



# MONTHLY NEWSLETTER

Volume XLV,  
Issue 10 • October 2016



## 50TH ANNIVERSARY OF THE MOBILE BAR BULLETIN EDITOR: FERRELL S. ANDERS

This edition of the **MOBILE BAR ASSOCIATION BULLETIN (MBAB)** is 50 years after the publication of Volume 1, No.1 in October 1966. The **MBAB** is the same age as the Super Bowl! **J. EDWARD THORNTON**, known as **J. ED**, was the first editor and served in that capacity until his health declined. He also served as president two terms. I can still recall seeing him downtown on Saturday mornings wearing his suit and ever present hat. If he were going to his law office, he was going to be wearing his suit no matter what day of the week it was.

As I prepared to recognize this milestone of MBAB, I realized that Mr. Thornton and I have served almost the same number of years as editor. **JERRY MCDOWELL** was the MBA president when “my” first edition was published. He said, *“All of the members or our Association are indebted to J. Ed Thornton for his untiring efforts over the past 25 years...He served this Association well, and we are deeply grateful to him. We welcome Ferrell Anders as the new Editor...Ferrell did not agree upon acceptance of this position that he would serve 25 years, but neither did Mr. Thornton when he undertook the position as Editor 25 years ago.”* It should be noted the Mr. Thornton did not have the benefit of word processing, or email. I have had it so much easier than he did.

A copy of the front page of the first **MBAB** appears elsewhere in this Bulletin. The entire edition is available at [mobilebarassociation.com](http://mobilebarassociation.com). Please note the opinion poll on page 3 regarding whether Circuit Judges should wear robes while on the bench.

The Bulletin was substantially revamped with the first “new look” hitting the desks of members August 2001. The photograph of **PRESIDENT LARRY U. SIMS** appears on the cover of that edition and he deserves a lot of credit for pushing me in the implementation of the format we continue to use. The late **LEE STAMP** and **NEAL BUCHMAN** were also very helpful in those efforts as was **BARBARA RHODES**. **PATRICIA “TRICIA” DUEITT** has been working for us from that August 2001 edition as our contractor who handles, compiles and lays out each edition with very attractive and creative graphic design. She does an outstanding job for us for a very reasonable fee. She makes my job as Editor an easy one as does **BARBARA, TAMMY**, veterans **DUANE GRAHAM, SANDY G. ROBINSON** and all the others who submit pieces for publication in Bulletin. I would be remiss if I didn’t mention the contributions of the late **BILL LAUTEN**, Sandy’s predecessor for Lawyers in the News, and **BEN HARRIS** for his sports columns. Ben wrote those columns like he was an eyewitness and he rarely was unless he was participating. After **BILL LAUTEN** retired from the City of Mobile, he continued to submit his column long hand which the MBA or my secretary typed every month. **BILL ROUNTREE** was our contractor before Tricia and he was a wonderful gentleman who served us extremely well.

I especially want to thank the presidents for their columns over the last half of a century. Special thanks to **PETE MACKEY** for allowing your editor to bump him from the cover this month.

I have enjoyed and continue to enjoy serving the MBA as editor. I know some of you have missed **J. ED**’s editorials covering many topics. I decided in the beginning that I would rather bug other people about monthly deadlines than try to meet one myself.

### PROGRAM

THE OCTOBER 2016 MONTHLY LUNCHEON  
WILL BE FRIDAY, OCTOBER 21, 2016, 11:45 AM  
THE ADMIRAL HOTEL, 251 GOVERNMENT STREET  
**SPEAKER**

**JIM BARBER, CHIEF OF POLICE, CITY OF MOBILE**  
**NOMINATIONS COMMITTEE REPORT**  
**BRIAN P. MCCARTHY, CHAIR**  
**MEMORIAL RESOLUTION**  
**W. BOYD REEVES**  
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### 2016 OFFICERS

**PRESIDENT – PETER S. MACKEY**  
**PRESIDENT ELECT – J. GREGORY CARWIE**  
**VICE PRESIDENT – JEAN M. POWERS**  
**SECRETARY – MOSHAE E. MOORE**  
**TREASURER – ANNA L. SCULLY**  
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**PRESIDENT Y. L. – RUSSELL D. JOHNSON**  
**EXECUTIVE DIRECTOR – BARBARA C. RHODES**  
**EDITOR – FERRELL S. ANDERS**

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# President's Comments

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**PETE MACKEY, PRESIDENT  
MOBILE BAR ASSOCIATION**

*You make a living by what you get. You make a life by what you live.*  
- Winston Churchill

October is **PRO BONO MONTH**. It got kicked off a few days early at the **RED MASS** last Friday. The message of the homily, as you might guess, was a lawyer's duty to protect not just those who can afford our services, but those who cannot. That is also the message of the **ALABAMA BAR ASSOCIATION**. The preamble to the **ALABAMA RULES OF PROFESSIONAL CONDUCT** contains the following:

A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance, and should, therefore, devote professional time and civic influence in their behalf. A lawyer should aid the legal profession in pursuing these objectives and should help the bar regulate itself in the public interest.

In South Alabama, lawyers have historically taken this role very seriously. Coordinating the effort is the **SOUTH ALABAMA VOLUNTEER LAWYERS PROGRAM**. Perhaps it stems from the helping hands given and received after hurricanes, or maybe living in an area that is a hot bed for high school and college football brings out our competitive spirit. Most likely it is both of those reasons and more – it has become part of the legal culture here.

Whatever - every lawyer in the **MBA**, as well as those in our neighboring counties that are a part of the **SOUTH ALABAMA VOLUNTEER LAWYERS PROGRAM** (Baldwin, Clarke and Washington) should be proud of what we are doing. The average participation rate for **VLP** programs nationwide is 20-25% of any particular bar's members. Our participation rate is at 70%. We have 865 lawyers signed up as volunteers. Last year, 280 **SAVLP** members opened 848 files and made contact with or assisted 3,889 people total. Those are insane numbers. Notice that "billable hours" or "contingent fees" are not part of the equation. The **SAVLP** does not take on fee generating cases.

That is not something that just happens. It is a combination of the hard work by the **MBA'S VOLUNTEER LAWYER'S PROGRAM COMMITTEE** (present and past) and the good folks who administer the program. In an effort to dig a little deeper, and avoid the pile of paper on my desk, I sauntered through Bienville Square to the **SAVLP** office in the old Merchants Bank Tower.

**ARIANA MOORE** is the executive director. Ariana, who grew up a few blocks from me in the Oakley Garden District, was enthusiastic about her role with the program and the program's role for its clients. *"We want the lawyers in our program to know how much we appreciate what they do. A lot of times, I feel like that does not come through."* She has a very strong feeling about the role that volunteer lawyers play and the effectiveness of their work:

*"A lot of times, people do not have just one legal issue, they have a lot of legal issues. Being able to talk with a lawyer, even if it's only about one or two of those issues, gives them one advocate to help them set a game plan to address all of their problems. A lot of our clients are hardworking people who,*

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*because they only make minimum wage, or are taking care of sick family members, lack a safety net. They need someone to help and our lawyers do that so well.”*

**ANDREA BREWINGTON**, the only lawyer in the office, is the **DIRECTOR OF LEGAL PROGRAMS**. Presently, she is in charge of **WILLS FOR HEROES** and monthly clinics (in all four counties) on general legal advice, foreclosure avoidance and pro se guardianships. She has also run clinics in the past on bankruptcy and landlord/tenant issues, as well as other legal areas that their clients frequently need help with. She is in all four counties every month, coordinating with volunteer lawyers in each.

Though she enjoyed her time as a prosecutor in the Baldwin County District Attorney’s office, she has really found a home with the **SAVLP**:

*“I get to help more people here. We see the missing links in people’s lives that are affecting their well-being. We are often able to do things to help fix those links and get them going again. It is so easy to miss two weeks of work between jobs and lose their home or have the transmission in their car go out and lose their job. Things that seem small to us are back breakers for them.”*

**JODI WHITE**, the **SAVLP**’s intake coordinator, had her first connection with the program as a client. She got involved because she wanted to give back. Her pet peeve – she does not like the word “indigent.” Jodi has a lot of respect for the work that the lawyers do and notes that a lot of the solutions are non-legal ones. *“Lawyers don’t realize that they are helping as much as they are when they do things like deeds or name changes. They may be little things, but they mean so much to the clients. Just having a lawyer on their side makes them feel special.”*

Right next door to Jodi sits **MIKE DEGAN** – the program assistant overseeing case management. Mike found his way to the program when his fiancé enrolled as a student at USA Medical School. Mike is seeking a career in the non-profit field and feels like the **SAVLP** is a great place to start. *“I think it is a great mission and the program does a lot of good for the community and beyond,”* he told me. He gets a lot of satisfaction from playing the role as the matchmaker -- *“clients come here thinking that we are lawyers and a law firm. We have to let them understand that they are not going to get help right away, but we are the people that can help them get help.”* Mike’s mantra is equal justice for all.

Each year the **SAVLP** has at least one **JESUIT VOLUNTEER**. This year’s volunteer is **MARY MIKKO** from Traverse City, Michigan. Mary acts as intake assistant and just came to Mobile in July. I asked her if this job was what she envisioned before she started. She answered like a good Jesuit Volunteer would – *“pretty much - we want to help everyone – we have big hearts – but we just can’t, and that hurts.”* As an unrelated aside, if you live in Midtown or Downtown, the Jesuit Volunteers (there are usually 6 or 7 in Mobile each year) are baby sitters extraordinaire.

If you are one of the 865 who presently serve as volunteer lawyers, feel good about your role and spread the word. If you are not, please consider doing so. When you go in to the office on your volunteer day, tell Ariana and her staff how much you appreciate what they do. Many years ago a lawyer, now gone, gave me an interesting (and tongue in cheek) insight on pro bono work – *“I don’t tell other lawyers how good it makes me feel because I want them to think that I am making a real sacrifice.”* Perhaps he read **Churchill**.

# Browsing the Bar With Barbara



It was October when I wrote my first column for the **MONTHLY BULLETIN** (they neglected to tell me during the interview that writing this column was part of my job description and probably would not have hired me if they had seen some of my writing samples!), what can I say, writing is not one of my strong suits. However, over 400 columns later I am still here so either y'all are not reading them or are very forgiving!

A lot has happened during the ensuing years – **RUTH NORRIS**, my predecessor and a very old friend, is still in Mobile but, I am sorry to say, is very ill at the present time and in need of your thoughts and prayers. **AMY FAULK**, who was with the MBA when I was hired, resigned after about four years due to a very sick child. We then hired **TAMMY (STEARNS) ANDERSON** part time while still in high school and then full time – she is in her 29th year with us. She has married, lost both parents, and birthed three children during those years. Tammy is very capable, she is our IT whizz, and a delight to work with.

We are still in the LeVert Office, although in the year 2000, under the leadership of **ALEX LANKFORD**, the office was completely renovated and beautiful twelve foot cabinets were installed so we no longer had to use the old military gun metal gray ones. When **LARRY SIMS** was president, we raised funds for a beautiful conference table, which was dedicated to **PAUL BROCK**, with twelve swivel conference chairs, which were purchased by individuals in memory or honor of someone special. I have truly enjoyed my years with the MBA and thank each of you for the friendship you have shown me.

## 50TH ANNIVERSARY OF THE MOBILE BAR BULLETIN



The present provisions of the Alabama Code, relative to service for Petitions to Probate where the beneficiaries are known, both as to full names and addresses and where they are living out of the State, permit publication. It is the thinking of many lawyers in Alabama today, that with respect to non-residents where their addresses are known, that Registered Mail sent by the Court is required.

further the policy of the Association.

"Be it resolved that the Ethics Committee of the Mobile Bar Association takes the follow-

Continued on page 4, Col. 1

Of Course, in Condemnation Cases, the same question arises for proper service on non-residents and it is the consensus of opinion by many attorneys today that publication in this type of case is not proper service and can be set aside.

It is essential that the Bar Association give this matter immediate attention lest Decrees of the Probate Court become subject to attack, and possibly collateral attack."

4. **JIMMY MOORE, CHAIRMAN** of the **ETHICS COMMITTEE** has called our attention to a Resolution adopted by the Association in 1963, expressing a policy opposing endorsements of petitions on behalf of candidates for public office by members of the Association. Apparently, there is some confusion about this. The Committee has been in correspondence with the American Bar Association concerning it. The result is the adoption of a Resolution, approved by the Executive Committee, which spells out

5. **SAM PIPES**, Chairman of the Committee on Local Practice and Procedure, has asked that all of the members of the Association complete and return to him the questions set out below: His report is:

"The Committee has considered a proposal that the Judges of the various State courts in Mobile County wear robes while presiding in their respective Courts. It is the opinion of the Committee, that the Bar Association should not recommend the wearing of robes by Judges of Courts other than the Circuit Court. It is further the recommendation of the Committee, that each member of the Mobile Bar Association be polled by post card or by letter as to whether the members approve or disapprove of the wearing of robes by Circuit Judges. It is the suggestion of the Committee that each member be requested to vote for one of three choices as follows:

- ( ) I approve of Circuit Judges wearing robes.
- ( ) I disapprove of Circuit Judges wearing robes.
- ( ) I feel that the question of wearing robes should be left up to the Circuit Judges without recommendations from the Bar Association.

### BANK ROBBERY - A MOST SERIOUS MATTER

LETTER FROM PRESIDENT GALLALEE

Dear Bar Members:

It's a pleasure to write this message for the first issue of our monthly bulletin. I hope this publication will be as welcome to you as it is to me. As the Bar Association has grown, it has become increasingly difficult to keep members informed as to the work which is going on. Issuance of the bulletin will let all members see what is happening, what committees are functioning, and what is planned for the future. This should tend to strengthen the Association and make all members aware of the importance of supporting it.

The Chairmen of the Committees will want to use the Bulletin to keep the Association apprised of activities which should be known throughout the Association. Such notices as should be furnished the Editor in time to make the succeeding issues of the Bulletin.

Now that summer is over, will all committee chairmen please review your committee work and point toward finishing it by

Continued on page 2, Col. 1

Is the title of speech to be presented by our speaker the Honorable Dillard Howell, Special Agent in Charge, Mobile Office, F.B.I. at the monthly meeting on Friday, October 21st, 1966 at 12:45 P.M. Room, Sheraton No. 2, Sheraton Battle House. Mark your calendar now to attend this meeting.

### STATE

Petitions have been circulated among members of the Mobile Bar Association announcing that Sam Pipes, former President of our Association, former member of the State Grievance Committee, and member of the Special Committee on Delays in Appellate Courts, will be nominated as President-Elect of the State Bar at the Convention in July 1967. Sam's candidacy has been endorsed by every member of our Association. Our members should now notify all of our friends throughout the State and enlist their active support on behalf of Sam.

[Click here to see the full edition of the October 1966 MBAB](#)

## MOBILE BAR ASSOCIATION WOMEN LAWYERS

BY: ALEXANDRA K. GARRETT

**MBAWL** held its monthly meeting on September 13 at **T.P. CROCKMIERS**. Executive Director of the **ALABAMA POST CONVICTION RELIEF PROJECT** **CHRISTINE FREEMAN** spoke to members about the Project's efforts to support volunteer counsel representing inmates on Alabama's death row in their state post-conviction proceedings. A representative of the Mobile Police Department gave members an update on police and community relations.

**MBAWL** participated in a month-long towel drive for victims of the flooding in Louisiana. Thanks to all those who donated!

**MBAWL'S 6TH ANNUAL NETWORKING EVENT FOR PROFESSIONAL WOMEN** will be held on October 6th in the **REGIONS BANK PHARR ROOM** on the 29th floor of the RSA Battle House Tower. Attendees will enjoy an opportunity to network with women from various professions, food, drinks, and a keynote address from **LYNN MACKIE**, an internationally-acclaimed soprano and native of Mobile. To reserve your \$20 ticket, contact **EVENT CHAIR DANIELLE MASHBURN-MYRICK** at [Danielle.Mashburn-Myrick@phelps.com](mailto:Danielle.Mashburn-Myrick@phelps.com). All proceeds from the Networking Event will benefit **LIFELINES COUNSELING SERVICES**, a local Mobile non-profit organization that provides multiple counseling services to our area's citizens, including family counseling and consumer credit counseling, and operates **MOBILE'S RAPE CRISIS CENTER** and the **United Way 2-1-1** crisis hotline.



## ANNOUNCEMENTS

**DEPUTY LICENSE COMMISSIONER NAMED: MOBILE COUNTY LICENSE COMMISSION** announces that **ADAM BOURNE** is now deputy license commissioner. His

email address is [adam.bourne@mobilecountylc.com](mailto:adam.bourne@mobilecountylc.com), and his office phone number is 251.574.8790.

**WORK WANTED:** Attorney with over 10 years of litigation experience, not yet licensed in Alabama, seeking paralegal or law clerk work. Over 10 years experience handling highly litigated and complex cases in both state and federal trial and appellate courts. Skills include legal research, writing, discovery, document review and docket management. If interested, please contact **NICHOLAS DONNERMEYER** at 859.835.5450 or [nddonn@gmail.com](mailto:nddonn@gmail.com). Resume on file with Mobile Bar Association. Writing samples can be provided upon request.

**FOR SALE OR RENT:** Midtown Office Building For Sale of Lease: Midtown office building for sale or lease with space available for two or three lawyers and staff. Convenient and highly visible location at 2053 Dauphin Street with private parking lot and signage available. Building has CAT5 wiring, internet and phone system in place. Includes private meeting area attached to corner office, conference room, waiting area, kitchen and file storage area. Contact **JIM JEFFRIES** at 251.445.5522 or [jim@jeffriesfamilylaw.com](mailto:jim@jeffriesfamilylaw.com).

**FOR SALE:** Antique Chippendale hand-carved 3 pedestal table with glass top – approximately 10 feet 6 inches by 4 feet wide with a 40 inch leaf in the middle. ALSO comes with 10 black leather swivel judge's chairs. \$6,500.00 for all. Located at One St. Louis Centre. Call to make appointment with **BILL WATTS** at 251.709.9234. ALSO, Full updated set of Code of Alabama. Call if interested.

**SPECIAL THANKS** to **C. S. CHIEPALICH** and **GARDBERG & KEMMERLY** for their contribution to the **JUROR COFFEE FUND**.

**MOBILE COUNTY PROBATE COURT (and all MOBILE COUNTY OFFICES)** will be open to the public on **COLUMBUS DAY**, October 10, 2016. The **JUDICIAL DIVISION** will have a general docket. State and federal courts and offices will be closed.

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
MOBILE, ALABAMA  
BY: BRIAN P. MCCARTHY

**PUBLIC NOTICE FOR REAPPOINTMENT OF INCUMBENT MAGISTRATE JUDGE**

The current term of office of **UNITED STATES MAGISTRATE JUDGE KATHERINE P. NELSON**, United States District Court, Southern District of Alabama, is due to expire on June 3, 2017. The United States District Court is required by law to establish a Panel of citizens to consider the reappointment of the Magistrate Judge to a new eight-year term.

The duties of the position are demanding and wide-ranging and include the following:

- (1) Conduct of most preliminary proceedings in criminal cases;
- (2) Trial and disposition of misdemeanor cases;
- (3) Conduct of various pretrial matters in civil cases and evidentiary proceedings on delegation from the Judges of the District Court;
- (4) Trial and disposition of civil cases upon consent of the litigants; and
- (5) Jury selection in most civil and criminal cases.

Comments from members of the Bar and the public are invited as to whether the incumbent Magistrate Judge should be recommended by the Panel for reappointment by the Court. All comments should be marked **“Confidential”** and directed to:

Charles R. Diard, Jr., Clerk  
U. S. District Court  
Southern District of Alabama  
113 St. Joseph Street  
Mobile, AL 36602

**Comments must be received by close of business January 3, 2017.**

## LAWYERS IN THE NEWS

BY SANDY G. ROBINSON

### LEGAL MILESTONES:

**CONGRATULATIONS!** MBA member **COLEMAN MEADOR** was married to **KATHRYN MARIA SAPIO** on September 17, 2016 at Central Presbyterian Church in Mobile.

**DIED: ROMAINE S. SCOTT, III** died in Fairhope on September 19, 2016. He was a graduate of **WASHINGTON & LEE UNIVERSITY** and **CUMBERLAND SCHOOL OF LAW**. He practiced law in Birmingham, Mobile and Fairhope for more than 35 years and served the **ALABAMA STATE BAR** on its Board of Bar Examiners. He also served as an editor on the **AMERICAN BANKRUPTCY INSTITUTE JOURNAL** and on the Alabama Lawyer. He served on the **BOARD OF DIRECTORS OF THE POINT CLEAR ROTARY CLUB** and is a **PAUL HARRIS FELLOW**. He had a passion for music, and for his Scottish heritage. He is survived by his wife and law partner, **RITA HEIDORN SCOTT**, four children, four grandchildren, and many other relatives and friends.

MOBILE ASSOCIATION OF LEGAL ADMINISTRATORS presents

***“A 60 Minute Ethics Program:  
“Tech, Tock, Tech, Tock: Social Media  
and the Countdown to Your Ethical Demise.”***

**SPEAKER: STUART TEICHER, J.D.,** The “CLE Performer,”

A professional legal educator and Author who focuses on ethics law.

One Hour Ethics MCLE

Wednesday, October 19, 2016, 12 o'clock noon,

The Admiral Hotel, 251 Government Street.

Cost, including lunch, \$50 Registration after October 12, 2016 will be \$75.



## SIGNIFICANT DECISIONS

BY DUANE GRAHAM

In an apparent case of first impression, the Supreme Court in *Ex parte Holderfield*, No. 1150165 (Ala., July 1, 2016), held that a criminal defendant’s motion to set aside a restitution order was sufficient to toll the time period for filing an appeal.

In *Cutler v. University of Alabama Health Services Foundation, P.C.*, No. 1150546 (Ala., July 8, 2016), the Supreme Court held that under the Medical Services Liability Act, Ala. Code § 6-5-482, a claim for medical malpractice accrues at the time a legal injury occurs, even if the patient is unaware of the injury. Thus, when a physician allegedly failed to tell the patient of the existence of a tumor/lesion resulting from an accident and when that tumor/lesion grew during the next 4 years, the malpractice claim for failure to disclose was barred under the 4-year rule of repose even though the patient did not learn of the existence of the condition until several years later.

The Supreme Court in *Ex parte Bio-Medical Applications of Alabama, Inc.*, No. 1150352 (Ala., July 15, 2016), held that when a wrongful death action was filed by a child of the decedent who had not been appointed as personal representative and the two-year statute of limitations expired, the complaint could not be amended to substitute the other child who had validly been appointed as personal representative. It did not matter that the child who filed the action was eligible for appointment as the personal representative – since he was not appointed he could not file an action. The Court rejected the notion that the personal representative had delegated the task of filing the lawsuit. Accordingly, the complaint was dismissed.

In *Northstar Anesthesia of Alabama, LLC v. Noble*, No. 1141158 (Ala., July 8, 2016), the Supreme Court held that a wrongful death lawsuit filed after the personal representative had been discharged and released of responsibility pursuant to a final settlement of the estate was a nullity. The court also held that when the personal representative was supposedly “re-appointed” as personal representative after the two-year statute of limitations had run, this appointment would not relate back to the filing of the lawsuit. Thus, the lawsuit was due to be dismissed.

# SAVLP

MIKE DEGEN, PROGRAM ASSISTANT



The **SOUTH ALABAMA VOLUNTEER LAWYERS PROGRAM** will be holding limited legal advice clinics on **THURSDAY, OCT. 13 FROM 1 - 3 PM ON THE 4TH FLOOR OF GOVERNMENT PLAZA IN MOBILE** and **WEDNESDAY, OCT. 19 FROM 1:30 - 3:30 PM AT CHRISTIAN SERVICE CENTER IN GULF SHORES**. Call the VLP Office at 251-433-6693 if you are interested in volunteering at one or both of these clinics.

Let your colleagues in nonprofits in South Alabama know about **SAVLP'S ANNUAL LEGAL ISSUES FOR NONPROFITS** informational seminar on Oct. 13. Details and registration info below!

The **SAVLP** will host a pro se guardianship informational seminar and clinic at Augusta Evans on Oct. 17.


The **ANNUAL SAVLP CLE** will be held Friday, Oct. 21 at the Admiral Hotel, 1:30 – 4:45 PM

Topics to be covered:

**BANKRUPTCY LAW**  
by **JUDGE JACK CADDELL**

**ESTATE & WILLS**  
by **WES BLACKSHER, ESQ.**

**DOMESTIC LAW**  
by **JUDGE WALTER HONEYCUTT**



October 13, 2016  
8:30am-12:15pm

Goodwill Easter Seals  
2448 Gordon Smith Drive  
Mobile

**SOUTH ALABAMA VOLUNTEER LAWYERS PROGRAM**

**PRESENTS**

## LEGAL ISSUES FOR NONPROFITS 2016

Free legal informational seminar for administrators of 501c3 nonprofit organizations in Baldwin, Clarke, Mobile, and Washington Counties.

**Overtime Law Compliance Update**  
R. Scott Hetrick, Esq., Adams & Reese, LLP





**Gun Laws in Alabama: Can a nonprofit restrict guns on their property?**  
Craig D. Dahle, Esq., Mobile County Sheriff's Department

**Cybersecurity for Nonprofits**  
Christopher S. Williams, Esq., Hand Arendall, LLC

**Nonprofit Liability and Risk Management Related to Volunteers**  
M. Kathleen Miller, Esq., Armbrecht Jackson, LLP

**How the Alabama Ethics Act Affects Nonprofit Practices**  
Matthew C. McDonald, Esq., Jones Walker

Space is limited. Registration required on [www.SAVLPlegalissues2016.eventbrite.com](http://www.SAVLPlegalissues2016.eventbrite.com)  
Sign in at 8:00am. Seminar begins at 8:30am.



The **SAVLP** would like to express gratitude to the following volunteer attorneys for either opening or closing pro bono cases with the program in the month of September:

FERRELL S ANDERS  
PAUL T BECKMANN  
BILLY C BEDSOLE  
WESLEY H BLACKSHER  
EDWARD C BLOUNT JR.  
THOMAS R BOLLER  
W. DONALD BOLTON JR.  
EDWARD G BOWRON  
PETER F BURNS  
CHRISTOPHER A CALLAGHAN  
JAMES PAUL CLINTON  
F. LUKE COLEY JR.  
ALAN M COLVIN

BESS M CRESWELL  
JUDSON E CRUMP  
ERIN FLEMING  
GEORGE C GASTON  
THOMAS J GLIDEWELL  
BRENDA D HETRICK  
R. SCOTT HETRICK  
JENNIFER HOLIFIELD  
GILBERT B LADEN  
E. RUSSELL MARCH III  
DANIELLE MASHBURN-MYRICK  
JAMES H McDONALD JR.  
AUGUSTINE MEAHER III

S. C. MIDDLEBROOKS  
JUAN ORTEGA  
TERRIE OWENS  
JAMES REBARCHAK  
KIRKLAND E REID  
LATISHA RHODES DAVIS  
JAMES E ROBERTSON  
WILLIAM E SCULLY III  
CLIFFORD C SHARPE  
DAVID P SHEPHERD  
L. ROBERT SHREVE  
FRANKLIN L SHUFORD JR.  
T. JEFF STEIN

SAMUEL L STOCKMAN  
BRYAN A THAMES  
RENEE E THIRY  
PATRICK J WARD  
WILLIAM W WATTS III  
ANNA M WILLIAMS  
MARGARET Y WILLIAMS  
RONNIE L WILLIAMS  
THERESA N WILLIAMSON  
PATRICIA K WOOD



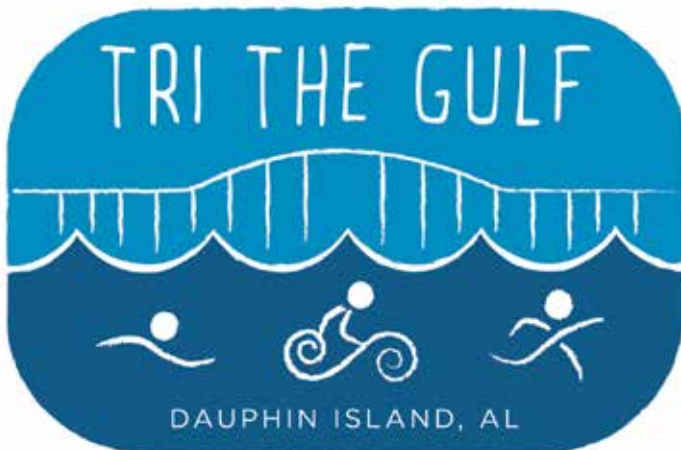
# 28TH ANNUAL BENCH & BAR CONFERENCE

Friday – Sunday, December 2-4, 2016,

Marriott's Grand Hotel

Special Weekend Rates for Mobile and Baldwin County Bar Members

Friday	10:00 am	<b>WOMEN LAWYER PROGRAM</b>
Friday	11:00 am	<b>YOUNG LAWYER/JUDGE MIXER</b> includes lunch
Friday	1:00 pm	<b>CONFERENCE</b> from 1:00 – 6:00 pm includes <b>HOWELL HEFLIN AWARD, VOLUNTEER LAWYER AWARD, SPONSOR DOOR PRIZES AND</b> Speakers: <b>R. ASHBY PATE,</b> Esquire, former Associate Justice of the Supreme Court of Palau, Author, Musician <b>J. ANTHONY MCLAIN,</b> Esquire, General Counsel, ASB <b>SHERYLL CASHIN,</b> Esquire, Law Professor, Georgetown University, Author <b>ROBERT THORNHILL,</b> ASB Lawyer Assistance Program <b>SAMUEL N. CROSBY,</b> Esquire, Stone Granade & Crosby, PC <b>COOPER C. THURBER,</b> Esquire, Phelps Dunbar <b>TIMOTHY A. LEWIS,</b> Esquire, ASB Law Librarian
Friday	6:00 pm	<b>COCKTAIL PARTY SATURDAY</b>
	9:00 am	<b>GOLF TOURNAMENT</b>



## MOBILE BAR FOUNDATION TO SPONSOR FIRST ANNUAL “TRI THE GULF”

The **MOBILE BAR FOUNDATION** is sponsoring a triathlon that will be held on Dauphin Island on October 15, 2016, as a fundraising event. The Foundation needs **EVERY** member of the Association to assist in this effort. There are needs associated with the triathlon, including: financial sponsors, participants in the triathlon (either as individuals or as part of a relay team), assist in the pre-event

administrative activities, assist in the set-up of equipment immediately prior to the commencement of the triathlon, help promote safety on the bike and run courses during the triathlon, assist in the triathlete check-in process, and assist with post-event party. The triathlon has a web site and a Facebook page. The web site address is [www.trithegulf.com](http://www.trithegulf.com). The FaceBook page is <https://www.facebook.com/trithegulf>. Registration for the triathlon has commenced. If you have any questions or desire to be a volunteer, please contact **BRANDY HAMBRIGHT**, volunteer coordinator, at 251.438.2700 or [brandy@hmlawyers.com](mailto:brandy@hmlawyers.com). If you are interested in providing financial support, please contact Jean Powers, sponsor coordinator, at 251.432.0043 or [jean@jeanpowerslaw.net](mailto:jean@jeanpowerslaw.net).

# YOUNG LAWYERS

BY: RUSSELL JOHNSON, PRESIDENT

The **YOUNG LAWYERS** would like to thank everyone at **CUNNINGHAM BOUNDS** for hosting our September meeting. We had another tremendous turnout for the event. The October meeting will be hosted by **THE CITRIN LAW FIRM** on **OCTOBER 20TH** at **GULFQUEST NATIONAL MARITIME MUSEUM**. The event begins at 5:15 PM and will feature outstanding food, open bar, and live music. The meeting will be held on the Riverfront Promenade & Amphitheatre. We expect a great weather and a huge turnout. You won't want to miss it.

*We look forward to seeing everyone on October 20th at The Maritime Museum*



## PLEASE GIVE

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

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

In honor/memory of: \_\_\_\_\_

Acknowledgement 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



# OCTOBER CALENDAR OF EVENTS

**OCTOBER 4 - TUESDAY  
MENTORING COMMITTEE,**  
12 o'clock noon,  
Athelstan Club

**OCTOBER 13 - THURSDAY  
EXECUTIVE COMMITTEE,**  
12 o'clock noon,  
The Admiral Hotel

**OCTOBER 14 - FRIDAY  
ASB ROAD SHOW,**  
1:30 – 4:45 pm,  
The Admiral Hotel

**OCTOBER 15 - SATURDAY  
TRI THE GULF TRIATHLON,**  
Dauphin Island, AL

**OCTOBER 19 - WEDNESDAY**  
New Lawyer Orientation,  
10:00 am – 4:30 pm

**OCTOBER 21 - FRIDAY  
OCTOBER MONTHLY LUNCHEON,**  
11:45 am,  
The Admiral Hotel

**OCTOBER 21 - FRIDAY  
SAVLP Annual Seminar,**  
1:30 – 4:45 pm, The Admiral Hotel

**OCTOBER 27 - THURSDAY  
GRIEVANCE COMMITTEE,**  
12:00 o'clock noon, The Athelstan Club

## CONTINUING LEGAL EDUCATION

**OCT 14 - FRIDAY  
ASB ROADSHOW,**  
The Admiral Hotel, 3.0 hrs. MCLE Credits  
including 1.0 hr. Ethics

**OCT 19 WEDNESDAY  
ANNUAL NEW LAWYER ORIENTATION,**  
Regions Bank Conference Room,  
5.0 hrs. MCLE Credits, 10:30 am – 4:30pm,

**OCT 21 FRIDAY – SAVLP ANNUAL CLE,**  
The Admiral Hotel, 3.0 hrs. including 1.0 hrs. Ethics,  
1:30-4:45pm

**NOV 4 FRIDAY  
CLE BY-THE-HOUR,**  
The Admiral Hotel,  
8.0 hrs. MCLE Credits including 1.0 hr. Ethics

**NOV 18 FRIDAY – HOT TOPICS IN IP:  
CAN YOU PATENT AN APP? SCANDALOUS  
TRADEMARKS, AND MORE,**  
The Admiral Hotel, 3.0 hrs. MCLE Credits,  
including 1.0 hr. Ethics

**DEC 2-4 FRI-SUN  
ANNUAL BENCH & BAR CONFERENCE,**  
Marriott's Grand Hotel  
10:00 am - Women Lawyers Conclave  
1.0 hr. MCLE Credit  
11:00 am - YOUNG LAWYER/JUDGE MIXER  
1.0 hr. MCLE Credit  
1:00 pm - CONFERENCE 5.0 hrs. MCLE Credit including  
1.0 hr. Ethics

**DEC 9 FRIDAY  
INTRODUCTION TO APPOINTMENT PROCESS,**  
The Admiral Hotel,  
3.0 hrs. MCLE Credits

**DEC 16 FRIDAY  
ANNUAL CIVIL LAW UPDATE,**  
The Admiral Hotel,  
3.0 hrs. MCLE Credits including 1.0 hr. Ethics

**2017  
JAN 20 FRIDAY – JUDGE'S PANEL,**  
The Admiral Hotel, 3.0 hrs.  
MCLE Credits including 1.0 hr. Ethics

**MAR 24 FRIDAY  
ANNUAL CRIMINAL LAW UPDATE,**  
The Admiral Hotel,  
3.0 hrs. MCLE Credits

