

# Addendum

Published by the Alabama State Bar / [www.alabar.org](http://www.alabar.org)

## SHE'S ALL THAT AND A BAG OF CHIPS

Susan S. DePaola recently handed over the reins of this newsletter to our new editor, Gloria McPherson. Here are a few memories from three who were along for the ride.

What a great way to start a new job as communications director (Susan A., that's me)—launching a first-time newsletter with a brand new editor (Susan D., that's her)! With the able assistance of publications “veteran” Margaret Murphy, we roared in like the proverbial lion, anxious to make the *Addendum* a vital, quick and easy read (three minutes, tops!). And, thanks to Susan D., I think we can claim success! Her straightforward, action-oriented style provided us with the perfect leadership at the perfect time. She rolled up her sleeves and went to work! And, though we were never able to completely wean her from bringing us those blue (or green or yellow) copies of articles instead of sending them electronically, we will even fondly remember those. Receiving the **2003 ASB Award of Merit** for her exemplary service to the bar is richly deserved—and certainly says it all. Congratulations, Susan D., on a job well done. Think of us sometimes while you and Bill enjoy Vermont!

—Susan H. Andres, ASB director of communications, Montgomery



Left to right: ASB Executive Director Keith Norman, Addendum Associate Editor Ashley Hamlett, ASB President Bill Clark, Susan S. DePaola, The Alabama Lawyer Editor Robert Huffaker, and incoming Addendum editor Gloria McPherson

The *Addendum* was launched as a means of providing topical and timely information to attorneys in this state. Under Susan's splendid leadership and guidance, the *Addendum* has been a resounding success!

—Robert A. Huffaker, editor, *The Alabama Lawyer*, Montgomery

Susan and I went to law school together. In fact, she was the first person who spoke to me when I started school. I joined a study group that she was setting up with **Sharon Yates** (now presiding judge of the Alabama Court of Civil Appeals).

I vividly remember our initial meeting sometime during the first few weeks of class. We were sitting in Sharon's kitchen, comparing notes. I had considered beginning an outline for each course and I believe Sharon had already started working on hers. What I remember next is that Susan's outline was basically complete. In my memory, it wasn't just typed, it was typeset and professionally bound in rich leather. What was worse, she was talking about things covered in our courses in a level of detail that left me wondering whether I had unknowingly missed lots of classes.

I can only assume that this amount of preparation continues with Susan's practice today. I pity the parties on the other side who do not prepare in a similar fashion.

I didn't stay with the study group for long, but I did start work on my outline. And I started that night.

—Paul E. Toppins, Tuscaloosa



Bill DePaola watches as Susan unwraps her Award of Merit plaque.

“Case management programs...are legal specific databases which allow for contact management, input and retrieval of...information, realtime networked calendars and e-mail.”

# Fast, Faster, Fastest

## Document Generation and Management with Time Matters

**D**o you want to make your routine, and even not so routine, documents faster? How about keeping up with them once you

have created them? Your solution may be as close as your case management program (or a trial of a case management program if you haven't breached this software wall yet). Among the leading programs are Time Matters ([www.timematters.com](http://www.timematters.com)), PracticeMaster ([www.stilegal.com](http://www.stilegal.com)), Amicus Attorney ([www.amicus.ca](http://www.amicus.ca)) and Prolaw ([www.prolaw.com](http://www.prolaw.com)). Scores of other products are on the market, though, as illustrated by a quick trip to [www.lawofficecomputing.com/category/casemanage.htm](http://www.lawofficecomputing.com/category/casemanage.htm). For the uninitiated, case management programs are legal specific databases which allow for contact management, input and retrieval of case information, realtime networked calendars, and e-mail. The information is cross-referenced automatically, so, for instance, you can pull up a case screen and see all contacts associated with it, along with events and phone messages related to the particular case.

Document creation and management with Time Matters are flexible and convenient. Through a built-in "formattable clipboard," your forms may be incorporated into Time Matters, and with a little effort, the fields from Time Matters may be embedded into your forms, allowing generation of routine documents in seconds. It's then as simple as this: Click "Add Document," give it a description and a short code from a list, allow Time Matters to automatically name the file with your description as part of the name, choose a template, and choose the particular clipboard. Click "create" and paste your clipboard into the letter; the letter is now on your system in the right place, on your letterhead and ready to revise or print. And, because you gave it a code, it is also listed under a "documents" tab

of the case screen for the particular case you are working on. Time Matters also includes a Hot Docs link for use in more complicated documents.

Document imaging works similarly, and Time Matters includes a method of direct scanning into the Time Matters database of incoming and outgoing mail and pleadings. These documents are also available immediately to any user on your system, and are similarly indexed by code. So, without any extra effort other than filling in a code, all documents coded "corr" will be under a correspondence tab in Time Matters, pleadings might be under a pleadings tab, and medical records might be under a medicals tab.

An additional "worth the price of admission" feature is keyword document searching, not just for documents created through Time Matters, but also for any other document capable of being searched (WordPerfect, Word, PDFs, html, and anything with text in it). Index your old legacy documents, run a search for "answer" and "guest statute" and quickly retrieve that old pleading you need.

To make your work flow better, give the document generation and management features of a case management program such as Time Matters an appropriate look. You'll never look back.

—John M. Peek,  
Andalusia



# Appellate Mediation Arrives in Alabama

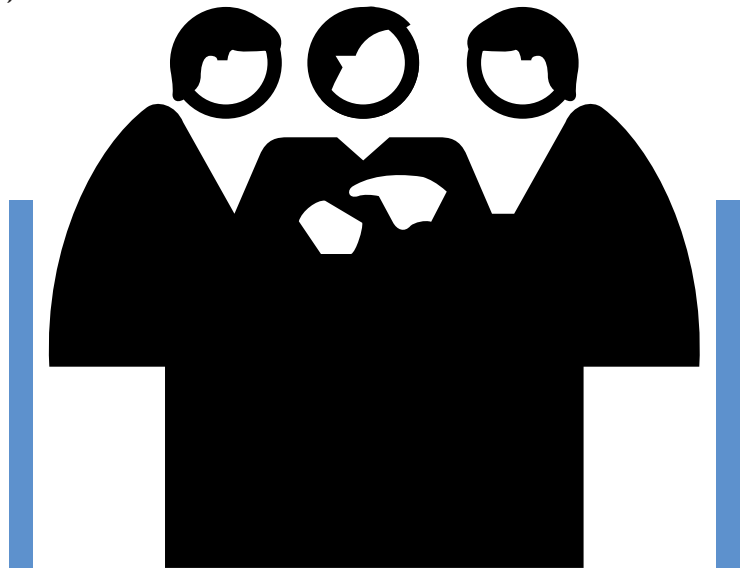
Another chance to save time and money, find closure, and maintain relationships

**B**eginning January 2004, Alabama will have a mediation program at the Supreme Court of Alabama and the Alabama Court of Civil Appeals. There are many advantages to a mediated settlement at the appellate level. First, parties may save the cost of transcript, record and attorney fees if mediation results in a settlement. Second, the closure in mediation means that there will be no applications for rehearing, petitions for cert, and parties will not be distracted from more productive activities. Third, parties may avoid future legal proceedings since mediated settlements are more often complied with, and reduce the chance of later actions for modification or collateral relief. Fourth, the potential resolution can be flexible. Parties are not confined to “legal” remedies and may adopt non-economic remedies such as apology, scholarship or insurance. Payment plans and partial resolution are also possibilities. Fifth, mediation may help to maintain or enhance relationships in family and employment cases, and for those in a continued business relationship. And, mediation at the appellate level helps avoid unfavorable precedent that may be used in a later proceeding of the same or similar cases.

The **Supreme Court Standing Committee on Appellate Mediation**, chaired by **Justice Champ Lyons, Jr.**, began meeting in May 2003, and has worked to develop a mediation program for both courts. Members of the committee include **Justice R. Bernard Harwood, Justice Thomas A. Woodall, Hon. Sharon G. Yates, Judith M. Keegan, and Rhonda P. Chambers.**

On July 17, 2003, the Supreme Court of Alabama adopted Rule 55, Alabama Rules of Appellate Procedure. This rule establishes a confidential mediation program at the appellate level. Rules for the program will be complete this month, and the program will begin in January 2004.

Alabama mediators who have elected to participate as appellate mediators will be trained in a one-day seminar this month. The morning will focus on program rules and forms. The afternoon will be skills-based appellate mediation training by **Gary F. Canner, circuit mediator, United States Court of Appeals, Eleventh Judicial**



**Circuit.** The training will be hosted by the Alabama Center for Dispute Resolution at the ASB. For the entire text of the Rule and the Court Comment to the Rule, go to [www.alabar.org](http://www.alabar.org).

## Adoption of Appellate Mediation Rules

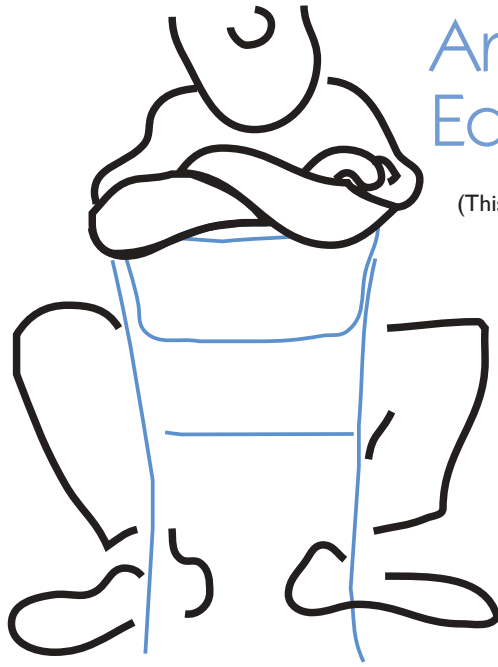
Pursuant to Rule 55, Alabama Rules of Appellate Procedure, the Alabama Supreme Court has adopted the Alabama Appellate Mediation Rules, effective January 1, 2004.

The order adopting the Appellate Mediation Rules appears in an advance sheet of Southern Reporter dated on or about December 11, 2003.

**Bilee K. Cauley, Reporter of Decisions, Alabama Appellate Courts**

# Area Attorney Dismayed by Recent Editorial Cartoon in Local Paper

(This letter to the editor originally appeared in the October 8th, 2003 edition of *The Wetumpka Herald*.)



I found the political cartoon that you ran ...in *The Wetumpka Herald* highly offensive. [c]onnecting trial lawyers with pedophiles, telemarketers, and sex offenders is over the top in political speech, to say the very least.

As president-elect of the Alabama Trial Lawyers Association and a Wetumpka practicing attorney, I believe that you owe trial lawyers an apology for running this cartoon.

Most of the attorneys in our county consider themselves trial lawyers. We are solid businesspeople who provide good-paying jobs in this community and have demonstrated our civic responsibility in countless ways.

I...have served as past president of the Wetumpka Area Chamber of Commerce and am vice-chairman of the Wetumpka Industrial Board. Other trial lawyers in our community teach Sunday school, coach youth sports, give substantially to charities, support the building of playgrounds, etc.

I challenge anyone to find another profession whose members give more time and money to this community.

One of the largest philanthropic organizations in this state was founded by the Alabama Trial Lawyers Association—the Alabama Civil Justice Foundation.

As a member of that board, along with your president and publisher, Kim N. Price, the Alabama Trial Lawyers Association through the Civil Justice Foundation has provided over \$3 million in grants to needed charities and service programs in this state in the last ten years.

Many projects here in Wetumpka have been recipients of these grants; i.e., Wetumpka Depot Players, Wetumpka Extension Service, M.A.N.E., and Wetumpka Black History Museum, just to name a few. Please tell me where any telemarketer or any other group has done as much for Elmore County as the practicing trial attorneys of this county.

Your paper owes us an apology. And, those readers who laughed at that cartoon should never call their local attorney and solicit their money or support to help with any project.

It is time for the public to understand that the trial lawyers are very important to our society. They fight for your rights and help people who have been injured or wronged at the hands of another.

Where would justice be in this country without trial lawyers? Where would charities be without trial lawyers? Where would our community be without the giving servants that are found in the Alabama State Bar and Alabama Trial Lawyers Association?

I hope that you and your readers will take this into consideration the next time something comes up about trial lawyers.

—Thomas R. Edwards, *Wetumpka*, October 8th, 2003

## Statement of Ownership

# Paralegals and Profitability

*Paralegals, Profitability, and the Future of Your Law Practice* suggests that properly utilizing paralegals is the key to practicing law in the future



I am ready for a change. After many years of reading and writing articles on “leveraging with legal assistants,” I am changing my focus in two ways. First, I am going to use today’s preferred title of “paralegal.” And, second, I am changing my focus from “leveraging” to “profitability,” or more precisely, “paralegals and profitability.”

In a recently published book, the authors of *Paralegals, Profitability, and the Future of Your Law Practice* studied trends in the legal profession. Some of the problems they found are that attorneys are competing for clients, law firm costs are rising, and clients are demanding more services for less money. Moreover, attorneys are finding their clients are demanding that the value of the lawyers’ work relate to the time required to produce the work.

The authors suggest that implementing an effective paralegal program is the first step in resolving these trends. Simply stated, the use of paralegals fits into these changes and for practicing law in the future. It is without dispute, that today’s intelligent, well-trained and educated paralegals are providing substantive legal work in areas that do not require lawyers to perform.

Are you ready for a change, too? If so, the authors’ case studies show the many advantages of employing paralegals, including greater profitability and increased attorney satisfaction. They also discuss the practical aspects of recruiting and hiring paralegals, how to best utilize them in various practice settings, and the ethical considerations involved. In addition, useful forms are contained in the appendix and included on an accompanying CD.

*Paralegals, Profitability, and the Future of Your Law Practice* is available from the library materials of the ASB’s Law Office Management Assistance Program (334-269-1515, x.116). To order a copy, go to [www.abanet.org/lpm/catalog/511-04911](http://www.abanet.org/lpm/catalog/511-04911), or contact the ABA Service Center at 800-285-2221.

—Gloria McPherson, Department Head, Justice and Public Safety, Director, Legal Studies & Judicial Administration, Auburn University Montgomery, [gmcphers@mail.aum.edu](mailto:gmcphers@mail.aum.edu)

The 2003 Alabama Bar Directory has been mailed to all members. However, several additions/corrections need to be made to this edition. We have compiled this information into an errata sheet, which is available for download from our Web site. Please visit the “Members” page of [www.alabar.org](http://www.alabar.org) for more information.

**MEMBERSHIP INFORMATION IS NOT AFFECTED.**

# Tell us what you want!

The purpose of the *Addendum* is to keep you up to date on what is happening in the legal profession and its effect on your law practice. We want to serve as a resource providing information in a concise and timely manner. To do that, we need your feedback to make sure the *Addendum* is doing its job—and bringing you information that you need and can use! Please take a moment to complete this brief survey and return it via fax or mail.

What do you read in the *Addendum*?

	Always	Occasionally	Never
Cover story	_____	_____	_____
TechNotes	_____	_____	_____
Have You Heard...? (Local bar news)	_____	_____	_____
Book reviews	_____	_____	_____
Law Office Management Tips	_____	_____	_____

What topics would you be most interested in reading about in the *Addendum*?

(Please check all that apply)

- |   |  |
|---|--|
| <input type="checkbox"/> Mediation/Alternative Dispute Resolution | <input type="checkbox"/> Improving the Image of the Profession |
| <input type="checkbox"/> Law Practice Management                  | <input type="checkbox"/> Client Relations                      |
| <input type="checkbox"/> Attorney Advertising/Solicitation        | <input type="checkbox"/> Professionalism & Ethics              |
| <input type="checkbox"/> Judicial Selection/Evaluation            | <input type="checkbox"/> Lawyer Assistance Programs            |
| <input type="checkbox"/> CLE Opportunities                        | <input type="checkbox"/> Volunteer Lawyer Opportunities        |
| <input type="checkbox"/> Diversity/Minority Lawyers               | <input type="checkbox"/> Solo/Small Firm Practice Issues       |
| <input type="checkbox"/> Mentoring Programs                       | <input type="checkbox"/> Humor                                 |
| <input type="checkbox"/> Committee/Task Force Action              | <input type="checkbox"/> Editor/Reader Comments                |
| <input type="checkbox"/> Local Bar Programs/Activities            | <input type="checkbox"/> Quality of Life Issues                |
| <input type="checkbox"/> Balancing Family and Career              | <input type="checkbox"/> Community Involvement                 |

What do you like best about the *Addendum*? \_\_\_\_\_

\_\_\_\_\_

What would you change or add? \_\_\_\_\_

\_\_\_\_\_

Tell us about yourself:

solo    2-5 person firm    6-10 person firm    +10 person firm

Would you be interested in serving as a member of the *Addendum* sub-committee?

Yes    No

Your name: \_\_\_\_\_

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

E-mail: \_\_\_\_\_ Telephone: \_\_\_\_\_

FAX to (334) 261-6310  
or  
Mail to: *Addendum* Reader Survey  
P.O. Box 4156  
Montgomery, AL 36101

*Addendum* (USPS 013-915), the official newsletter of the Alabama State Bar, is published six times a year (December, February, April, June, August, October) by *The Alabama Lawyer* Board of Editors, P.O. Box 4156, Montgomery, AL 36101-4156. Contributions from members are welcomed and encouraged. Views expressed are those of the authors, not necessarily those of the board of editors, officers or board of commissioners of the Alabama State Bar.

Subscriptions: ASB members receive *Addendum* as part of their annual dues payment; \$15 of this goes to subscriptions for *The Alabama Lawyer* and *Addendum*. Copyright 2003. The Alabama State Bar. All rights reserved. Periodicals postage paid at Montgomery, AL.

Postmaster: Send address changes to *Addendum*, P.O. Box 4156, Montgomery, AL 36101-4156.

**Editor:**

Gloria J. McPherson, Montgomery

**Associate Editor:**

Ashley Hamlett, Montgomery

**Contributors:**

Thomas R. Edwards, Wetumpka

Robert A. Huffaker, Montgomery

Judith M. Keegan, Montgomery

John M. Peek, Andalusia

Paul E. Toppins, Tuscaloosa



## “Athletes, Academics and the Law—Play It Smart!”

“Athletes, Academics and the Law: Play It Smart!” is a project sponsored by the Alabama State Bar. The project will identify varsity college athletes, in the sports of football and basketball from major Alabama colleges, who are now successful lawyers and involve them in speaking to students about a career in law, focusing on the 9th grade and above.

The goal will be two-fold:

- 1) To highlight successful athlete/lawyers at halftime presentations during fall and winter sports schedules, and
- 2) To have participating lawyer/athletes make appearances at area schools to talk to high school students about the importance of focusing on academics with an eye toward a future in law or similar professions. Athletics is a great training ground for a personal development and can be a stepping stone to many future opportunities and fields of endeavor.

The project will begin with a kickoff in January and run through April 2004. We are now finalizing a list of lawyer/athlete volunteers. If you lettered in collegiate sports and are interested in participating in this program, please contact Susan Andres, director of communications, at 800-354-6154, ext. 132, or send an e-mail to [sandres@alabar.org](mailto:sandres@alabar.org).



ALABAMA STATE BAR

# Lights, Camera, Action!



If you like being in the spotlight and have a flair for dramatics, have we got the project for you!

The 50th Anniversary of *Brown v. Board of Education* is the focus of Law Day 2004. To celebrate this historic event, the Alabama State Bar is presenting a play to recreate the infamous court case and surrounding events.

Auditions will be held in January 2004 in Montgomery. Rehearsals will begin in March, with the performances during Law Week in May in the Supreme Court Courtroom at the Judicial Building in Montgomery.

So, if the stage is calling you, you should be calling us!

Name \_\_\_\_\_

Firm \_\_\_\_\_

Mailing Address \_\_\_\_\_

\_\_\_\_\_

Fax \_\_\_\_\_

Phone \_\_\_\_\_

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

Please complete the information above and mail this form to Susan Andres, P.O. Box 4156, Montgomery, AL 36101-4156 or fax it to (334) 261-6310.

Periodicals Postage  
**Paid**  
Montgomery, AL

**Addendum**

Published by the  
ALABAMA STATE BAR  
P.O. Box 4156  
Montgomery, Alabama 36101