

President's Message

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THE MISSISSIPPI BAR'S RESPONSE TO A GLOBAL PANDEMIC

As this issue of The Mississippi Lawyer is being distributed among the membership, we are winding down the calendar year of 2020 and are on our way to marking the half-way point of this Bar Year (July 2020-July 2021). As with every other area of our lives, our Bar has faced unprecedented challenges during this year and continues to be faced with new and different opportunities for the years ahead. To state the obvious: COVID-19 has changed the way the world turns, likely forever.

Your Bar staff has done an excellent job of adapting to the challenging working conditions while facilitating the Bar's necessary functions. To maintain continuity of services, many of the staff have worked remotely to lessen the number of people in the Bar Center at any given time, implement appropriate distancing, and promote the safety of the staff and the public. I'm thankful to our Executive Director, Deanne Mosley, for her steady leadership, our Office of General Counsel, and our dedicated staff for going the extra mile to be certain that our Bar remains fully functional for the membership and the Courts.

While the challenges of COVID-19 are numerous and well-known, there are also opportunities and benefits that have come from the changes in which many of us have been forced to live and practice law. Technology has taken center stage in how partnership meetings, client consults, court hearings, depositions, mediations, Bar meetings, and other professional



JENNIFER INGRAM JOHNSON
President of The Mississippi Bar 2020-2021

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conferences are conducted. Travel has taken a back seat, and most of us have had outside obligations on our time reduced, at least where expected travel is concerned. Some of us have moved our offices home, either temporarily, permanently, or partially, affording more time at home and with family members and cutting down on commute time to and from work. Some of these changes are here to stay, and some will be temporary in nature. Regardless, we have all likely learned new techniques and have been forced to exercise creativity in administering legal advice and in conducting the business of our clients. For me, this change in pace has afforded some much-needed time of reflection about what matters most in life. It has afforded

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me the opportunity to focus on family and other personal relationships in new and different ways, and it has forced me to make changes in the way I've always conducted business and handled my clients. I have stretched myself to embrace technology and learn new skills, and I am determined to take the good from this unexpected change in our world and expand my opportunities for representation of clients and service to the public. I encourage and challenge each of you to do the same.

As you navigate the still-changing methods and ways of practicing law, please take advantage of the many tools and resources made available to you through your Bar.

The Mississippi Bar Website

If you have not had an opportunity to review the Bar's website recently, please take a few moments to do so. There, you will find a dedicated page to **COVID-19 Court and Operations Updates**, that provides direct links to Emergency Administrative Orders issued by the Mississippi Supreme Court, the U.S. Supreme Court, the U.S. Court of Appeals – Fifth Circuit, the U.S. District Courts for the Northern and Southern Districts, the U.S. Bankruptcy Courts for the Northern and Southern Districts, various Circuit, Chancery, Youth, and County Courts, and the MS Workers Compensation Commission. This dedicated web page also contains Practice Management and Remote Work Resources for Member Benefits and Discounts, Legal Ethics and COVID-19 information, Safety and Wellness Tips, and

Federal and State Government Updates. This page can be accessed by clicking on the "For Members" tab at the top of the home page of msbar.org. From there, scroll down to "COVID-19 Court and Operations Updates."

In addition, the Bar's webpage has other helpful information and tools for members, and some general information for the public, as well. You will find access to the Lawyer Directory, Fastcase, publications, CLE information, and educational information regarding Ethics and Discipline, just to name a few of the member resources. The general public can find educational information regarding legal terms and procedures, the court structure, how to select a lawyer, and other consumer information. This is a wonderful tool for the legal profession and should become an integral part of our law practices as we navigate the days ahead.

Ethical and Wellness Resources

During these very different and sometimes challenging times, it is important to remember that our ethical responsibility to the public and to our profession remains. **All** of the Mississippi Rules of Professional Conduct (MRPC) and Ethics Opinions apply to our practices whether those be traditional, in-person practices or remote practices. Please review the Rules of Professional Conduct and remember that as attorneys and counselors at law we are ethically obligated to exhibit Competence (MRPC 1.1); maintain our clients' confidences (MRPC 1.6); keep our clients reasonably informed about their legal matters and communicate with them about their legal matters (MRPC 1.4); and show fairness to the opposing parties and counsel-opposite (MRPC 3.4). Certainly, maintaining the integrity of IOLTA Trust Accounts is paramount in these times of financial challenges. PLEASE review MRPC 1.15, which "imposes strict fiduciary standards on every Mississippi lawyer who holds the property ("trust funds") of clients or third parties. Mishandling trust funds, whether intentional or not, is **the cardinal sin for lawyers.**" *Miss. Bar v. Coleman*, 849 So.2d 867, 874 (Miss. 2002) (emphasis added)." See msbar.org: "Lawyer Trust Account Guidelines" and "Legal Ethics and COVID-19" which set forth ethical obligations in a time of pandemic.

Changing any aspect of how we practice law and represent our clients can be incredibly stressful and anxiety-ridden. It is imperative that we all maintain our health and wellness. Our Bar has resources for assisting us through these challenging times. Should you, or someone you know, have issues coping with these new stresses, please reach out for help. The Lawyers and Judges

Assistance Program (LJAP) stands ready to answer your call. The LJAP Director, Dr. Jessica Cole, can be reached confidentially and privately by calling (601) 948-4475. Please don't allow mental health challenges to devolve into ethical violations and become a disciplinary issue. There are those ready and able to offer help before it gets to that point, and it is all CONFIDENTIAL.

Where there is Crisis, Opportunity Appears

As evidenced by the tremendous member response to the virtual Annual Convention this past year, change, while seemingly frustrating and disappointing, can offer silver linings if we choose to look for and see them. The 2020 Summer School and Annual Meeting attracted over 900 registrants. This is more than double the number of attorneys who have traditionally participated in the Annual Convention activities.

Committee participation has also greatly increased as a result. This year, instead of one single Committee Day at The Hilton in Jackson, we scheduled a Committee Week in which 15 of our committees had their initial meetings of the year over four days. Because of the expanded schedule, I was available to participate in at least part of each meeting. The attendance of the committee membership was up significantly from years past, I believe due to the convenience of the committee members being able to participate in the process from their offices and not having to travel to Jackson for the meeting. This also allows for diversifying committee membership to include lawyers from all parts of Mississippi.

This year in place of Local Bar visits, I have scheduled virtual Town Halls around the State. These will afford opportunities for the Bar leadership and

staff to hear from you, the membership, so that we can continue to provide meaningful member services to you. These dates and schedules can be found on the Bar's webpage under "Upcoming Events". Please check it out and participate as you are able.

These are just a few ways in which our Bar has forged ahead with creativity and ingenuity, grasping the challenges as they arise, and making positive change for a better, more accessible, Bar experience. I am thankful for these opportunities, and I look forward to continuing this journey of change with each of you.

This issue of *The Mississippi Lawyer* will outline how the legal world in Mississippi is weathering the pandemic. You will read updates from both Mississippi law schools about how they have addressed the changing landscape of providing legal education in Mississippi, a report from the Mississippi Courts, reminders of our ethical obligations from the Office of General Counsel of The Mississippi Bar, and an article addressing the technological needs of law firms now and beyond the pandemic. I'm hopeful that you will find this issue to be a helpful resource in these unprecedented and sometimes difficult times.

As always, I remain available to you and would like to hear from you with regard to how The Bar can be of service to you. Please do not hesitate to reach out with comments, questions, or information about the needs you have that The Bar can meet.

My very best,

