



ALABAMA STATE BAR

125  
YEARS  
*of*  
PROFESSIONALISM

*The Journey Continues...*

**2004  
ANNUAL MEETING**

July 21-24, 2004

Hilton Sandestin Beach Golf Resort & Spa

Sandestin, Florida

## PROGRAM HIGHLIGHTS

### ☼ THURSDAY, JULY 22, 2004

#### ***The Top Ten Mistakes Made by Trial Lawyers***

Stephen A. Salzborg  
Professor of Trial Advocacy,  
Litigation and Professional Responsibility  
George Washington University Law School  
Washington, DC

#### **Bench & Bar Luncheon Speaker**

Hon. Haldane Robert Mayer  
Chief Judge  
United States Court of Appeals for the Federal Circuit  
Washington, DC

#### **“Putt-Putt, Pizza and Pizzazz” Children’s Party**

Putt-putt golf tournament on premises,  
“awards” dinner and entertainment for children  
*Sponsored by ISI Alabama, Insurance Specialists, Inc.*

#### **Membership Beachside Buffet**

### ☼ FRIDAY, JULY 23, 2004

#### ***Professional Responsibility of Lawyers***

**Featured Speaker:** Kenneth W. Starr  
Kirkland & Ellis, Washington, DC

Followed by panel discussion

**Moderator:** John Carroll, Birmingham  
Dean, Cumberland School of Law

#### **Panelists:**

Kenneth W. Starr, Washington, DC  
Kirkland & Ellis  
Fred D. Gray, Tuskegee  
Gray, Langford, Sapp, McGowan, Gray & Nathanson  
Richard H. Gill, Montgomery  
Copeland, Franco, Screws & Gill  
Albert P. Brewer, Birmingham  
Professor of Law, Cumberland School of Law  
Susan Rice Andrews, Tuscaloosa  
Professor of Law, University of Alabama Law School

#### **The Maud McLure Kelly Award Luncheon**

*Sponsored by Women’s Section and Alabama State Bar*

#### **President’s Reception**

Honoring William N. Clark

#### **University of Alabama School of Law Alumni Reception**

#### **Cumberland School of Law Alumni Reception**

#### **Jones School of Law Alumni Dessert Reception**

### ☼ SATURDAY, JULY 24, 2004

**Circuit Breakfast** (prior to start of Grande Convocation)

#### **Grande Convocation & Speaker**

## SPEAKERS



### Thursday, July 22

#### **STEPHEN A. SALZBURG**

Stephen A. Salzborg is the Wallace and Beverley Woodbury University Professor at George Washington University Law School where he has taught since 1990. Prior to coming to Washington, DC, he was a professor of law at the University of Virginia for 18 years. He founded and is the director of a masters program in litigation and dispute resolution at George Washington University. He has mediated and served as an arbitrator for a wide variety of disputes involving public agencies as well as private litigants. He has held several government appointments including associate independent counsel in the Iran-Contra investigation, Deputy Assistant Attorney General, United States Justice Department, director of the Tax Refund Fraud Task Force of the US Department of Treasury. He is the author of numerous books and articles on evidence, procedure and litigation.



### Bench & Bar Luncheon

#### **HON. HALDANE ROBERT MAYER**

Haldane Robert Mayer was appointed by President Reagan to the US Court of Appeals for the Federal Circuit, Washington, DC, in 1987, and assumed the position of chief judge in 1997. He is a graduate of the US Military Academy at West Point, and is a 1971 graduate of Marshall-Wythe School of Law of the College of William and Mary, where he was editor-in-chief of the law review. He has a highly decorated military service record in the Army Infantry and Judge Advocate General’s Corps. His distinguished legal career prior to becoming a judge includes private practice with Baker & McKenzie in Washington, DC, adjunct professor at the University of Virginia School of Law and George Washington University National Law Center, and three years as special assistant to Chief Justice Warren E. Burger. He is currently a member of the Judicial Conference of the United States.



### Friday, July 23

#### **KENNETH W. STARR**

Kenneth W. Starr joined Kirkland & Ellis, Washington, DC, in 1993 as a partner, and is adjunct professor at New York University School of Law, and Distinguished Visiting Professor at George Mason University Law School. He is a 1973 graduate of Duke Law School. He was law clerk to Chief Justice Warren E. Burger from 1975-77. He practiced law in Los Angeles and Washington, DC, with Gibson Dunn & Crutcher where he was a partner in litigation practice. In 1981, he became counselor to US Attorney General William French Smith until he was appointed to the US Court of Appeals for the DC Circuit in 1983. From 1989-1993, he served as Solicitor General of the United States, where he argued 25 cases before the Supreme Court involving governmental, regulatory and constitutional issues of commercial importance. In August 1994, he was appointed independent counsel on the Whitewater matter and served in that capacity until October 1999. He is a member of the California, Virginia and District of Columbia bar associations.

## SCHEDULE AT A GLANCE

### WEDNESDAY, JULY 21, 2004

**1:00 pm - 6:00 pm**

ANNUAL MEETING  
REGISTRATION

**2:00 pm - 4:00 pm**

BOARD OF BAR COMMISSIONERS'  
MEETING

**4:00 pm - 5:00 pm**

MCLE COMMISSION MEETING  
DISCIPLINARY COMMISSION  
MEETING

**3:00 pm - 5:00 pm**

LEGAL EXPO 2004  
EARLY BIRD PREVIEW

### THURSDAY, JULY 22, 2004

**7:30 am - 8:45 am**

ALABAMA LAW FOUNDATION  
TRUSTEES' BREAKFAST

**8:00 am - 5:00 pm**

ANNUAL MEETING  
REGISTRATION AND  
LEGAL EXPO 2004

**9:00 am - 10:30 am**

PLENARY SESSION  
***"The Top Ten Mistakes Made  
by Trial Lawyers"***

Stephen A. Salzberg  
Professor of Trial Advocacy,  
Litigation and Professional  
Responsibility  
George Washington  
University Law School  
Washington, DC  
(1.5 hours CLE)

**10:30 am - 11:00 am**

BREAK  
Visit LEGAL EXPO 2004

**11:00 am - Noon**

***"Mumbo, Gumbo, Jumbo: An  
Intellectual Property Case Study"***  
Panel Discussion

Moderator:

Timothy A. Bush, Birmingham

Panelists:

Frank M. Caprio, Huntsville  
Paul M. Sykes, Birmingham  
(1.0 hour CLE)

*Sponsored by Intellectual  
Property Section*

***"Better Writing:  
60 Tips in 60 Minutes"***

R. Scott Clark, Birmingham  
Susan S. Wagner, Birmingham  
(1.0 hour CLE)

*Sponsored by Appellate Law Section*

***"What a Difference a Year Makes:  
Civil Opinions that Impact  
Trial Practice"***

Michael K. Beard, Birmingham  
(1.0 hour CLE)

*Sponsored by Alabama  
Trial Lawyers Association*

ATTORNEYS INSURANCE MUTUAL  
OF ALABAMA ANNUAL MEETING

**11:00 am - 12:30 pm**

***"A Nation At War:  
How Do We Protect the Rights of  
Our Service Members?"***

Capt. Amy M. Zimmerman and  
Capt. Kellie C. Johnson  
Assistant Judge Advocates  
Eglin AFB, Florida  
(1.5 hours CLE)

*Sponsored by Volunteer Lawyers  
Program, Alabama State Bar*

**12:30 pm - 2:00 pm**

BENCH & BAR LUNCHEON

Featured Speaker:

Hon. Haldane Robert Mayer  
Chief Judge

United States Court of Appeals for  
the Federal Circuit  
Washington, DC

Special Presentations:

- Alabama Law Institute  
Legislative Awards
- ABICLE Award

• Judicial Award of Merit

• Alabama State Bar Award of Merit

• Alabama State Bar Pro Bono Awards

**2:30 pm - 3:30 pm**

***"The Basics and the Update:  
All You Want to Know About  
Labor and Employment Law"***

Cecilia J. Collins, Mobile  
Dawn W. Hare, Monroeville  
Marcel L. Debruge, Birmingham  
(1.0 hour CLE)

*Sponsored by Labor and  
Employment Law Section*

***"Sentencing Standards"***

Hon. Joseph A. Colquitt  
Professor of Law  
University of Alabama  
School of Law, Tuscaloosa  
(1.0 hour CLE)

*Sponsored by Criminal Justice Section*

***Ethics Update: 2004***

Robert E. Lusk, Jr.  
Office of General Counsel  
Alabama State Bar, Montgomery  
(1.0 hour CLE)

**3:30 pm - 4:30 pm**

***"Mediation in Legal Practice:  
An Invaluable Tool"***

Robert C. Ward, Jr., Montgomery  
(1.0 hour CLE)

*Sponsored by Alabama Lawyers  
Association*

***Administrative Law Update: 2004***

Atley A. Kitchings, Jr., Montgomery  
Mark D. Caudill, Montgomery  
(1.0 hour CLE)

*Sponsored by Administrative Law Section*

**4:30 pm - 5:00 pm**

YOUNG LAWYERS' SECTION  
BUSINESS MEETING

**5:00 pm - 6:00 pm**

ADMINISTRATIVE LAW SECTION  
RECEPTION

VOLUNTEER LAWYERS' PROGRAM  
RECEPTION

# ALABAMA STATE BAR **125** YEARS of PROFESSIONALISM

July 21-24, 2004 • Hilton Sandestin Beach Golf Resort & Spa • Sandestin, Florida

5:30 pm

**"Putt-Putt, Pizza and Pizzazz"**

Children's Party

Hosted by ISI Alabama,  
Insurance Specialists Inc.

6:30 pm - 8:30 pm

MEMBERSHIP BEACHSIDE  
BUFFET

## FRIDAY, JULY 23, 2004

7:30 am - 8:45 am

EARLY MORNING BREAKFASTS

- Christian Legal Society
- Farrah Order of Jurisprudence/  
Order of the Coif
- Howard University School  
of Law Alumni
- University of Virginia School  
of Law Alumni
- Vanderbilt University School  
of Law Alumni
- Tulane University School  
of Law Alumni
- Birmingham School  
of Law Alumni
- Past Presidents'
- *The Alabama Lawyer*  
Board of Editors

8:00 am - 3:00 pm

ANNUAL MEETING  
REGISTRATION  
LEGAL EXPO 2004

8:30 am - Noon

KIDS' CHANCE GOLF SCRAMBLE

9:00 am - 10:30 am

PLENARY SESSION

**"Professional Responsibility of Lawyers"**

Keynote Speaker:  
Kenneth W. Starr  
Kirkland & Ellis  
Washington, DC

Panel Discussion

Moderator:

John Carroll  
Dean, Cumberland School of Law  
Birmingham

Panelists:

Kenneth W. Starr  
Kirkland & Ellis  
Washington, DC

Fred D. Gray

Gray, Langford, Sapp, McGowan,  
Gray & Nathanson  
Tuskegee

Richard H. Gill

Copeland, Franco, Screws & Gill  
Montgomery

Albert P. Brewer

Professor of Law  
Cumberland School of Law  
Birmingham

Susan Rice Andrews

Professor of Law  
University of Alabama  
School of Law  
Tuscaloosa  
(1.5 hours CLE)

10:30 am - 11:00 am

BREAK

Visit LEGAL EXPO 2004

10:30 am - 11:30 am

**"Paying Our Dues:  
Women in Bar Leadership"**

Panel Discussion

Moderator:

Martha Jane Patton, Birmingham

Panelists:

Ernestine S. Sapp, Tuskegee  
Donna S. Pate, Huntsville  
Beth McFadden Rouse, Mobile  
(1.0 hour CLE)

*Sponsored by Women's Section*

11:00 am - Noon

ALABAMA LAW INSTITUTE  
COUNCIL MEETING

(1.0 hour CLE)

**Workers' Compensation Update: 2004**

Thomas L. Oliver, Birmingham  
Robert W. Lee, Jr., Birmingham  
(1.0 hour CLE)

*Sponsored by Workers'  
Compensation Section*

**"Preparation for Complex Litigation  
And Presentation Technology"**

Andrew C. Clausen, Mobile  
William Benjamin Broadwater,  
Mobile  
Thomas M. Walker, Mobile  
(1.0 hour CLE)

*Sponsored by Alabama Defense  
Lawyers Association*

**"The ABA Standards for  
Death Penalty Representation"**

Bruce A. Gardner, Huntsville  
(1.0 hour CLE)

*Sponsored by Criminal Defense  
Lawyers Association*

11:30 am - Noon

WOMEN'S SECTION RECEPTION

Noon

THE THIRD ANNUAL  
MAUD McLURE KELLY  
AWARD LUNCHEON

*Sponsored by Women's Section  
and Alabama State Bar*

1:30 pm - 2:30 pm

**"The Americans With Disabilities  
Act and Concepts of Impairment"**

R. Taylor Abbot, Jr., Birmingham  
(1.0 hour CLE)

*Sponsored by Alabama Lawyer  
Assistance Program and  
Alabama State Bar*

**"Punitive Damages: Where Do We Go  
From Here? A Plaintiff's Perspective"**

Lee E. Bains, Jr., Birmingham  
Hon. Ralph D. Cook, Birmingham  
(1.0 hour CLE)

*Sponsored by Litigation Section*

**"Real Estate Drafting Issues When  
Representing a Trust or an Estate"**

Lynn Reynolds, Birmingham  
(1.0 hour CLE)

*Sponsored by Real Property,  
Probate and Trust Section*

**"Computer Forensics for Lawyers Who  
Can't Set the Clock on Their VCR"**

Craig D. Ball, esq., Houston, Texas  
(1.0 hour CLE)

*Sponsored by Law Office  
Management Assistance Program  
and Alabama State Bar*

2:30 pm - 4:30 pm

BRING YOUR SUNSCREEN FOR  
SIZZLIN' TOPICS IN MEDIATION  
(Refreshments served during  
CLE presentation)

Moderator:

Judith M. Keegan, Montgomery

**"Mediating Complex Cases,  
Mass Torts and Class Actions"**

Rodney A. Max, Birmingham

**"Bad Behavior in Mediation"**

Debra Leo, EEOC, Birmingham

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**“Position, Statements and Evaluations”**

G. Martin Van Tassel, Jr.  
Birmingham

**“Apology”**

Hendon B. DeBray, Montgomery  
(2.0 hours CLE)

*Sponsored by Alabama Center for  
Dispute Resolution, ADR  
Committee of the Alabama State Bar;  
and Alabama Supreme Court  
Commission on Dispute Resolution*

**2:45 pm - 3:45 pm**

**“Power Persuasion:  
Craig Ball on PowerPoint”**

Craig D. Ball, esq. Houston, Texas  
(1.0 hour CLE)

*Sponsored by Law Office  
Management Assistance Program  
and Alabama State Bar*

**5:00 pm - 6:00 pm**

**RECEPTION**

Honoring William N. Clark  
President, Alabama State Bar

**6:00 pm - 7:30 pm**

- University of Alabama School of Law Alumni Reception
- Cumberland School of Law Alumni Reception

**7:30 pm - 9:00 pm**

JONES SCHOOL OF LAW  
ALUMNI DESSERT RECEPTION

colleagues from your circuit for  
an informal breakfast get-together

**9:15 am - 11:15 am**

**GRANDE CONVOCATION AND  
BUSINESS MEETING**

**“Lawyers Rendering Service”**

**SPECIAL PRESENTATIONS:**

- Alabama State Bar Commissioners’ Award
- Local Bar Achievement Awards
- Kids’ Chance Scholarships
- Alabama Lawyer Hall of Fame Announcement
- Recognition of 50-Year Members
- Installation of Officers
- LEGAL EXPO 2004 Prize Drawings

**SATURDAY, JULY 24, 2004**

**8:00 am - 9:00 am**

**CIRCUIT BREAKFAST**

Join bar commissioners, judges and

**11:15 am**

**BOARD OF BAR  
COMMISSIONERS’ MEETING**

# KIDS’ CHANCE Golf Scramble

Join us for an afternoon of golf at The Raven made even more rewarding by knowing that you are making a difference in a young person’s life. Sign up to play in the 10th Annual Kids’ Chance Golf Scramble on Friday, July 23, 2004. The Kids’ Chance Scholarship Fund provides scholarships for children who have had a parent killed or permanently and totally disabled in an on-the-job injury. Kids’ Chance was established in 1992 by the Workers’ Compensation Section. Since then we have awarded scholarships to over 100 students, many of whom would not be able to attend college without our help.

If you are unable to play in the tournament, please sponsor a hole. The Workers’ Compensation Section appreciates your support. — *Gina D. Coggin, chair*

## GOLF SCRAMBLE ENTRY FORM

Name \_\_\_\_\_ Handicap \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Office Telephone \_\_\_\_\_ Home Telephone \_\_\_\_\_

Email Address \_\_\_\_\_

Individual Player \$125 \$ \_\_\_\_\_ Please make checks payable to: **Kids’ Chance Scholarship Fund**

Hole Sponsorship \$350 \$ \_\_\_\_\_ **OR** please bill my credit card:  VISA  MasterCard  AMEX

Hole Sponsorship & 1 Player Slot \$350 \$ \_\_\_\_\_ Card No. \_\_\_\_\_

Hole Sponsorship & 4 Player Slots \$600 \$ \_\_\_\_\_ Expiration Date \_\_\_\_\_

TOTAL ENCLOSED \$ \_\_\_\_\_ Signature \_\_\_\_\_

If you do not have a team, you will be paired with another player.

**For more information, contact Tracy Daniel at 800-354-6154.**

July 21-24, 2004 • Hilton Sandestin Beach Golf Resort & Spa • Sandestin, Florida



## ADVANCE REGISTRATION FORM

Advance registration forms **MUST BE RECEIVED NO LATER THAN JULY 7, 2004.**

**Register Online at *www.alabar.org*** Cancellations with full refund, minus a \$25 administrative fee, may be requested through noon, **Friday, July 16, 2004.**

**NOTE:** In order to claim CLE credit for the annual meeting, you must be registered for the meeting.

**PLEASE PRINT.**

Name (as you wish it to appear on name badge) \_\_\_\_\_

Check categories that apply:  Bar Commissioner  Past President  Local Bar President  Justice/Judge

Firm \_\_\_\_\_ Office Telephone \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

E-mail Address \_\_\_\_\_

Spouse/Guest's Name \_\_\_\_\_

Child/Children's Name(s) \_\_\_\_\_

Please indicate any dietary restrictions:  Vegetarian  Other \_\_\_\_\_

Please send information pertaining to services for the disabled.  Auditory  Visual  Mobility

**REGISTRATION FEES (Advance Registration)**

*(A limited number of reduced registration fee scholarships are available. Contact the Alabama State Bar for details.)*

<b>ADVANCE REGISTRATION</b>	<b>By July 7</b>	<b>After July 7</b>	<b>Fees</b>
___ Alabama State Bar Members	\$210.00	\$250.00	\$ _____
___ Full-Time Judges	\$105.00	\$125.00	\$ _____
___ Attorneys admitted to bar 5 years or less	\$105.00	\$125.00	\$ _____
___ Non-Member	\$395.00	\$420.00	\$ _____

*(Does not apply to spouse/guest of registrant or LEGAL EXPO 2004 vendors)*

**TOTAL REGISTRATION FEES** \$ \_\_\_\_\_

**OPTIONAL EVENT TICKETS**

**Thursday, July 22, 2004**

	<b>No. of Tickets</b>		<b>Cost</b>	
___ Bench & Bar Luncheon	___	@	\$20.00 ea.	\$ _____
___ Membership Beachside Buffet (cash bar)	___	@	\$45.00 ea.	\$ _____
___ Children's Party: Putt-Putt, Pizza and Pizzazz	___	@	No Charge	

*(Hosted by ISI Alabama, Insurance Specialists, Inc. during the Membership Buffet)*

**Friday, July 23, 2004**

___ Christian Legal Society Breakfast	___	@	No Charge	
___ Farrah Order of Jurisprudence/Order of the Coif Breakfast	___	@	\$17.50 ea.	\$ _____
___ Howard University School of Law Alumni Breakfast	___	@	\$17.00 ea.	\$ _____
___ University of Virginia School of Law Alumni Breakfast	___	@	\$17.00 ea.	\$ _____
___ Vanderbilt University School of Law Alumni Breakfast	___	@	\$17.00 ea.	\$ _____
___ Tulane University School of Law Alumni Breakfast	___	@	\$17.00 ea.	\$ _____
___ Birmingham School of Law Alumni Breakfast	___	@	\$13.00 ea.	\$ _____
___ The Maud McLure Kelly Award Luncheon	___	@	\$25.00 ea.	\$ _____
___ President's Reception <i>(Limit two tickets per registrant)</i>	___	@	No Charge	
___ Cumberland School of Law Alumni Reception	___	@	\$25.00 ea.	\$ _____
___ University of Alabama School of Law Alumni Reception	___	@	\$27.50 ea.	\$ _____
___ Jones School of Law Alumni Dessert Reception	___	@	\$10.00 ea.	\$ _____

**Saturday, July 24, 2004**

___ Circuit Breakfast	___	@	\$5.00 ea.	\$ _____
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**TOTAL EVENT TICKETS FEES** \$ \_\_\_\_\_

**TOTAL FEES TO ACCOMPANY FORM** \$ \_\_\_\_\_

**APPROPRIATE PAYMENT MUST ACCOMPANY REGISTRATION FORM.**

Checks for registration/tickets should be made payable to the **ALABAMA STATE BAR.**

OR Please bill my credit card:  VISA  MasterCard  AMEX Card No. \_\_\_\_\_

Cardholder's Signature \_\_\_\_\_ Expiration Date \_\_\_\_\_

**MAIL REGISTRATION FORM & PAYMENT TO:** 2004 Annual Meeting, Alabama State Bar, P. O. Box 671, Montgomery, AL 36101

July 21-24, 2004 • Hilton Sandestin Beach Golf Resort & Spa • Sandestin, Florida

# HOTEL RESERVATION FORM

## Hilton Sandestin Beach Golf Resort & Spa

Room Reservations **MUST BE MADE DIRECTLY WITH THE ALABAMA STATE BAR**  
To ensure your accommodations, reservations should be received  
**NO LATER THAN TUESDAY, JUNE 15, 2004.**

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**RESERVE ACCOMMODATIONS FOR (please print or type):**

Name \_\_\_\_\_

Firm/Company \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Business Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

Arrival Day/Date \_\_\_\_\_ Departure Day/Date \_\_\_\_\_

**CHECK-IN TIME** is 4:00 pm. **CHECK-OUT TIME** is 11:00 am.

*\$50 Early Departure Fee for checkout prior to confirmed departure date.*

- Group Rate:**
- \$209 Resort View (per night) Single or Double Occupancy
  - \$259 Beach View (per night) Single or Double Occupancy
  - \$309 Beach Front (per night) Single or Double Occupancy
- Above rates do not include \$14 per day, per room Sandestin resort fee and 10 percent Florida sales tax. (Subject to change)***

- Please Check:**
- King Bed       Two Double Beds (Queen)
  - Smoking       Nonsmoking
- Number of Rooms Required \_\_\_\_\_ Number of Adults \_\_\_\_\_ Number of Children \_\_\_\_\_

**ADVANCE DEPOSIT OF ONE NIGHT'S ROOM AND TAX IS REQUIRED TO CONFIRM RESERVATIONS**

- Method of Payment:**
- Check Enclosed
  - Type of Credit Card \_\_\_\_\_  
Credit Card No. \_\_\_\_\_ Expiration Date \_\_\_\_\_  
Name of Credit Card Holder \_\_\_\_\_  
Card Holder's Signature \_\_\_\_\_

Deposits will be recorded at the time reservation is made. No charge for children under 17 sharing room with parents. A deposit will be refunded if cancellation of reservation is received seven days prior to arrival date.