



MONTHLY NEWSLETTER

Volume XLVI,

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President's Comments



**GREG CARWIE, PRESIDENT
MOBILE BAR ASSOCIATION**

Lawyer advertising. Yes, I wouldn't be serving a year as Bar President unless I wrote an article about it. I'm not here to bash lawyer advertising. However, I would like to make some observations about it as well as the related subject of marketing.

First, I have many friends and colleagues who advertise whether via television, radio, billboards, etc. Many if not most of these ads are well done and of a high quality production. Many are actually informative as to legal issues. Lawyer advertising is here to stay. My problem is with the advertising that goes too far, and it's not just locally or statewide. It's all across the nation. I was talking with several attorneys at the Alabama State Bar convention in July about advertising. When you have a minute, google "The Texas Law Hawk" on YouTube. These ads make "The Alabama Hammer" look tame. The ads are definitely amusing, and while Brian Wilson may be a great guy and great attorney, is this where we want our profession to go?

Second, if you aren't advertising, then you're not getting much work. I know there are established law firms with great reputations that will always be busy and receive referrals. However, I talk with more and more attorneys who are complaining that their practices are "drying up" because they don't or can't afford to advertise. Many tell me they previously relied on two or three car wreck or other personal injury cases a year to help them finance their practices. Now, because they don't advertise, they don't get any cases. From my personal experience, when I was a young lawyer, my firm handled a steady flow of automobile accidents, workers comp, longshore, and fraud cases, and we weren't even a plaintiff's firm. At that time, advertising really hadn't started on the scale that it is now though I recall some, including bankruptcy attorneys, starting to advertise in the early 90's. I bet that I haven't received a call for a plaintiff's case in over fifteen years.

A recent American Bar Association Journal article states that Morris Bart spends \$1,000,000 per month on television advertising. I'm sure some attorneys are spending even more. What do you do if you can't afford to pay \$12,000,000 a year to advertise? I'm not hired to work in the IT department of our firm for a reason,

Continued on Page 2

In This Issue...

BROWSING
.....page 2

Lawyers In The News
.....page 3

Significant Decisions
.....page 6

Continuing Legal Education
.....page 9

2017 OFFICERS

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PROGRAM

**There will not be a Luncheon Meeting this month
The next luncheon will be
Friday, October 20, 2017, 11:45 am
at the Admiral Hotel**

Browsing the Bar *With Barbara*

It seems as though the well is dry this month regarding Bar activities other than the usual - **CLE'S, YOUNG LAWYERS, SAVLP, LRS** at the **ASB**, new members, so I am including just a few words of wisdom regarding ...

THINGS I HAVE LEARNED WHILE LIVING IN THE SOUTH:

A possum is a flat animal that sleeps in the middle of the road.

There are 5,000 types of snakes and 4,998 of them live in the South.

There are 10,000 types of spiders. All 10,000 of them live in the South, plus a couple no one's seen before.

If it grows, it'll stick ya. If it crawls, it'll bite cha.

Onced and Twiced are words

It is not a shopping cart, it is a buggy!

People actually grow, eat and like okra.

Fixinto is one word. It means I'm going to do that.

There is no such thing as lunch. There is only dinner and then there's supper.

Iced tea is appropriate for all meals and you start drinking it when you're two. We do like a little tea with our sugar. It is referred to as the Wine of the South.

Backwards and forwards means I know EVERYTHING about you.

The word jeet is actually a question meaning, 'Did you eat?'

You don't have to wear a watch, because it doesn't matter what time it is, you work until you're done or it's too dark to see.

You don't PUSH buttons, you MASH em.

Y'all is singular. All ya'll is plural.

You carry jumper cables in your car – for your OWN car

Author -Unknown



President's Comments *Continued from Page 1*

but here are some of my suggestions. This was discussed by some professionals in marketing at the recent mentoring CLE:

1. **Create a website.** Detail the particular type of work you do. Include articles you've written on the area of law you've researched and the issues you've come across in your practice. Maintaining a blog is even better to demonstrate your expertise in your field.

2. **Use social media.** There are many social media sites to "digitally market" your firm. LinkedIn is one of the most popular. There is also Twitter and Facebook. There are ways to link your firm's website to these applications as well.

3. **Join legal groups.** At a recent mentoring CLE, we were discussing a young lawyer who had stated that he was "working out of a closet in his house" and therefore "couldn't afford to join the MBA and other legal groups." The response to him and other lawyers in the same predicament is "you can't afford not to join the Bar." You're not going to find cases at home in your closet. There are also regional and national groups for meeting lawyers and non-lawyers in the field in which you have a special interest.

4. **Develop a network of attorneys in other practice areas and refer cases to each other.** This works best for me. Find some well-established attorneys who don't want to handle cases in your areas of practice and let them know what you do.

I've always found that the best way to get work may be to do a good job handling the cases for your existing clients. Let your clients know about all of the other areas of the law you practice in and that you appreciate referrals. That's lawyer advertising at its finest.

MOBILE BAR ASSOCIATION WOMEN LAWYERS

By: DANIELLE MASHBURN-MYRICK

Our next luncheon will be held September 12, 2017, at 11:45 at Café del Rio on the Causeway. **BETH MARIETTA LYONS** will discuss Women in Elected Office. You are invited to come meet judicial candidate **BRANDY HAMBRIGHT** and learn about why she's running for a Mobile County Circuit Court judgeship.

Please make plans to attend the **7TH ANNUAL NETWORKING EVENT FOR PROFESSIONAL WOMEN**. This year's event will be held Thursday, October 26, 2017 in the Pharr Room at the Battle House. Doors will open at 5:30. Admission is \$20.00, payable at the door by cash or check only, proceeds to benefit Penelope House. Come enjoy an open bar and hors d'oeuvres while networking with women from a variety of professions. Please RSVP to **DANIELLE MASHBURN-MYRICK** at Mashburd@phelps.com.

NEW MEMBER

JACOB A. FULLER - FULLER & COPELAND, P.C. - MONTGOMERY, AL 36101

FREE EXPUNGEMENT AND RESTORATION OF VOTING RIGHTS LEGAL CLINIC

The **VERNON CRAWFORD BAR ASSOCIATION** is calling on **VOLUNTEER Lawyers!**

WHAT?

THE COMMUNITY OUTREACH COMMITTEE is hosting its **2ND COMMUNITY FAIR** to assist members of our community with completing forms necessary to restore their voting rights and/or expunge their records for Alabama offenses only.

WHEN?

On September 30, 2017, training will be provided to all volunteer attorneys from 9:00am – 11:00am. There is no cost to attend the training, plus you may be eligible for up to 2.0 CLE credits. Lunch will be provided. **THE COMMUNITY FAIR** will be open to the public from 12:00pm – 2:30pm.

WHERE?

LEFLORE MAGNET HIGH SCHOOL

More details will follow. If you are interested in serving as a volunteer attorney, please contact our Committee Chair, **SUNTREASE WILLIAMS-MAYNARD** vzcoutreach@gmail.com by September 15, 2017.



ANNOUNCEMENTS

EXTREMELY NICE PROFESSIONAL OFFICE space for lease at 1325 Dauphin Street. Available space ranges from 650 to 1,530 square feet and is \$14 per square foot. Amenities include: 3-4 professional offices, 3-4 secretarial spaces, plentiful onsite parking, two conference rooms, men and women's restrooms, a kitchen, VOIP for phone and wifi internet, CAT5 wiring, and copy room with fully functional copier. Dauphin Street signage is also available. Call Mechele at 251-432-8120 or send email to mechele@satterwhitelaw.com

DOWNTOWN OFFICE SPACE AVAILABLE: 209 N. Joachim Street in historic DeTonti Square. Available: one large office, one smaller office. Within walking distance of federal courts. Amenities: Receptionist, VOIP telephone, internet, WIFI, email, fax machine, large color copier/scanner, onsite parking, lobby, conference room and kitchen. Contact **ASHTON SHEPHERD** (ashton@evanscrowe.com) or **EVANS CROWE** (crowe@evanscrowe.com) at 251-431-6011.

THE DELANO PALUGHI CHAPTER of the St. Thomas More Society will sponsor the **ANNUAL RED MASS CELEBRATION** on Friday, September 29, 2017, 12 o'clock noon at the Cathedral of the Immaculate Conception brief reception will be held following the Mass. Your support and attendance will be deeply appreciated. If you have any questions, please contact **GREG MCATEE** at 251-661-9399.

THE FIFTH ANNUAL JUDGE HARRY J. WILTERS, JR. LECTURE: CONSTITUTIONAL LAW AND PROFESSIONAL ETHICS. The Revolutionary State of Lawyers Ethics – A Search for the Heart and Soul of our Profession. Tuesday, September 19, 2017, 7:00 p.m. @ USA Main Campus Student Center Ballroom. Reception to follow. For More information 251-460-7161. Approved for 1.0 MCLE hour ethics credit.

ALABAMA REPORTER for sale beginning in 1826 through 705 So.2d ending in 1997. Any reasonable offer will be considered. Please call 251-432-3296 or email ebm@emcdonoughlaw.com

THOMAS M. O'HARA and **JAMES F. WATKINS** have started a new firm: **O'HARA WATKINS, LLC**, 1307 Main Street Daphne, AL 36526 Phone 251-414-7779.

BURR & FORMAN LLP announces that a partner in its Lending Practice Group, **PATRICK J. CLARKE**, has relocated to the firm's Mobile office from Atlanta. With substantial experience in the real estate construction and permanent financing arena as well as the acquisition and development of commercial real estate projects, Clarke brings valuable guidance to support the economic growth in Mobile and increased need for on-the-ground real estate counsel. Clarke has been a partner with Burr & Forman since 2001.



Mobile Association of Legal Administrators Presents

A 60 Minute Ethics Program: "Slipping through the ethical cracks: 5 Ethics issues to address in your law firm policies."

Speaker: Stuart Teicher, J.D., The "CLE Performer," A professional legal educator and Author who focuses on ethics law

One Hour Ethics MCLE (Certificates for out-of-state CLE credit will be provided)

Friday, September 15, 2017, 12 Noon

Admiral Hotel, Room: Ballroom A, Second Floor, 251 Government St., Mobile AL 36602

COST: Including lunch - \$50, Registration after September 11, 2016 - \$75

Sponsored By: **VITAL Records Control**,



In conjunction with the Mobile Bar Association

For more information or to register contact jallen@handarendall.com



ARIANA MOORE, EXECUTIVE DIRECTOR

In October of 2016 the **ALABAMA STATE BAR BOARD OF BAR COMMISSIONERS** approved **MCLE REGULATION 3.9**, which allows attorneys to earn a maximum of 3 MCLE credit hours per year by providing pro bono legal assistance through an approved pro bono provider. The MCLE Commission will award one CLE credit for every six hours of pro bono work completed for a maximum of three MCLE credits in a 12 month period running from October 1st through September 30th. If less than 6 hours of pro bono work are completed between October 1st and September 30th of the reporting year, no MCLE credit shall be awarded.

SAVLP is an approved pro bono legal provider. In October, **SAVLP** will report to the MCLE Commission the name of each attorney who meets these requirements along with the number of hours of service performed. In order to facilitate the reporting process, **SAVLP** needs your bar license number. Please e-mail this to andrea@savlp.org. Thank you!

LOOKING FOR SPEAKERS

SAVLP's annual nonprofit seminar provides NPO executives the opportunity to gather information on legal issues that may affect their organizations. Past subjects include cybersecurity liability, employment law, contracts, insurance liability, and more. If you are interested in presenting a topic that will help NPO administrators navigate the legal issues they face while providing valuable services to the community, please contact ariana@savlp.org.

SAVLP would like to thank the following attorneys for accepting or closing cases in July: **MICHAEL E BALLARD, JOHN G BAYLOR JR., PAUL T BECKMANN, RUSSELL E BERGSTROM, DOUGLAS L BROWN, J. CRAIG CAMPBELL, EDWARD A DEAN, GREGORY A ELDRIDGE, BARRY A FRIEDMAN, DUANE A GRAHAM, FREDERICK G HELMSING, JR., LAURA E HOLLAND, SCOTT W HUNTER, HERNDON INGE, III, R. EDWIN LAMBERTH, RUTH R LICHTENFELD, MICHAEL M LINDER, JR., S. C. MIDDLEBROOKS, CHADRICK W MILAM, PAMELA K MILLSAPS, ROBERT H MUDD JR., JOSEPH M OAKS, MARY E PILCHER, VIRGINIA B POYNTER, GREGORY A RAMOS, JR., J. BURRUSS RIIS, T. JEFF STEIN, RENEE E THIRY, RONNIE L WILLIAMS, AND THOMAS T ZIEMAN, JR.**



SIGNIFICANT DECISIONS

BY DUANE GRAHAM

Pursuant to a case of first impression, the **ALABAMA COURT OF CIVIL APPEALS** in *The Shoals Mill Development, Ltd. v. Shelby County Board of Equalization*, No. 2160237 (Ala. Civ. App. May 12, 2007), held that under Ala. Code § 40-1-45, a notice of appeal from a property tax assessment was deemed timely filed with the **SECRETARY OF THE BOARD OF EQUALIZATION** if the document was mailed by certified mail within the time period allotted by the statute.

In a case of first impression, the **SUPREME COURT OF ALABAMA** in *Walls Fargo Bank, N.A. v. National Bank of Commerce*, No. 1150922 (Ala. June 30, 2017), held that the terms “expenses” under Ala. Code § 7-4-208 did not include “attorneys’ fees.”

In another case of first impression, the **SUPREME COURT** in *Rochester-Mobile, LLC. v. C & S Wholesale Grocers, Inc.*, No. 1160185 (Ala., June 16, 2017), held that the provisions of Ala. Code § 35-4-6, which limit the term of an unrecorded lease to 20 years, do not apply to a sublease.

YOUNG LAWYERS

BY: TIMOTHY A. HEISTERHAGEN, PRESIDENT

The **YOUNG LAWYERS** are pleased to thank **BRASWELL MURPHY LLC** for a great August meeting at **O’Daly’s Irish Pub**. The meeting was fantastic and we appreciate **BRASWELL MURPHY LLC’S** support very much.

The September **YOUNG LAWYERS** meeting will be hosted by **CUNNINGHAM BOUNDS LLC** on September 14, 2017 at **RUTH’S CHRIS STEAKHOUSE**, which is located at 2058 Airport Boulevard. We look forward to seeing everyone on September 14. If you are not on the Young Lawyers e-mail list and would like to be, or if you have any questions, concerns, or comments, please e-mail me (tah@ajlaw.com), Vice President Kate Browning (kmb@rebpc.net), or Treasurer Weathers Bolt (wbolt@starneslaw.com).

MLPA . . . THE ASSOCIATION FOR LEGAL PROFESSIONALS

MOBILE LEGAL PROFESSIONALS ASSOCIATION
PRESENTS A CLE OPPORTUNITY FEATURING:

HON. CHARLES A. GRADDICK, CIRCUIT COURT JUDGE, RETIRED
“CAPITAL PUNISHMENT”

(1.0 HOUR CLE)

Deadline to register is Friday, October 6, 2017 at noon

MLPA invites you to join us at our October 12, 2017 Luncheon Meeting at 12 Noon
at **T.P. CROCKMIERS DOWNTOWN** on Dauphin Street to hear Judge Graddick speak.

The First 25 Non-member Registrants will receive a free lunch – this is a first come-first serve offer. All other lunch registrations are \$17.00, checks to be made payable to MLPA.

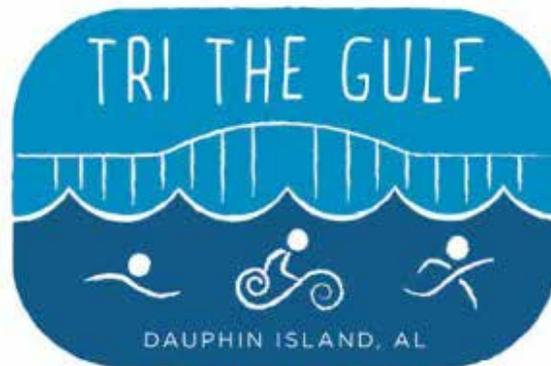
To register, please contact:

LANNA STANFORD

Email: lanna@brutkiewicz.com Telephone: 251-423-1599 (call or text)

Cancellations: Please cancel no later than Tuesday, October 10, 2017.

This event is made possible by a Grant from **THE NALS FOUNDATION**



TRI THE GULF

sponsored by the

MOBILE BAR FOUNDATION

is fast approaching.

OCTOBER 21, 2017 is the date.

SPONSOR OPPORTUNITIES ARE STILL AVAILABLE!

We need sponsors in the \$5,000 and \$2,500 categories. We also have \$1,000, \$500, and \$250 sponsorship levels available.

RACE DAY LAWYER PARTICIPATION

RACE REGISTRANTS:

Sign up to be a Triathlete or Be A Team Member and run, swim or cycle one leg of the event with your team members!

RACE DAY VOLUNTEERS:

Assist with Registration, Hand out Water, Cheer Triathletes Along and assist along the course, etc.



PLEASE GIVE

Name: _____

Address: _____

Phone: _____ E-mail: _____

I want to make a donation to the Mobile Bar Foundation.

In honor/memory of: _____

Acknowledgment to: Name _____

Address _____

I want to become a member of the Mobile Bar Foundation.

Check enclosed

Bill my credit card \$_____ Visa/Master Card/Amex #_____

Life Member (\$5000, can be paid in up to 5 annual installments)

Sustaining Member (\$100 or more annually)

Regular Member (\$50 - \$99 annually)

or if member of MBA practicing 5 years or less \$25 - \$99)

I would like information on including the Foundation in my estate planning.

Signature _____ Exp. _____

Mail to: Mobile Bar Foundation, P.O. Drawer 2005, Mobile, AL 36652

MOBILE BAR FOUNDATION

A DONATION HAS BEEN MADE TO THE MOBILE BAR FOUNDATION

**IN MEMORY OF
STOVA F. MCFADDEN**

**By: RICK AND JANET COURTNEY
DOUGLAS AND LESLIE ANDERSON**

**AND IN MEMORY OF
JUSTICE JANIE SHORES**

By: FERRELL AND PAULINE ANDERS

Calendar of Events

SEPTEMBER 4 - Monday

HOLIDAY – Labor Day

SEPTEMBER 7 -Thursday

MBA Executive Committee Meeting,
12 o'clock noon,
Athelstan Club

SEPTEMBER 12 - Tuesday

Women Lawyers Luncheon Meeting

SEPTEMBER - 14 Thursday

Young Lawyers Meeting

SEPTEMBER 18 - Monday

MBA Worker's Comp Section Luncheon Meeting/CLE,
Athelstan Club

SEPTEMBER 28 - Thursday

MBA Grievance Committee Meeting,
12 o'clock noon,
Athelstan Club

SEPTEMBER 29 - Friday

Red Mass

Continuing Legal Education

Friday, October 13, 2017

“CLE BY THE HOUR”

The Admiral Hotel, Mobile, AL

8:00 am – 5:00 pm

8.0 MCLE hours credits (Including 1.0 Ethics credit)

Friday, October 20, 2017

“SOUTH ALABAMA VOLUNTEER LAWYERS PROGRAM SEMINAR”

The Admiral Hotel, Mobile, AL

1:30 – 4:45 pm

3.0 MCLE hours credits (Including 1.0 Ethics credit)

Pre-registration fee:

FREE to SAVLP members,

FREE if you sign up to be a SAVLP member.

\$75 for MBA members, \$100 non-MBA members

Tuesday, October 24, 2017

“ANNUAL NEW LAWYER ORIENTATION”

Regions Bank Conference Room, Mobile, AL

10:30 am – 4:30 pm

5.0 MCLE hours credits

Registration Fee: Free To New Lawyers.

Friday, October 27, 2017

“MENTORING SECTION CLE TOPIC TBA”

Location: Exchange 202,

(202 Government st.)

Mobile Alabama

11:00 am - 1:00 pm

2.0 MCLE hours credits

Registration fee includes lunch.

Must be pre-registered to attend. Space is limited.

Free to all attorneys licensed 8 years or less.

\$50 To all attorneys licensed 8 years or more.

Friday, November 3, 2017

“JUVENILE PRACTICE”

The Admiral Hotel, Mobile, AL

1:30 – 4:45 pm

3.0 MCLE Hours Credits

Pre-Registration Fee:

\$75 Mobile Bar Association Members,

\$100 Non-MBA Members,

Add \$25 for same day registration

Friday, November 17, 2017

“CRIMINAL LAW UPDATE”

The Admiral Hotel, Mobile, AL

1:30 – 4:45 pm

3.0 MCLE hours credits, (including 1.0 Ethics credit)

Pre-Registration Fee:

\$75 Mobile Bar Association Members,

\$100 Non-MBA Members

Add \$25 for same day registration

Friday, December 1-3, 2017

“ANNUAL BENCH AND BAR CONFERENCE”

Marriott's Grand Hotel, Point Clear, AL

Women Lawyers Conclave

1.0 Hr MCLE credit

10:00 – 11:00 am

Young Lawyers/Judges Luncheon Mixer

1.0 Hr MCLE credit

11:00 am – 12:30 pm

Bench And Bar Conference

5.0 Hrs MCLE credits (Including 1.0 Ethics credit)

1:00 – 6:00 pm

Cocktail party to follow.

Watch email for more details.

Friday, December 15, 2017

“SOLO SMALL FIRM SEMINAR”

The Admiral Hotel, Mobile, AL

1:30 – 4:45 pm

3.0 MCLE hours credits, (Including 1.0 Ethics credit)

Pre-Registration Fee:

\$75 Mobile Bar Association Members,

\$100 Non-MBA Members

Add \$25 for same day registration

Friday, January 19, 2018

“ANNUAL CIVIL LAW UPDATE”

The Admiral Hotel, Mobile, AL

1:30 – 4:45 pm

3.0 MCLE Hours Credits (including 1.0 Ethics Credit)

Pre-Registration Fee:

\$75 Mobile Bar Association Members,

\$100 Non-MBA Members

Add \$25 for same day registration.

Friday, March 16, 2018

“JUDGES PANEL”

The Admiral Hotel, Mobile, AL

1:30 – 4:45 pm

3.0 MCLE hours credits

(Including 1.0 Ethics credit)

Pre-Registration Fee:

\$75 Mobile Bar Association Members,

\$100 Non-MBA Members

Add \$25 for same day registration