



MONTHLY NEWSLETTER

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President's Comments



**JEAN M. POWERS, PRESIDENT
MOBILE BAR ASSOCIATION**

PROFESSION AND PROFESSIONALISM *What Do These Words Mean For Lawyers?*

Law is a profession. As lawyers in Alabama, we are governed by the Alabama Rules of Professional Conduct. I have been musing about the meaning of the terms “profession” and “professionalism.” The classic definition of a profession is an occupation based on a specialized body of knowledge and skills, entry into which is restricted to those who prove their competence, conducted in the interest of those it serves and of the public generally, and subject to self-imposed rules of ethical conduct. Professionalism is a more difficult concept to define. One writer suggested that the lack of a definition of professionalism suggests lawyers take Justice Potter’s ‘I know it when I see it’ approach to defining pornography. Many writers agree that the ethical rules that govern lawyers are the minimum standard and professionalism is the higher standard expected of all lawyers. Let us consider each element of the definition of a profession and think about how we can go beyond the minimum and reach that higher level of true professionalism.

A profession involves a specialized body of knowledge and entry into the profession is restricted to those who prove their competence. We do not, however, finish acquiring legal knowledge when we pass the Bar exam. Not only are we to complete our CLE every year but to be truly professional, we should do so gladly. If you are like me, you have grouched about this requirement on occasion; however, most lawyers are intellectually curious folks by nature and enjoy learning the latest legal trends and developments.

A profession is conducted in the interest of those it serves and of the public generally. This element seems obvious on its face but, in the busy and demanding practice of law, there are times when we all can all benefit by taking a deep breath and carefully evaluating our actions through this lens. As lawyers, we are to elevate our clients’ concerns above our own. We are to consider our actions in the broader context of a client’s particular matter, the administration of justice, and how our conduct reflects on the legal field as a whole. That our conduct reflects on the administration of justice and on the entire legal field should affect all areas of our work from strategy to procedure to advertising. We should also bear in mind that excellent customer service is the hallmark of all true professionals and good communication is one of the best ways to ensure a satisfied client.

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2018 OFFICERS

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JEAN M. POWERS

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PROGRAM

There will be
**NO MONTHLY LUNCHEON IN FEBRUARY
DUE TO MARDI GRAS MADNESS**

The next Luncheon will be
FRIDAY, MARCH 16, 2018 - 11:45 AM AT THE ADMIRAL HOTEL
We will Honor our **50 YEAR ATTORNEYS**

**GARY P. ALIDOR
JAMES E. ATCHISON
J. CECIL GARDNER
IAN F. GASTON**

**JOSEPH A. GONZALES
CHASE R. LAURENDINE
JOE H. LITTLE, JR.
JOHN D. RICHARDSON, III**

BROWSING THE BAR...

WITH BARBARA



The Mardi Gras Madness is upon us! What an exciting time for Mobile and all the visitors who descend upon our City. The Bar Headquarters gets its fair share of visitors who think this building is a historic landmark open for visitors. We enjoy telling them about our little building but it does cut into our work day somewhat. However, this building, as well as the Bar Association, has an interesting history that we love to tell about!

The **2018 MBA PRESIDENT, JEAN M. POWERS**, has completed her Committee/Section appointments and the Committee/Section Chairs should or have already received a letter from her with a list of the Committee/Section members attached. Please make your plans for the year ASAP, meetings, etc. Some committees, like the **LAW DAY COMMITTEE**, need to get their “ducks in a row” because May is quickly approaching! The **CLE** and **Entertainment Committees** also have occasions to prepare for that may sneak up on them. Give us a call and we will be more than glad to assist in any way possible.

REMEMBER, we have **Tri The Gulf T-shirts and Mugs** here at the Bar Headquarters on **Winter Clearance Sale Shirt and Mug \$4.95** – get yours now before they are all gone!

A man feared his wife wasn't hearing as well as she used to and he thought she might need a hearing aid. Not quite sure how to approach her, he called the family doctor to discuss the problem. The doctor told him there is a simple informal test the husband could perform to give the doctor a better idea about her hearing loss. “Here's what you do,” said the doctor, “stand about 40 feet away from her, and in a normal conversational speaking tone see if she hears you. If not, go to 30 feet, then 20 feet, and so on until you get a response.”

That evening, the wife is in the kitchen cooking dinner, and he was in the den. He says to himself, “I'm about 40 feet away, let's see what happens.” Then in a normal tone he asks, “Honey, what's for dinner?” No response. So, the husband moves closer to the kitchen, about 30 feet from his wife and repeats, “Honey, what's for dinner?” Still no response. Next he moves into the dining room where he is about 20 feet from his wife and asks, “Honey, what's for dinner?” Again he gets no response.

So, he walks up to the kitchen door, about 10 feet away, “Honey, what's for dinner?” Again, there is no response. So, he walks right up behind her. “Honey, what's for dinner?” “Clyde, for the fifth time...A CASSEROLE!”

....Author unknown



President's Comments

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While a profession requires self-imposed rules of ethical conduct, professionalism means exceeding the minimum ethical standards. Knowledge of the rules is the foundation. Some ethical rules are straightforward: not stealing from a client. But, perhaps we should also be alert to identify and assist colleagues who might be engaging in risky conduct that might lead to clearly unethical conduct. Some ethical rules are not clear cut. Be vigilant. Be familiar with the rules that apply to your particular situation, and if you are not sure of the ethical implications, do not hesitate to consult the Office of General Counsel of the State Bar. That office is available to provide guidance to all State Bar members and, in my experience, it does so quickly and well. After your phone call with the Office of General Counsel reflect about whether you are meeting the bare ethical expectations of the situation and what you can do to go beyond that to true professionalism.

What can we do to enhance the legal profession and our own professionalism? First, recommit to the ideals of our profession. Second, volunteer, as a lawyer or in another capacity; not only for the inherent reward of volunteering but to show lawyers as caring and connected members of their community. Third, become active in the work of your state and local bars. Attend monthly meetings, participate in committees and sections, and attend social events. Such activities offered unparalleled opportunities to meet and learn from one another. All of this can improve us as lawyers, improve the profession and improve the administration of justice.

YOUNG LAWYERS

BY: KATE BROWNING DEKEYSER, PRESIDENT

The **YOUNG LAWYERS** would like to thank **PRO LEGAL** and **MICHAEL CANNON** for a great January meeting at **SERDA'S BREWING**. Michael and Pro Legal always do a fantastic job and we appreciate their continued support.

The February meeting will be hosted by **MCDOWELL KNIGHT ROEDDER & SLEDGE, LLC** on February 22, 2018, at **EUGENE'S MONKEY BAR**. We look forward to seeing everyone on February 22. 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 (KMB@rebpc.net), Vice-President, Weathers Bolt, (wbolt@starneslaw.com) or treasurer, Catherine Spann (CSpann@handarendall.com).



ANNOUNCEMENTS

The **CITY OF MOBILE LEGAL DEPARTMENT** is seeking an **ASSISTANT CITY ATTORNEY** with 5 or more years of experience. Send letter of interest, resume, writing sample, and at least three references to **BECKY BARFIELD**, at City of Mobile Legal Department, P. O. Box 1827, Mobile, AL 36633-1827, barfield@cityofmobile.org.

The **U.S. BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF ALABAMA** is accepting applications for the clerk of court position, as **LEONARD "CHIP" MALDONADO** is retiring. The application deadline is February 9, 2018. Information about the position and the application process is available on the court's website at <http://www.alsb.uscourts.gov/>

HIRING: Law firm seeks to hire an associate or contract attorney with 2 to 5 years experience. Areas of practice will include real estate, probate and insurance defense litigation. Those interested should send a resume and cover letter to **HIRING PARTNER**, PO Box 81429, Mobile, AL 36689.

LOOP OFFICE SPACE AVAILABLE: 307 Morgan Ave. Beautiful medium size house with kitchen, patio, etc. Share receptionist, internet, large copier with scanner/fax; wifi, easy parking. Contact **KIP SHARPE**, ksharpe@kiplaw.net 251/343-6700 (office) 251/423-1157 (cell)

ADAMS AND REESE attorney **BRIAN K. SMITHWECK** was named partner as of January 1, 2018. Smithweck began work at the firm in 2014 and practices in the areas of tax, corporate securities, mergers and acquisitions, business planning and estate planning. A double graduate of the University of South Alabama with a Bachelor's degree in 2003 and a Master's degree in 2007, Smithweck earned his J.D. from the Cumberland School of Law at Samford University in 2010 and completed his LL.M. in Taxation from the University of Florida's Levin College of Law in 2011.

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

NEW MEMBERS

ROBERT CHARLES ALEXANDER
Holtsford Gilliland Higgins
Hitson & Howard, P.C.

BENJAMIN NUMA KEARNS
Taylor Martino, P.C.

REED MORGAN COLEMAN
Hill, Hill, Carter, Franco, Cole & Black, P.C.

JEFFREY PATRICK SETTERSTROM
Anders, Boyett & Brady, P.C.

JOSHUA TYLER MORGAN
Greene & Phillips, LLC.

LEDORA KNIGHT

MOBILE BAR ASSOCIATION WOMEN LAWYERS WANTS YOU!

BY: RUTH LICHTENFELD

Yes, the Mobile Bar Association Women Lawyers (“MBAWL”) wants you! We want every eligible member of the Mobile Bar Association to join. Not only is being a member a great way to network and meet lawyers with whom you may not routinely interact, but there is a shared feeling of community among the group. Women lawyers have unique challenges and no one understands that better than a member of the MBAWL. An additional benefit of membership is that it provides opportunities for you to give back to our great community by taking part in the various projects that the MBAWL organizes each year, which benefit different organizations in Mobile. There are also many opportunities to mentor new lawyers, and for those of us new to the profession, opportunities to be mentored. Additionally, MBAWL is frequently asked to disseminate information about job openings to its membership, so you get early notification of opportunities.

The MBAWL meets once each month and the meeting format is diverse. Along with the traditional lunch with a speaker format, we have planned a networking opportunity over happy hour, a program on personal safety, and a program on work-life- fitness balance. To make sure you are included in our email list to keep up with all the meeting dates and activities of the MBAWL, please join today. The dues are \$25.00 per year and can be paid by contacting our Treasurer, Tiffany Smith at tbs@johnstoneadams.com.

Because balance of work, life, and fitness is essential to a healthy life and successful career, the MBAWL is offering a completely unique meeting concept in February. The meeting will be held at the YMCA downtown branch. We will be given a brief introduction to various types of workouts, demonstrated primarily by our members. The date and time will be announced and you will receive an email with all the specifics.

The officers for 2018 are: President Krissy McCulloch, Immediate Past President Kristy Dugan, President-Elect Danielle Mashburn-Myrick, Vice-President Laura Strachan, Secretary Ruth Lichtenfeld, Treasurer Tiffany Smith, Historian Emily Killion, Networking Event Chair Mary Kristen Galanos, and Trailblazer Co-chairs: Julia Shreve and Lanice Turrens.

Join the MBAWL. Together we are stronger.

MBAWL MAY MEETING

BY: JULIA J. SHREVE

For our May meeting of the **MBAWL**, we will once again host a tea to honor a woman lawyer who has overcome challenges, accomplished great things, and blazed the path for future generations. We are soliciting nominations now for women who you believe deserve such a recognition. The honoree is chosen by an anonymous, rotating selection committee of women lawyers from various practice areas. Please tell us in a few words what particular challenges or adversities you believe your nominee has overcome or feats she has accomplished, and send your nominations to **JULIA JAMES SHREVE** at jjs@ajlaw.com so that the MBAWL can put together a memorable event to honor this extraordinary woman lawyer.



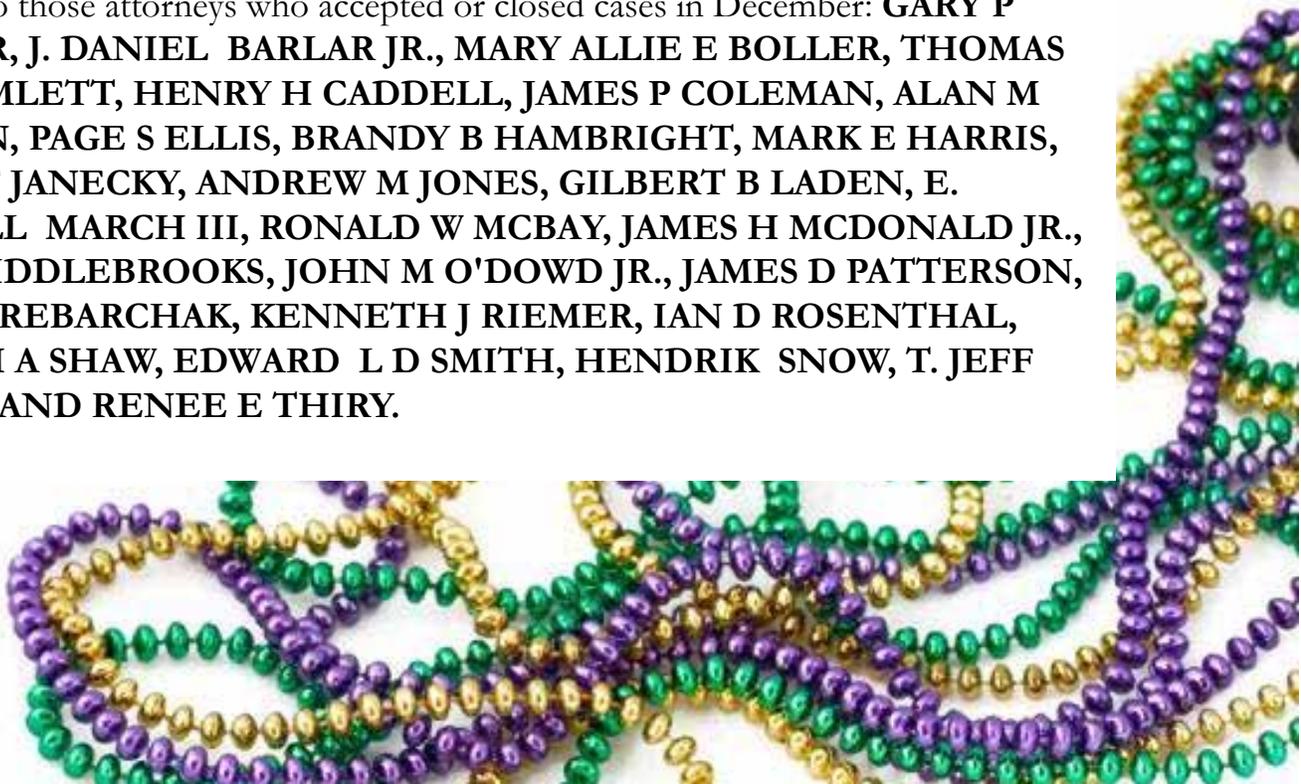
SAVLP

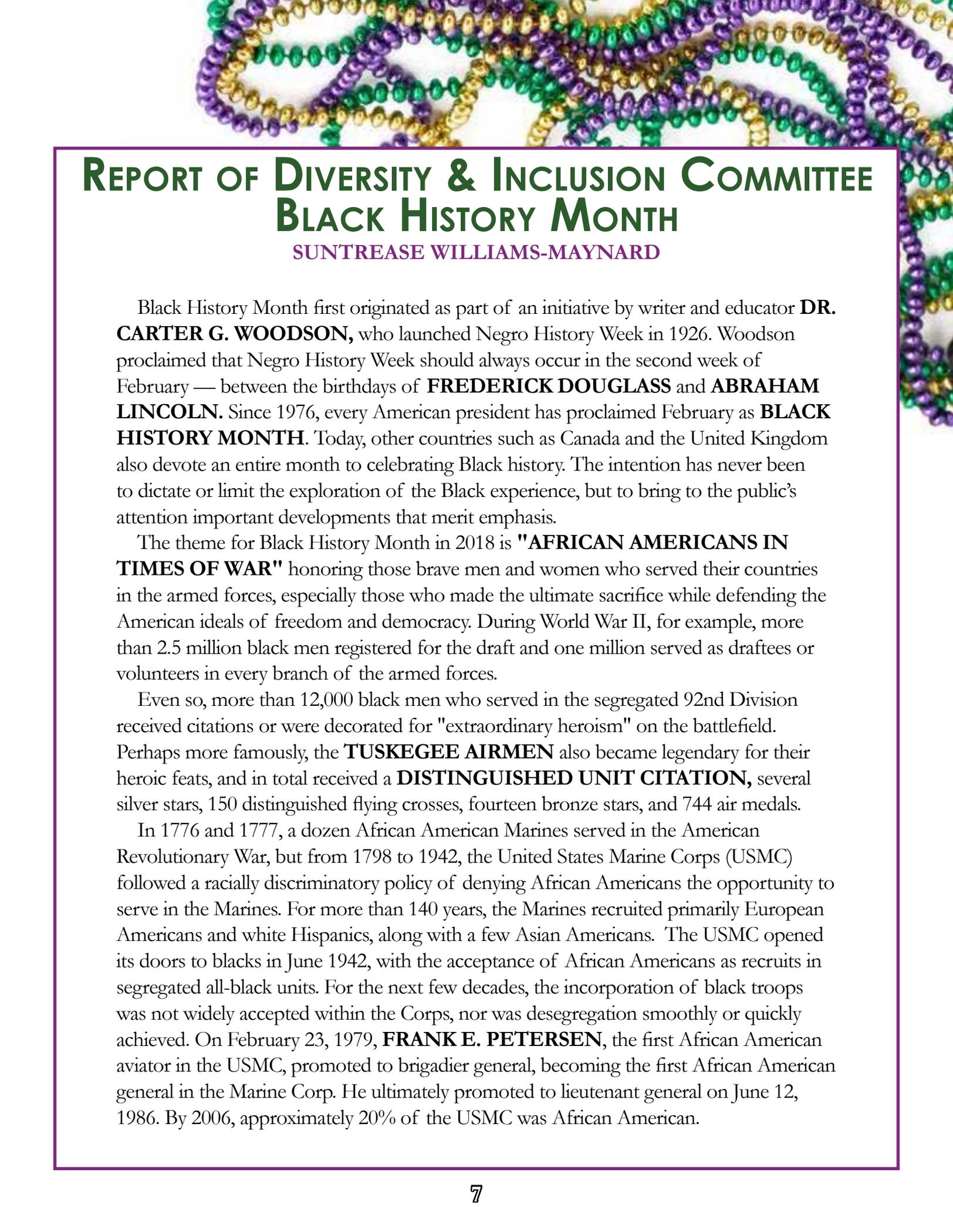
ARIANA MOORE, EXECUTIVE DIRECTOR

Each year SAVLP coordinates civil legal services for Project Homeless Connect, an annual service fair for people experiencing homelessness. Housing First, Inc., stages the event at The Grounds and brings together government agencies, academia, health care facilities, faith based organizations, transportation, law enforcement/court, United Way, businesses, workforce development and other nonprofit agencies together to provide necessary services for the homeless in our community, at no cost to the clients. Attendees have access to legal assistance, dental and vision screenings, housing assistance and mainstream resources (food stamps, state IDs, and more). Those who volunteer for this event truly make a difference in someone's life. Many thanks to the attorneys who participated: Russell Bergstrom, Josh Briskman, Jackie Brown, Pete Burns, Utopia Cassady, Sam Crosby, Jeff Deen, Lisa Deen, Matt Green, Nathan Guin, Scott Hawk, Buzz Jordan, Kyla Kelim, Colin Kemmerly, Gil Laden, Leslie McElderry, Mark Murphree, Jason Osborn, Woodie Perkins, Spencer Phillips, Wes Pipes, Henry Seawell, Zach Weaver, and Michael Wing. Special thanks to the Mobile Municipal Court and District Court for attending: Judge Holmes Whiddon, Judge Carvine Adams, Andrea Jenkins (Bailiff), and Mary Theall (Clerk) {Municipal Court} and Judge Jill Phillips, Chris McDonough (Assistant D.A.), and Kim Earl {District Court}. SAVLP now offers intake screening on the 4th floor of the Mobile County Courthouse Wednesdays through Fridays from 9:30 am-11:30 am. Applicants also may call the Intake Line at (251) 438-1102 or print an application from the SAVLP website (www.savlp.org).

If you haven't volunteered to see clients at the SAVLP office lately, now is a great time to schedule a shift. Call 433-6693 to let us know if you are interested. We look forward to seeing you in our new location.

Thanks to those attorneys who accepted or closed cases in December: **GARY P ALIDOR, J. DANIEL BARLAR JR., MARY ALLIE E BOLLER, THOMAS M BRAMLETT, HENRY H CADDELL, JAMES P COLEMAN, ALAN M COLVIN, PAGE S ELLIS, BRANDY B HAMBRIGHT, MARK E HARRIS, JOHN F JANECKY, ANDREW M JONES, GILBERT B LADEN, E. RUSSELL MARCH III, RONALD W MCBAY, JAMES H MCDONALD JR., S. C. MIDDLEBROOKS, JOHN M O'DOWD JR., JAMES D PATTERSON, JAMES REBARCHAK, KENNETH J RIEMER, IAN D ROSENTHAL, JOSEPH A SHAW, EDWARD L D SMITH, HENDRIK SNOW, T. JEFF STEIN, AND RENEE E THIRY.**





REPORT OF DIVERSITY & INCLUSION COMMITTEE BLACK HISTORY MONTH

SUNTREASE WILLIAMS-MAYNARD

Black History Month first originated as part of an initiative by writer and educator **DR. CARTER G. WOODSON**, who launched Negro History Week in 1926. Woodson proclaimed that Negro History Week should always occur in the second week of February — between the birthdays of **FREDERICK DOUGLASS** and **ABRAHAM LINCOLN**. Since 1976, every American president has proclaimed February as **BLACK HISTORY MONTH**. Today, other countries such as Canada and the United Kingdom also devote an entire month to celebrating Black history. The intention has never been to dictate or limit the exploration of the Black experience, but to bring to the public's attention important developments that merit emphasis.

The theme for Black History Month in 2018 is "**AFRICAN AMERICANS IN TIMES OF WAR**" honoring those brave men and women who served their countries in the armed forces, especially those who made the ultimate sacrifice while defending the American ideals of freedom and democracy. During World War II, for example, more than 2.5 million black men registered for the draft and one million served as draftees or volunteers in every branch of the armed forces.

Even so, more than 12,000 black men who served in the segregated 92nd Division received citations or were decorated for "extraordinary heroism" on the battlefield. Perhaps more famously, the **TUSKEGEE AIRMEN** also became legendary for their heroic feats, and in total received a **DISTINGUISHED UNIT CITATION**, several silver stars, 150 distinguished flying crosses, fourteen bronze stars, and 744 air medals.

In 1776 and 1777, a dozen African American Marines served in the American Revolutionary War, but from 1798 to 1942, the United States Marine Corps (USMC) followed a racially discriminatory policy of denying African Americans the opportunity to serve in the Marines. For more than 140 years, the Marines recruited primarily European Americans and white Hispanics, along with a few Asian Americans. The USMC opened its doors to blacks in June 1942, with the acceptance of African Americans as recruits in segregated all-black units. For the next few decades, the incorporation of black troops was not widely accepted within the Corps, nor was desegregation smoothly or quickly achieved. On February 23, 1979, **FRANK E. PETERSEN**, the first African American aviator in the USMC, promoted to brigadier general, becoming the first African American general in the Marine Corp. He ultimately promoted to lieutenant general on June 12, 1986. By 2006, approximately 20% of the USMC was African American.

LAWYERS IN THE NEWS

By SANDY G. ROBINSON

CONGRATULATIONS: MBA MEMBER JOSH BOONE and wife **LINDSEY** welcomed twin daughters, **LENA** and **VERA** on November 29th, 2017. Congratulations Josh and Lindsey! Lena and Vera are the granddaughters of late MBA member **CLAUDE BOONE**.

CONGRATULATIONS: MBA MEMBER KATE BROWNING DEKEYSER and husband **PHILLIP** welcomed son **SEBASTIAN ARMAND DEKEYSER**, born on November 20, 2017. Sebastian is the grandson of MBA member **DICK BROWNING** and the nephew of MBA member **ANDREW BROWNING**.

CONGRATULATIONS! MBA MEMBER STAPLES WOOD and wife **NANCY** welcome baby daughter **NANCY KIMBROUGH** born on January 21, 2018. Staples practices with **LONG AND LONG** in Mobile and his wife Nancy is a pediatrician in practice in Mobile. Baby Nancy is the niece of MBA member **HARRIS OPPENHEIMER**, and the great-niece of retired **Circuit Judge Rosemary Chambers** and **MBA MEMBER MICHAEL CHAMBERS**. She is welcomed home by big brother William. Congratulations to all!

DIED: EDWARD EVERETT PETERS, father of MBA member **CHRIS PETERS**, died at the age of 96 at his home in Fairhope on January 1, 2018. Mr. Peters was a 1940 graduate of McGill Institute. He enlisted in the U.S. Navy and was selected for flight training. He received his wings and his officer's commission in 1944 and served his country as a Navy fighter pilot during World War II. After receiving an honorable discharge he returned to Mobile and worked for Brookley Air Force Base and later the U.S. Army Corps of Engineers in Mobile, where he served as Chief of Manpower until his retirement in 1980. He was a devoted member of St. Lawrence Catholic Parish in Fairhope, and was an avid outdoorsman. He is survived by his wife, his three children, ten grandchildren and eleven great-grandchildren.

DIED: VIRGINIA YEATMAN KEY, widow of the late **JUDGE ROBERT E. LEE KEY**, died in Mobile on December 20, 2017. Virginia was born in Anniston, and reared in Birmingham. After her marriage, she and Judge Key lived in Charleston, Boston and Washington, D.C. as a result of WWII. She served as an Executive Assistant to a naval Captain at the Pentagon in D.C. Upon moving home to Evergreen, Virginia was a devoted wife to Judge Key and worked in the banking industry for 32 years, rising to Vice President of the Regions Bank in Evergreen. She was an active member of Evergreen Baptist Church for many years before moving to Mobile after her husband's death. She is survived by a daughter, two grandchildren, seven great-grandchildren, and other relatives and friends.

DIED: CAROL EVANS CROWE, widow of late MBA member **RAE CROWE** and mother of MBA member **EVANS CROWE**, died at her home on January 18, 2018. She attended Randolph-Macon College in Lynchburg, Virginia and was graduated Phi Beta Kappa from the University of Alabama in 1952 as one of the first women to receive a degree in mathematics. She was a member of the Kappa Delta sorority. In 1980, she completed her degree in accounting at the University of South Alabama. In 1986, she began work as a certified public accountant at the **SMITH DUKES & BUCKALEW** accounting firm from which she retired in December 2017. She was a longtime member of St. Paul's Episcopal Church. She is survived by four children, eleven grandchildren, and one great-grandchild.

CONGRATULATIONS! MBA MEMBERS PAUL BECKMANN, LATISHA RHODES DAVIS and **KASEE SPARKS HEISTERHAGEN** were recognized in **MOBILE BAY MONTHLY'S "40 UNDER 40"** feature article. Keep up the good work!



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 MEMORIALS

A DONATION HAS BEEN MADE TO THE MOBILE BAR FOUNDATION

IN MEMORY OF

WILLIAM A. "BILLY" KIMBROUGH, JR.

CLAUDE D. BOONE

JOHNNY M. LANE

STOVA F. MCFADDEN

BY: DAVID P. BROOME

STOVA F. MCFADDEN

CLAUDE D. BOONE

BY: CAINE O'REAR, III

JUSTICE JANIE L. SHORES

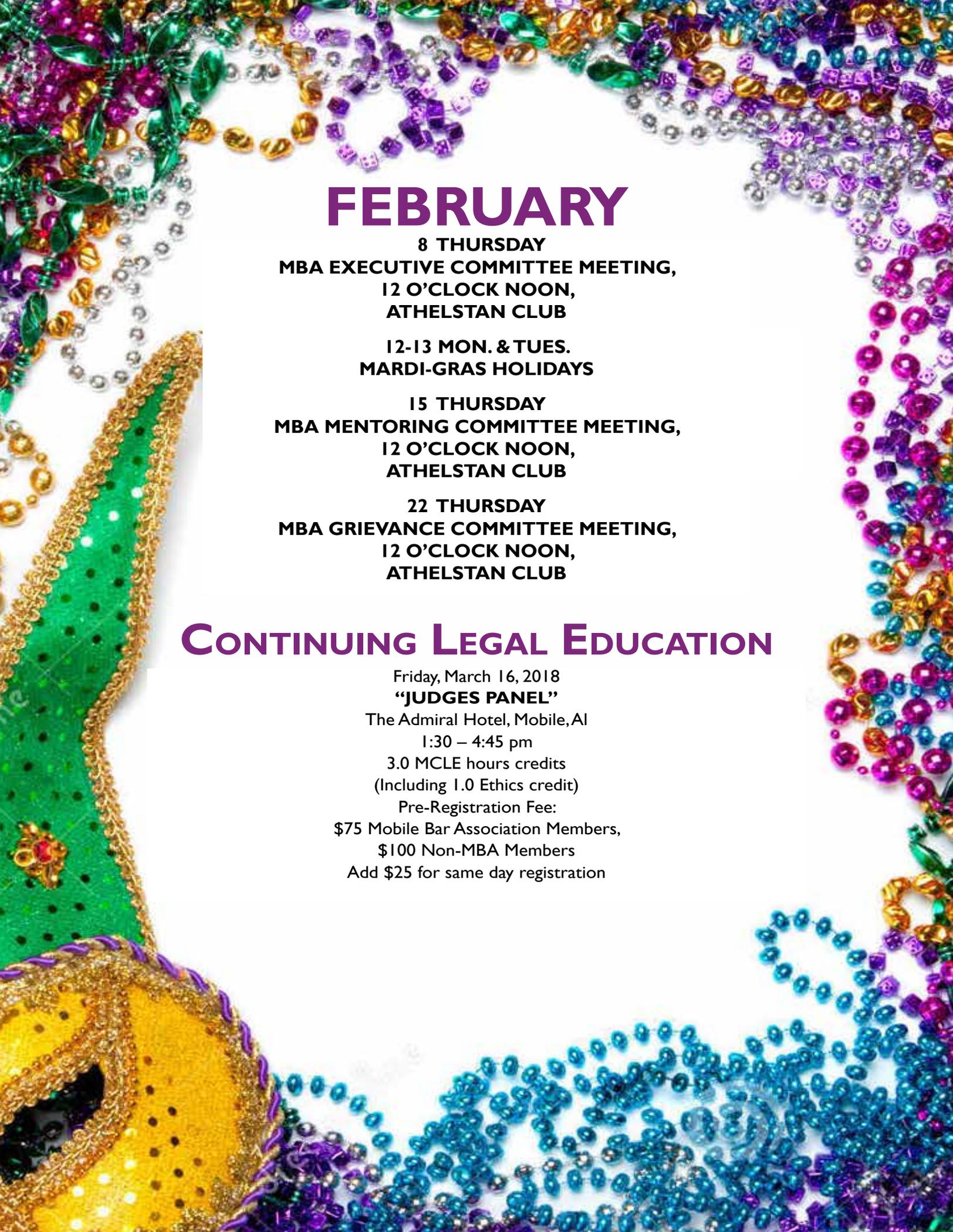
BY: RALPH LOVELESS & LAURA LOVELESS ANDERSON

A DONATION HAS BEEN MADE TO THE MOBILE BAR FOUNDATION

IN HONOR OF

RICHARD L. THIRY

BY: RENEE' E. THIRY



FEBRUARY

8 THURSDAY

**MBA EXECUTIVE COMMITTEE MEETING,
12 O'CLOCK NOON,
ATHELSTAN CLUB**

**12-13 MON. & TUES.
MARDI-GRAS HOLIDAYS**

15 THURSDAY

**MBA MENTORING COMMITTEE MEETING,
12 O'CLOCK NOON,
ATHELSTAN CLUB**

22 THURSDAY

**MBA GRIEVANCE COMMITTEE MEETING,
12 O'CLOCK NOON,
ATHELSTAN CLUB**

CONTINUING LEGAL EDUCATION

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