past, learn

The gift shop has a first rate collection of books about the civil war, civil rights, history, music, literature, and the fine arts created by or about Mississippians. There is also a large selection of art work such as lovely ceramic pieces from the Wolfe Studios and other items to purchase as souvenirs. The special quilt exhibit is on the second floor over the gift shop. A handmade quilt prepared in 1902 that has a map of Mississippi when it only had 75 counties is well worth the walk upstairs.

If you have not been to the Civil Rights Museum, I highly recommend it. If you have been, go back and take an out of town guest and pick a subject, your home town, or a key figure such as Brenda Travis, Medgar Evers, Robert Moses, Anne Moody, Fanny Lou Hamer, or Robert Clark. Look for them as you pass through the exhibit. You will be amazed at their courage, determination, and sacrifice in working to secure civil rights for themselves and others.

CABA Members: Click Here to PAY DUES ONLINE!



# 26th Annual GOLF OUTING

March 26, 2018 · Country Club of Jackson

The 26th Annual Lawyers Golf Outing was held on Monday, March 26th at the Country Club of Jackson. Proceeds from the tournament were donated to the MS Volunteer Lawyers Project. Shown are scenes from the tournament. A Big Thank You to all of our tournament sponsors for making this event possible.

**EVENT PHOTOS** 



# GOLF OUTING

EVENT PHOTOS -



# On Computing

Calendar

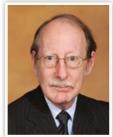
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Focused on the Contemporary Lawyer

# Tips on Dealing with Robocalls...



#### By Joel Howell

Bet you thought the Do Not Call Registry was the end of your problems. Then you started getting spam calls on your cell phone, and, perhaps worse, spam texts. With thanks to Kim Komando and the usual Internet sources, here are some hints you may find helpful.

Robocalls are the telemarketers of the twenty-first century, and they act not only as annoying advertisers but also as solicitors of your private information. These automated calls are aided by the technologies of today that allow them to make more calls at a faster rate than ever before. This begs the question: how do you know when you are talking to an automated caller or indeed, avoid them altogether? Like all things, there's an app for that, and here are a few.

Nomorobo (nomorobo.com), available at the App Store or Google Play, for iOS or Android, (\$1.99 a month), is one of the most popular. Your phone need only ring once before the app intercepts it and determines whether or not you're dealing with a robocaller, in which case, it graciously hangs up your phone for you. In addition, it dips into a database of known illegal callers and blocks them from your phone. Before signing up, make sure it's supported by your phone's carrier.

Any phone with caller ID can tell you if you're about to answer a call from an unknown number, and it's at your discretion whether you decide to brave the possibility of an automated telemarketer. However, that seems a little inconvenient when you realize you might not have every number you've ever called saved into your phone. That's where **TrueCaller** (www.truecaller.com), available for iOS or Android, comes in. It lets you search for an unknown number in its database and warns you when it knows you're getting a spam call. From there you simply have to block the caller, and even better, it's all free. Note, however, that to do so, it will access your contacts and even share them, so a thorough reading of the app's privacy policy is in order.

Another app that's free of charge is **Hiya** (www.hiya.com). It does the job of the other two apps combined. You can ID and block robocalls and search their numbers to find out exactly who just called you. A nice feature for a free app is the lack of ads. Note, though, that it adds your contacts to its database. While it promises not to sell

them to third parties, it's safer to read the privacy policy to make sure.

These apps all apply to unwanted callers, but what about unwanted texters? Blocking a call doesn't always mean blocking the source's ability to text you, as well, so here are a few ways to do both:

There are ways to block text messages inherent to Apple products. First, open the Messages app on your phone and select the conversation from the number you would like to block, then click *Details*. Once there, select the *Info* page, marked by a small circle with the letter "i" in it; then select *Block this Caller*.

You can also block texts in iOS manually. Open the Settings app on your phone and tap *Messages* in the listing. Next, select *Blocked* under SMS/MMS then *Add New*, and type the number or contact you wish to block. No matter which way you choose to block a text in iOS, it will also automatically prevent you from receiving calls or FaceTime requests from the blocked number.

If you want to get Apple involved, you can always report junk messages you receive. When you receive a message from an unknown number, a "Report Junk" link appears in the conversation. If you click this link, it will send the messenger's information and unwanted message to Apple, who should be able keep the contact from reaching you again. Unfortunately, this only works with iMessage and not SMS and MMS. For those junk messages, you'll have to contact your phone's carrier, who should have a number for you to report spam to.

How do these methods apply to unknown or private numbers? These are trickier, since you won't have a number to add to your block list. A way to do this is to go to *Messages* in your Settings and select *Filter Unknown Senders*. If you receive a text from an unknown number, it shows up in a different tab in your Messages App, and your phone won't show you a notification for it.

If you have an Android phone, there are several ways to block junk texts.

If you're using a Google phone, there are two ways to block numbers from within the Messenger app. Open the conversation of the number you want to block and click the three vertical dots in the corner of the screen. Then, tap *People & Options*, and select *Block*. Another way to block numbers in the Messenger App is to click and hold down the conversation from the unwanted number. A list of options should appear; select *Block*, then *Ok*.

Like a Google phone, Samsung makes blocking a conversation

Continued on page 19...

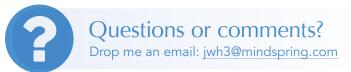
in its app as easy as *Messages > More >* Block *number*. However, like an iPhone, you can also choose to do it manually. Go to Messages Settings and select *Block messages* from the list. From there, you have your choice of blocking messages, numbers, and even certain phrases in incoming texts. The *Block numbers* feature prevents a number from reaching you via call or text and lets you look at a comprehensive list of the numbers you've blocked.

The methods for blocking numbers on LG and HTC phones are nearly identical and both operate within the Messages App. On an LG phone, select the text you want to block, click on the three dots that appear on the screen, and select the *Block number* option. As for an HTC phone, click and hold the undesired text until *Message options* is displayed on the screen and select *Block contact*.

In addition to these built-in methods for blocking unwanted

messages, phone carriers offer additional help when it comes to mobile spamming. Here are URLs for blocking help from the four largest cellular carriers:

TMobile: <a href="https://support.t-mobile.com/docs/DOC-1712">https://support.t-mobile.com/docs/DOC-1712</a>
Verizon: <a href="https://wbillpay.verizonwireless.com/vzw/nos/safeguards/SafeguardProductDetails.action?productName=callMessageBlockingSprint: <a href="https://www.sprint.com/en/support/solutions/account-and-billing/manage-device-user-permissions-using-my-sprint.html">https://www.sprint.com/en/support/solutions/account-and-billing/manage-device-user-permissions-using-my-sprint.html</a>
AT&T: <a href="https://www.att.com/shop/wireless/smartlimits.html">https://www.att.com/shop/wireless/smartlimits.html</a>



# CABA April Membership Meeting





# CABA's 2018 Reuben V. Anderson DIVERSITY AWARD WINNERS

Each year, CABA makes a scholarship award to each Mississippi law school in honor of Reuben V. Anderson. Scholarship recipients must be Mississippi residents who embody the leadership traits and character of Reuben V. Anderson. Each school receives an identical contribution from CABA and may award those funds to one or more recipients.

Recipients of the 2018 Reuben V. Anderson Scholarship at Mississippi College School of Law and the University of Mississippi School of Law are shown below:



## Award Recipients

#### Mississippi College School of Law

Claudia Brunson (pictured top left) is a rising second-year law student from Madison, Mississippi. She attended Millsaps College and majored in Communications. This summer, Claudia will serve as a legal research assistant for Professors Donald Campbell at Mary Miller and will work primarily on updates to the Encyclopedia of Mississippi Law. Her career interests include government, military, criminal defense work, and contract law.

**Tre Talifero** (not pictured) is a rising second-year law student from Ridgeland, Mississippi. He attended West Virginia Wesleyan College where he majored in Philosophy. This summer, Tre is participating in Officer Candidate School for the U.S. Marine Corps. His post-graduate interest is in the field of Public Health Policy.

#### University of Mississippi School of Law

**Jasmine Davis** (*pictured bottom left*) earned her J.D. in May of 2018. She is originally from Jackson, Mississippi and obtained her bachelor's degree from Tougaloo College. Jasmine's areas of interest are criminal law and cyber law.

# RECAP OF THE 2018 REGULAR LEGISLATIVE SESSION

By Jimmie B. Reynolds, III<sup>1</sup>



The 2018 Regular Legislative Session adjourned Sine Die on March 28, 2018. There were 2,789 bills introduced this past session, of which 329 became law.

Before listing some of the bills that made it through the 2018 Regular Legislative Session, I wanted to list a few of the numerous legislative items that your Bar has been successful in advocating for over the years and measures we continue to support.

- The establishment of Mississippi Court of Appeals and the Administrative Office of Courts.
- The establishment of the Mississippi Electronic Courts E-Filing system.
- Support for Drug and Youth Courts, and continued adequate funding.
- The passage of an Ad Valorem Tax exemption for the Mississippi Bar Center which is owned by the Mississippi Bar Foundation.
- The establishment of the Mississippi Civil Legal Assistance Fund, which provides monies for legal services for the poor. In establishing this Fund, the State recognized the importance of providing funding for civil legal aid to the poor. The fund levies a \$5 filing fee

on all civil cases filed in Mississippi and receives some funding through criminal assessments. The Fund has generated over \$8.6 million since its inception.

- Pay raises for Appellate and Trial Judges.
- Pay raises for District Attorneys and Assistant District Attorneys.
- Pay raises for Court Reporters.
- Crime and sentencing reforms in House Bill (HB) 585. This law was based on the recommendations of the bi-partisan Criminal Justice Task Force to promote clarity and consistency in criminal sentencing and control corrections costs.
- The elimination of the sunset provision in the enabling statutes of The Mississippi Bar. The elimination of this provision demonstrated the good working relationship that the Bar has forged with the Legislature over the years.
- The yearly endeavor of ensuring that the Courts receive adequate funding.
- Yearly effort advocating for support of adequate funding for the Legal Services Corporation, Washington, D.C. with Mississippi's Congressional Delegation and support of its critical mission to our fellow citizens.
- The Bar continues its support for the establishment of a Statewide County Court System.
- The Bar continues its support the establishment of a Statewide Public Defender System for indigent defense in criminal cases.

Below are a few of the bills that you may find of interest which were passed during the 2018 Regular Session.<sup>2</sup> The Bar not only advocates for certain measures, but also plays defense a good deal of the time while monitoring and acting on bills that could adversely affect the Judiciary or the Bar in general. The Bar works closely with the Court throughout the session towards these goals. I would be remiss if I did not mention the time and effort that Chief Justice Waller gives each year. To read the bills in full, please visit the 2018 Legislative Session Bill Status webpage at http://billstatus. ls.state.ms.us/2018/pdf/mainmenu.htm. The new laws will become effective July 1, 2018, unless otherwise noted:

- HB 387: Re-entry council; implement certain recommendations thereof. (Gipson) This law is an extension of HB 585, the crime and sentencing reform bill passed in 2014. Among other changes, the bill provides that incarceration will not automatically follow the nonpayment of fines, restitution, or court cost and sets forth a standard for the determination of indigence.
- HB 801: Children; authorize emergency placement in home of a relative. (Gipson) This law authorizes children to be placed in the home of a friend or relative in emergency placement because of sudden unavailability of their primary caregiver.
- HB 1091: Wrongful death claims; clarify that such can be opened outside an estate. (Blackmon) This law clarifies that an action of wrongful death may be brought
- 1. Jimmie Reynolds is the Director of Government Relations for the Mississippi Bar Association. He can be reached at 601-948-3269 or reynolds@msbar.org.
- 2. Some summaries provided by the Mississippi Legislatures Legislative Services Office.

Continued on page 22...

- outside of an estate. Its goal is to provide a less expensive and cumbersome way of bringing a wrongful death action.
- HB 1239: Appeals to circuit court from county or municipal judgements; revise process regarding. (Baker) This law simplifies the appeals process by getting rid of the old bill of exceptions law. The bill was originally crafted by attorneys John Howard Shows and James A. Peden, Jr.
- HB 1306: Construction Dispute Resolution Agreements; declare void if held outside the state. (Bell 21st) This law requires that any contractor agreement entered into with a resident or someone domiciled in Mississippi be adjudicated in Mississippi according to Mississippi law.
- HB 1338: Mississippi Business Corporation Act; revise bank merger process to be consistent with and revise provisions regarding banks in Mississippi that offer open-end credit. (Zuber) This law revises provisions regarding the bank merger process to make them consistent with the Mississippi Business Corporation Act.
- HB 1584: Appropriations; Supreme Court, Court of Appeals and trial judges' services. (Read) This law has a final Fiscal Year (FY) 2019 action of \$43,665,573 (\$570,732) over FY 2018).
- SB 2044: Special judges; expand authority of Chief Justice to appoint. (Fillingane) (Effective 3/19/18) This law allows the Chief Justice to appoint special judges in county courts. The Chief Justice already has this authority in circuit and chancery courts.
- SB 2138: Code of Judicial Conduct; immunity

- for members of a special campaign committee. (Hopson) (Effective on passage) This law provides that the members of any special committee created under the authority of the Mississippi Code of Judicial Conduct have immunity from civil suit for any conduct arising out of the performance of their official duties. Special committees are formed during election years and may issue advisory opinions regarding allegations of ethical violations in campaigns for judicial office.
- SB 2197: Criminal immunity; provide for persons when requesting assistance for medical emergency due to alcohol consumption. (Watson) This law grants immunity to a person who seeks assistance for a medical emergency due to alcohol consumption if the person reporting did not illegally provide alcohol to the person with the medical emergency, cooperated with medical assistance and law enforcement and remained at the scene until emergency medical assistance arrived.
- SB 2473: Residential Landlord/Tenant Act; revise to give more protections to landlords. (Hill) This law makes numerous changes to The Landlord and Tenant Act and Residential Landlord and Tenant Act.
- SB 2508: Personal property; revise definition of when used in any statute. (Parks) This law clarifies that the term "personal property" includes cash, deposit accounts and promissory notes.
- SB 2527: Insurance; prohibit civil liability against a person or entity for reporting insurance fraud. (Carmichael) This law

- prohibits civil liability against a person or entity for furnishing information concerning insurance fraud.
- SB 2668: Financial institutions; provide the order of priority to access a safe deposit box upon death of lessee. (Doty) This law provides the order of priority by which a financial institution must grant access to a safe-deposit box upon the death of the lessee. It also provides that a person seeking access to the safe-deposit box must provide to the financial institution certain documentation, and provides liability protections to financial institutions in certain instances.
- SB 2958: Appropriation; Public Safety, Department of. (Clarke) Of particular interest this law provides a FY 2019 increase of \$713,497 over FY 2018 for the Medical Examiner's Office. The Office received an additional PIN<sup>3</sup> and realignment of some staff salaries.

If you have not already, I would encourage you to join and become actively involved in one of the sixteen Sections of The Mississippi Bar. I receive numerous requests throughout the legislative session for the Bar to look at a particular amendment or piece of legislation. More often than not, I refer these requests to the appropriate Bar Section for their review. Legislators and staff sincerely appreciate and rely on the expertise and advice offered by Sections.

3. Staff position.

## LET US KNOW!

We value your thoughts and want to make sure you don't forget to leave them in our "Comments" section under each article on our website.



Start the discussion...



# CABA'S NEW APPELLATE DGES ROUNDTABLE

#### By Kyle Williams



At the Capital Area Bar Association's April membership meeting, held at the Capital Club, the Bench and Bar Relations Committee hosted a "New Appellate Judges Roundtable" comprised

of members of Mississippi's appellate judiciary, including Mississippi Supreme Court Justices Dawn H. Beam and Robert P. Chamberlin and Mississippi Court of Appeals Judges Jack L. Wilson, Latrice A. Westbrooks, and Sean J. Tindell. Spencer Ritchie served as moderator of the well-attended event.

While these now-jurists had distinguished legal careers prior to joining the bench, practicing in areas across Mississippi, they are some of Mississippi's newest members of the appellate judiciary, with the most tenured having served since July 1, 2015. So, this event allowed CABA members to get to know more about these judges, including the areas of law in which they practiced prior to joining the bench and notable experiences since joining the judiciary. The panelists also gave practice pointers to practitioners who may come before them

and spoke about what drove them to pursue a career in public service. This "view from the bench" provided invaluable, candid interaction between CABA members and the panelists.

CABA's Bench and Bar Relations Committee serves as a liaison between practitioners and members of Mississippi's local, state and federal judiciary. This committee also plans CABA's Evening Honoring the Judiciary, the annual awards dinner to celebrate, recognize and thank Mississippi's judiciary. The Bench and Bar Relations Committee is always looking to expand its membership. CABA members who are interested in joining the Committee may do so at http://caba.ms/committees.



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