



**The Weekly Email Newsletter Of The Mississippi Bar**  
**October 8, 2007**

**Bar Briefs Feedback Requested**

We would like some feedback regarding Bar Briefs. Rather than a formal survey we are asking readers to shoot us an email with your thoughts on the following. To cut down on the length of the weekly Bar Briefs, would you prefer a separate CLE e-newsletter every other week or listing only upcoming CLE events? Presently job announcements are not included in Bar Briefs - would you be interested in a once or month or so Job Openings e-newsletter? Any other feedback on Bar Briefs is welcome. Please email you replies to [houchins@msbar.org](mailto:houchins@msbar.org)

**Young Lawyers Division to Host Fall Bar Admissions Ceremony Wednesday, October 10th**

The Mississippi Bar Fall Bar Admissions Ceremony sponsored by the Young Lawyers Division will take place on Wednesday, October 10th at Thalia Mara Hall in Jackson. 200 new admittees will be sworn in. There will be one ceremony at 3:00 p.m. with the court registration period from 1:00 p.m. to 2:30 p.m. Friends, family and firms are invited to attend.

**Bar To Hold Annual Memorial Service On Tuesday October 16**

The Bar's annual Memorial Service will be held in the Old Supreme Court Chambers at the State Capitol beginning at 2:00 PM on Tuesday, October 16. The annual service will be held before the Mississippi Supreme Court with Chief Justice James W. Smith, Jr. presiding. Bar President Bobby Bailess will present the Eulogy. Memorial Committee Chair, Sam Kelly of Jackson, will present a Resolution memorializing the members of the Bar that have died since October of 2006. Justice Ann H. Lamar will respond on behalf of the Court. Members of the Bar, as well as family and friends, are invited to attend. There will be a reception in the foyer immediately following the service

**Bar Commissioners Nominated**

The following is a list of all nominees for vacancies on the Board of Commissioners. District nominating committees were appointed by local bar associations in each of the circuit court districts where a vacancy is to occur at the end of the 2007-8 fiscal year. The district nominating committees have met and made their nominations. The nominees will appear on a ballot to be mailed in January to members of the Bar in the districts where there is a vacancy. Nominees by district are: 2nd Circuit Court District, Post 1: Robert P. Myers, Jr., Gulfport and Patricia Willis, Bay St. Louis; 4th Circuit Court District: Thomas M. Flanagan, Jr., Greenwood and James L. Wilson, IV, Greenwood; 5th Circuit Court District: Robert J. Dambrino, III, Grenada and Raymond M. Baum, Winona; 6th Circuit Court District; 7th Circuit Court District, Post 1: Mike Lanford, Jackson and Greg Davis, Jackson; 8th Circuit Court District: Lynn Dorman, Carthage and James R.

Smith, III, Carthage; 17th Circuit Court District: Kelly Hagan Smith, Southaven and John Crow, Water Valley; 20th Circuit Court District, Post 1: Randall E. Day, III, Ridgeland and Gregory M. Johnston, Madison; 21st Circuit Court District: Marc Boutwell, Lexington and Barry Bridgforth, Yazoo City; Minority-at-Large: Vangela Wade, Ridgeland and Jimmy Wilkins, Jackson. The elections will be conducted in accordance with the Bar's Bylaws. Terms for those elected will begin at the conclusion of the 2008 Annual Meeting in July.

### **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/)

### **Technology Tip - Open Office - Free Alternative to Word or WordPerfect**

Word processing software is a mainstay in every law office. But purchasing and upgrading Word, WordPerfect, Excel, etc can be costly. Did you know that there is a free alternative available? Open Office is an open source office suite free to download, use, and distribute. It includes a word processor (OOWriter), a spreadsheet (OOCalc), a drawing program (OODraw), and an presentations program (OOImpress). If you are interested go to <http://www.openoffice.org/> .

### **Casemaker Advisory Sub-Committee Volunteers Solicited**

The Bar's Technology Committee would like to form a Casemaker Advisory Sub-Committee serve as a resource to the Committee and the Bar on Casemaker improvements/enhancements and to share tips, ideas, etc with members of the Bar. If you are interested in participating by email and occasional in-person sessions, please email Larry Houchins at [houchins@msbar.org](mailto:houchins@msbar.org).

### **2007 Champions of Justice Dinner - October 12**

The Mississippi Center for Justice Board of Directors invites you to the 2007 Champions of Justice Dinner, Friday, October 12, 2007, at the Jackson Downtown Marriott, 200 East Amite St. The event will begin at 6 p.m. with a cash bar reception, followed by a seated dinner and program at 7:30 p.m. MCJ will honor two worthy champions of justice, the Honorable Reuben V. Anderson, pioneering civil rights lawyer, former MS Supreme Court Justice and partner at Phelps Dunbar, and Professor Deborah H. Bell, University of MS School of Law professor and Civil Legal Clinic founder. MCJ will also give recognition to volunteers and benefactors who have made it possible to meet new challenges and advance toward a future of justice for all in Mississippi. For a full calendar of events and sponsorship opportunities, please go to <http://www.mscenterforjustice.org/>. Individual tickets are \$100 (\$50 public interest rate). Contact the Mississippi Center for Justice, <mailto:mgalloway@mscenterforjustice.org> or 352-2269 to reserve seats.

### **NMRLS Offers Recruiting Challenge - 30 lawyers in 30 days**

In commemoration of the 25th anniversary of Mississippi Volunteer Lawyers Project (MVLPP), North Mississippi Rural Legal Services is asking attorneys in Lafayette and

DeSoto counties to compete in a contest to recruit the most lawyers in 30 days. The goal is to recruit 30 lawyers from these counties to participate with MVLP in the next 30 days beginning October 1st and ending October 30th. Individuals who participate will be eligible for a drawing for an iPod nano. All participants, the participating county bar associations, and the winning county bar association will receive recognition in Mississippi Bar Briefs. Participating attorneys will receive the benefits of: attending CLE courses at a reduced rate; are covered by professional liability insurance on all MVLP cases; and MVLP will provide reasonable expenses for all MVLP cases. This is a great opportunity to fulfill your 20 hours of aspirational pro bono service for the poor. To participate you just have to fill out a one page form available at [www.mvlp.net/volunteer-make-a-difference/](http://www.mvlp.net/volunteer-make-a-difference/).

### **Tri-County LSPA Hosts First Annual Court Observance Reception - October 25**

Tri-County LSPA cordially invites all judges, attorneys, support staff, and students to attend the First Annual Court Observance Reception on October 25, 2007, from 7-9 p.m. at the Pearl Community Center in Pearl, Mississippi. The featured speaker will be Thomas Broome, County and Youth Court Judge for Rankin County. The cost of this event is \$15 per person and heavy hors d'oeuvres will be served. There will also be a 50/50 cash drawing and the first scholarship winner from the "The Courthouse, Our House" Essay Contest will be recognized. For tickets, please contact Reba Peden at [rpeden@brunini.com](mailto:rpeden@brunini.com) or by phone at 601-948-3101 or see any TCLSPA member.

### **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 [reenevan@olemiss.edu](mailto:reenevan@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.

### **MVLP Office Closed on Monday**

The office of the Mississippi Volunteer Lawyers Project will be closed on Monday, October 8 in observation of Columbus Day. Please note that the Legal Line will still be in operation on Monday between the hours of 12pm and 2pm.

### **MVLP Pro Bono Manual Unveiled**

Through the work of the Jackson-area firms dubbed the MS13, a manual is now available to attorneys who volunteer with the Mississippi Volunteer Lawyers Project. The topics covered include many of the case types most commonly handled by MVLP volunteer attorneys such as custody, contested and uncontested divorce, guardianships and name changes. The manual was officially unveiled during the 25th anniversary celebration of the MVLP by Ginnie Munford, of the law firm Watkins & Eager PLLC, who organized the effort to create it. A special thank you to the attorneys and firms involved with the production of the manual accessible at [www.probono.net/ms](http://www.probono.net/ms). Please click on the "[Join Us Today](#)" link to register.

### **Thank You to Those Involved with the 25th Anniversary of the MVLP**

The Mississippi Volunteer Lawyers Project would like to extend its sincerest gratitude to North Mississippi Rural Legal Services, the Mississippi Center for Legal Services, The Mississippi Bar staff and all the members of The Bar who have helped to make the first 25 years of our history as a program possible. In an event organized with the assistance of staff members from The Bar and capped by a keynote speech given by U.S. Senator Thad Cochran, MVLP volunteer attorneys were honored for the service they have provided to low-income Mississippians in the effort to provide equal access to justice for all. We can never thank you enough for the difference you have made in the lives of these clients or express what your assistance has meant to them in their times of greatest need. We appreciate the support of all who attended the program and look forward to another 25 years of service. To view the article written for the Legal Services Corporations newsletter, LSC Updates, on the MVLP's anniversary, please click [here](#).

## **UPCOMING CLE EVENTS**

### **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).

### **Litigating the Automobile and Commercial Trucking Case - October 12**

Ole Miss CLE will host a seminar entitled "Litigating the Automobile and Commercial Trucking Case" on Friday, October 12, 2007 at the Depot on the University of Mississippi

campus. Highly relevant & practical topics include Pre-Trial and Trial Strategies, Understanding the Federal Motor Carrier Safety Regulations, Accident Investigation, Plaintiffs' Considerations and more! Instructors are Robert F. Wilkins and Thomas S. ("Shea") Moore. 6 hours of general CLE credit, no ethics credit. Come early & stay late - it's the Alabama football game weekend!! For more information, visit [www.outreach.olemiss.edu/cle](http://www.outreach.olemiss.edu/cle) or e-mail Renee Moore at [moore@olemiss.edu](mailto:moore@olemiss.edu)

### **Asset Protection Planning In Bankruptcy & Estate Planning - October 16**

The Young Lawyers Division of The Mississippi Bar will sponsor the following tele-seminar for the month of October. This program will be held from 12-1 p.m. and is accessible from your home or office phone. This program will discuss planning techniques for preserving client assets in the bankruptcy and estate planning, with an emphasis on bankruptcy. The program will review techniques for planning for the effective use of bankruptcy exemptions and the use of trusts in shielding assets from creditor claims. The real world risk of asset protection planning will also be analyzed, including claims that a client fraudulently transferred assets. In addition, the risks of creditor objections to discharge of a debt and the complex role of property ownership issues will also be examined. Join our All-Star panel, including William Norton of Norton on Bankruptcy, when you will learn more about the risks and reward of certain asset protection planning techniques. To download a registration form, please click [here](#). For more information on this teleseminar, please contact Ginger Blanchard at [gblanchard@msbar.org](mailto:gblanchard@msbar.org)

### **2007 Fiduciary Litigation Update - October 23**

The Young Lawyers Division of The Mississippi Bar will sponsor the following tele-seminar for the month of October. This program will be held from 12-1 p.m. and is accessible from your home or office phone. In trusts large and small, vast sums of money and assets are held in trust for the benefit of beneficiaries, whether they are family members of the trust's founder or favored charities or other groups. There is a perpetual tension between beneficiaries, who often want substantial returns and distributions, and trustees who are charged with acting independently to preserve and grow trust assets or pursue other goals. This program will examine major case law developments and trends in litigation occurring between trustees and beneficiaries, including litigation arising from trustee investment decisions and the removal of trustees. To download a registration form, please click [here](#). For more information on this teleseminar, please contact Ginger Blanchard at [gblanchard@msbar.org](mailto:gblanchard@msbar.org)

### **Uniform Commercial Code Toolkit: A Practical Guide to Drafting Key Commercial Agreements - October 24 (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. This Live Video Webcast is a practical toolkit on sales, finance and leasing under the UCC. In four segments, the program will focus on drafting effective finance and security agreements in secured finance, the key and often overlooked elements of enforceable promissory notes, equipment leasing, and the sale of goods. In one three-hour program, you will learn more about the essential elements of commercial law and

practice. To download a registration form, please click [here](#). For more information on this teleseminar, please contact Ginger Blanchard at [gblanchard@msbar.org](mailto:gblanchard@msbar.org)

### **Section 409A and Compensation Agreements: Changes As The Deadline Approaches-Oct. 25**

The Young Lawyers Division of The Mississippi Bar will sponsor the following teleseminar for the month of October. This program will be held from 12-1 p.m. and is accessible from your home or office phone. By the end of 2007, all compensation plans - including for solo practitioners, partners, and independent contractors - that contain any element of deferred compensation (including payment on accounts receivables) must conform to a new and detailed series of requirements imposed by the tax code or be subject to very substantial penalties. The apply with particularly harsh consequences to professional practices, including to law, medical and other practices. Failure to comply by December 31, 2007 subjects employers to a 20% penalty. In addition, the new regulations under Internal Revenue Code Section 409A impose new reporting and withholding requirements on employers. This program is designed for all attorneys advising employers on compensation issues, and will contain specific guidance on how the rules apply to attorney practices. . To download a registration form, please click [here](#). For more information on this teleseminar, please contact Ginger Blanchard at [gblanchard@msbar.org](mailto:gblanchard@msbar.org)

### **Lawyers as Peacemakers Seminar - October 28-29**

A new conception of law practice and of what it means to be a lawyer is taking hold within the legal profession. The legal academy and the legal profession are considering innovative approaches such as collaborative law, restorative justice, therapeutic jurisprudence, transformative mediation, holistic law, and problem-solving courts. A wide array of sponsors, including the Memphis Bar Association, the University of Memphis Law School and the University of Memphis Center for the Study of Higher Education have come together to sponsor a two day conference on these topics. Noted orator, lawyer, and educator, Professor David Hall, from Northeastern University School of Law will keynote this event, and will discuss his book, *The Spiritual Revitalization of the Legal Profession*. The Conference will be held on October 28 and 29 in Memphis at the University of Memphis Holiday Inn/Fogelman Executive Center. Registration and hotel information is provided in the attached brochure. For more information and to register contact Chris Zawisza at [czawisza@memphis.edu](mailto:czawisza@memphis.edu) .