



## **The Weekly Email Newsletter Of The Mississippi Bar** **September 24, 2007**

### **Consumer Assistance Program Receives Over 5,600 Calls in 2006-07**

In the fiscal year 2006-07, the Consumer Assistance Program of The Mississippi Bar handled 1,483 docketed cases and answered 5,639 phone calls from consumers and clients. The program issued a record 1,442 bar complaint forms with 1,344 forms sent by phone request and 98 sent in response to docketed cases in the last fiscal year. The CAP also issued 82 fee dispute packets for the year. Of the docketed cases opened with the program, 88% of the cases involved criminal matters while 11% of the cases were civil matters. 62% of the cases were classified as attorney contact situations. The number one problem between attorneys and their clients continues to be lack of communication issues by a wide statistical margin. On an average, the program deals with about 66 bar members per month, issues an average of 120 bar complaint forms per month, and handles 470 calls per month. On a daily basis, the program opens between 7 and 10 new cases and answers between 20 and 30 phone calls. The Mississippi Bar's Consumer Assistance Program is the first of its type in the United States and has been operating since 1994. Nineteen other state bar associations have adopted similar programs based on the procedures established by The Mississippi Bar CAP. For more information on the Consumer Assistance Program, contact Glen Waddle at 601-948-2344 by phone or by e-mail at [gwaddle@msbar.org](mailto:gwaddle@msbar.org).

### **Bar Announces New Member Benefit - Legal Forms Online**

The Bar now offers to all Mississippi attorneys' access to over 7,000 Mississippi legal forms. *The Mississippi Bar FormsPass(R) Legal Forms Library* is made possible by an agreement with US Legal, Inc., a Mississippi Company which provides state specific forms to attorneys in all states. *FormsPass* will allow users to access and use over 7,000 Mississippi legal forms at a highly reduced rate. To activate your subscription go [here](#) and complete the form and fax or mail to US Legal, Inc. In order for the Bar to continue offering this product, we need to obtain a sufficient number of subscriptions, so please act today. For more information visit the forms site at [www.formspass.com/msbar/](http://www.formspass.com/msbar/)

### **Court Extends Comment Period for Proposed Rules To September 28**

On behalf of the Mississippi Supreme Court, the Supreme Court Rules Committee announces that two proposed rules amendments will be posted for public comment on the NEWS section of the Court's website. <http://www.mssc.state.ms.us/> Pursuant to Rule 27(f) of the Mississippi Rules of Appellate Procedure, the two proposals were posted for a 30-day public comment period beginning August 7, 2007. The comment period has been extended until September 28. They are proposed MRCP 26A - Discovery and Pretrial Practice in Actions Under \$50,000 and proposed amendment to MRCP 45 to provide a time frame within which to respond to subpoena to produce and permit inspection of documents.

### **Credit Counseling and Debtor Education Waiver Decisions**

R. Michael Bolen, U. S. Trustee for Region 5, has determined that the requirements for credit counseling and debtor education courses, which had been waived for the Southern District of

Mississippi, will apply to bankruptcy cases filed on or after March 10, 2008. The same requirements will likewise apply to cases filed in the Middle and Western Districts of Louisiana. The waiver of these requirements will continue through September 30, 2008, in the Eastern District of Louisiana unless subsequently modified. A notice further explaining the determination is contained on the "What's New" page of the Region 5 website at <http://www.usdoj.gov/ust/r05/>.

### **Women Lawyers Brown Bag Luncheon**

Women Lawyers - Are you interested in joining other colleagues at the Bar for a weekly Brown Bag Luncheon to discuss issues pertinent to women in the profession? Please contact Lillie Cox at 601-948-0989 or [lcox@msbar.org](mailto:lcox@msbar.org) and provide your name, phone number, email address, and a preferred day and time when you are available for this luncheon.

### **What Can Law Schools Do Better?**

Two independent, five-year studies on legal education published their findings in March 2007. While employing different methodologies, their recommendations were almost identical: Law schools over-emphasize teaching legal analysis and doctrinal knowledge and ignore teaching professional skills and values. The cover story of this issue features articles and interviews from six legal educators who are implementing or are planning exciting, innovative programs at schools. In many local editions of TCL, deans and professors offer their perspectives on the research findings of these and earlier studies. [Just click here to get to this issue of The Complete Lawyer.](#)

### **North Mississippi Lawyers' Support Group**

If you are feeling stressed, depressed, burned out or could generally use some support, please join us at the North Mississippi Lawyers' Support Group the 2nd and 4th Wednesday of every month at 5:30 PM. This is a very open and welcoming group and we are always happy to see new faces. Confidentiality is a priority. We meet at the University Counseling Center on the Ole Miss Campus, Corner of Poole and All American Drive. For more information, contact Linda at 662-816-3971 or e-mail [slindylou@yahoo.com](mailto:slindylou@yahoo.com).

### **Mississippi Innocence Project Formed - Inaugural Dinner on October 22**

With the assistance of John Grisham and Scott Turow the Innocence Project of Mississippi has been formed. All Mississippi lawyers are invited the inaugural dinner for the Project in Jackson on October 22, 2007. The Mississippi Innocence Project is committed to providing the highest quality legal representation to its clients: state prisoners serving significant periods of incarceration who have cognizable claims of wrongful conviction. In addition, the Project seeks to identify systemic problems in the state's criminal justice system, develop initiatives designed to raise public and political awareness of the prevalence, causes and societal costs of wrongful convictions, and to promote meaningful criminal justice reform. The 2007 Inaugural Dinner is planned for Monday evening, October 22, in Jackson. Grisham and Turow, who among their many other accomplishments, have been leaders in the areas of wrongful conviction and national criminal justice issues, will be there to discuss the importance of the movement generally, and this Project in particular. Tickets are \$125 per person and available by contacting Renee Van Slyke, at 662-915-6822 or [reneevan@olemiss.edu](mailto:reneevan@olemiss.edu). Individuals, firms and other organizations who would like to purchase tables for the evening or otherwise make a donation to the Project should contact Tucker Carrington, [carringw@olemiss.edu](mailto:carringw@olemiss.edu), P.O. Box 1848, University, MS 38677, (662) 915-5207, or Tim Walsh, Associate Dean for Development, at (662) 915-7375 or [tim@olemiss.edu](mailto:tim@olemiss.edu). To request disability-related assistance call 662-915-6900.

### **Upcoming CLE Offerings**

#### **Drafting Opinion Letters in Business Transactions - Sept. 25**

The Young Lawyers Division of The Mississippi Bar will sponsor the following tele-seminars for the month of September. Each of these programs will be held from 12-1 p.m. and is accessible from your home or office phone. Opinion letters are the exercise professional judgment about an

important aspect of a business transaction. Opinion letters are a form of risk-management, ensuring that certain important assumptions about the transaction - such as the valid organization of one of the parties or the enforceability of remedies provisions in a loan document - are valid. The use of opinion letters is commonplace and their acceptability to the other side is essential to closing many transactions. This program will provide a practical framework for drafting and negotiating opinion letters, and a review of several of the most important types of letters and the essential ethical obligation of attorneys drafting them. To receive a registration form or more information on this teleseminar, please contact Ginger Blanchard at [gblanchard@msbar.org](mailto:gblanchard@msbar.org)

**Real Estate Finance: Getting a Deal Done in a Troubled Market - Sept. 21 (180 minutes)**

\*\*Introducing a new option for CLE as the educational network is launching a new recurring series of video Webcasts. These will be offered twice a month on an ongoing basis. No special equipment is needed, only a computer equipped with speakers and access to the internet. The system will automatically adjust to the speed at which your system has access. No phones will be involved. The procedure to sign on is the same, instead of giving you a number to call, you will be provided with a weblink. In case you have trouble accessing the stream, you will also be provided with an 800 tech support number. With growing upheaval in the credit and real estate markets threatening many deals there is no more timely topic than real estate finance for professionals advising real estate developers, investors and others. This three-hour Live Video Webcast will provide you a practical guide to understanding how lenders underwrite a commercial real estate loan, understanding in detail the lender's methodology and understanding how real estate financing loan documentation complements the underwriting process. To receive a registration form or for more information on this webcast, please contact Ginger Blanchard at [gblanchard@msbar.org](mailto:gblanchard@msbar.org).

**Modern Licensing for Non-IP Transactional Attorneys - Sept. 28 (180 minutes)**

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**Unique Opportunity For Family Lawyers - October 10-13**

The ABA Family Law Section is coming to Memphis on October 10-13, 2007. The conference will be held at the Peabody Hotel. This is a unique opportunity to have fellowship with lawyers from all over the country and Canada and to compare notes and practices. There will be three days of CLE with topics ranging from Hidden Assets in Military Divorce Cases, Electronic Evidence, Representing the Small Business Owner in Divorce, Handling Substance Abuse Issues, Interstate Child Custody, and a Financial and Stock Primer for Lawyers. The ABA last came this close several years ago in New Orleans and over 50 lawyers and judges from our state attended. Don't miss out on this unique opportunity to improve your practice by exposing yourself to a National level of practice and CLE! For More Information contact the ABA Family Law Section at 312-988-5145 or Mark Chinn at [mark@chinnandassociates.com](mailto:mark@chinnandassociates.com). You may also register on line at [www.abanet.org/family](http://www.abanet.org/family).

