Addendum

EBRATE PRO BONO

In this issue:

- » Celebrate Pro Bono Month
 - Alabama Civil Legal Aid: Legal Services Alabama Helps Client Keep House Bought through Rent-to-Own
 - Alabama State Bar Celebrates
 Pro Bono Month
 - Law Students Pledge to Render Pro Bono Service
- » Good Enough
- » Member Benefits Spotlight
 - Insurance Specialists, Inc.
 - Casemaker
 - Ruby Receptionists
- » Books for Sale: Alabama Rules of Court–State
- » Get in the Holiday Spirit with the Leadership Forum
- » Important Notices
- » Celebrating Mediation Week
 - Thank You, Pro Bono Mediators

Short articles of general interest are always welcomed from ASB members. All materials submitted for publication in the Addendum are subject to editing for style, space and content. Send submissions as Word documents to margaret.murphy@alabar.org.

Addendum, official online 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 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 bar commissioners of the ASB.

Copyright 2015. The Alabama State Bar. All rights reserved.



ALABAMA CIVIL LEGAL AID

Alabama Civil Legal Aid: Legal Services Alabama Helps Client Keep House Bought Through Rent-to-Own

By Larry Gardella, director of advocacy, Legal Services Alabama

When Ms. Lockhart needed a home for herself and her two daughters, but could not pay in cash or get a mortgage, she was left with the only option many low-income individuals face: a rent-toown agreement to buy a house. In 1995, she entered into such an agreement with Mr. Davis, paying him a \$950 down payment and agreeing to monthly payments of \$250. Ms. Lockhart made these payments each month and in June 2006, Mr. Davis gave her the deed to her home, which was recorded that December. Things were looking good for Ms. Lockhart and her daughters.

However, Mr. Davis owed money to someone else: in 2004, Mr. Williams had obtained a judgment against Mr. Davis for more than \$100,000. Mr. Williams got a sheriff's deed to the house that Ms. Lockhart had purchased from Mr. Davis. After an appeal, Mr. Davis filed for bankruptcy, and eventually Mr. Davis and Mr. Williams reached a settlement. Meanwhile, Ms. Lockhart knew nothing about this situation. All too often, people purchasing real property through rent-to-own agreements end up with property that has been mortgaged or subjected to a judicial lien; Ms. Lockhart was now one of those people.

MON

In 2010, Mr. Williams told Ms. Lockhart that she was a tenant-at-will on his property and that she needed to move out within seven days. In 2011, Mr. Davis paid Mr. Williams \$75,000 in exchange for Mr. Williams releasing his judgment lien against Mr. Davis. However, Mr. Williams again asked Ms. Lockhart to leave her house and when she refused, he filed an eviction against her. A lawyer at Legal Services Alabama contested the eviction, and Mr. Williams dropped it, but he still asserted that the house belonged to him.

In 2012, after attempts at negotiating were unsuccessful, the lawyer at Legal Services Alabama filed a "quiet title" action, asking the court to find that Ms. Lockhart was the owner of the property. The court denied a subsequent motion for summary judgment, deciding that it needed to hear more about the sheriff's deed and the agreement between Mr. Davis and Mr. Williams. The lawyer for Ms. Lockhart collected the documents and witnesses to show that the settlement should be found to have nullified the sheriff's deed. After a trial, the court found that the sheriff's deed was void and that Ms. Lockhart owned her home free and clear. The lawyer prepared a quitclaim deed to guarantee that the property remain in Ms. Lockhart's name. At Ms. Lockhart's request, the lawyer

CELEBRATE PRO BONO MONTH

(Continued from page 1)

then prepared a will devising the home to Ms. Lockhart's daughters.

Today, Ms. Lockhart still lives in her home. By viewing the second of the three stories on the video (*https://www. youtube.com/watch?v=5QrFPeAi7zU*), you can see Ms. Lockhart is doing well. She is happy with the court order declaring the house to be her property. One of her daughters, who was living with Ms. Lockhart in 1995, volunteered this past summer as an intern at the Mobile Office of Legal Services Alabama.

According to the U.S. Department of Housing and Urban Development, from the beginning of the recession in 2007 through 2010, family homelessness has increased by 20 percent, and the U.S. Department of Education reported that more than a million schoolchildren were homeless in the 2011 to 2012 school year-close to a 75 percent increase since 2007.



Alabama State Bar Celebrates Pro Bono Month

October 2015 has been designated as Pro Bono Month in Alabama by issue of a proclamation from Governor Robert Bentley.

Pro Bono Month focuses on the work of attorneys and legal professionals who have taken on civil legal cases at no cost and donated their time to help citizens who may not otherwise have access to legal assistance. The month-long celebration works to educate the public on these pro bono efforts made by Alabama lawyers, and lawyers across the country. Currently, there are more than 4,500 attorneys in Alabama who are enrolled in pro bono programs. Alabama State Bar President Lee Copeland is one of the many attorneys who dedicates his time to pro bono legal cases. Like other attorneys who have participated in pro bono cases, Copeland's experiences have rewarded him both personally and professionally.

"Pro bono service represents the core of the Alabama State Bar's motto, 'Lawyers Render Service," Copeland said. "Each year, Alabama lawyers devote thousands of hours to help the citizens of our state who may not otherwise be able to afford an attorney."

With more than 18 percent of Alabamians and 27 percent of Alabama's children living below the poverty level, pro bono services are necessary to assist low-income individuals with legal problems. During October, events highlighting pro bono services bring attention to the growing need to help citizens living below the poverty level. These events include poverty simulations, free legal advice clinics, senior citizen clinics, service projects and more.

"The legal profession is among the very few that calls on its members to make a difference in their communities through pro bono work," said Linda Lund, Alabama State Bar Volunteer Lawyers Program director. "Our celebration offers a time to reflect on this core value of our profession, and although statewide in breadth, this celebration provides an opportunity for local bar associations to showcase the great difference that pro bono lawyers make in their communities."

This is the seventh year that the Alabama State Bar has participated in the Pro Bono Celebration. Previously celebrated as a one-week event in Alabama to coincide with the national celebration, Pro Bono Month encompasses the entire month of October. The extension of the celebration was put in place in 2014 to bring additional awareness to the pro bono efforts that are made across the state by lawyers and legal professionals.

To view all of the Pro Bono Month events across the state, go to https:// www.alabar.org/events/category/probono-month/.

To view the proclamation signed by Alabama Governor Robert Bentley, go to https://www.alabar.org/assets/uploads/ 2014/09/Governors-Proclamation-Pro-Bono-Month-2015.pdf.



Law Students Pledge to Render Pro Bono Service

Alabama's five law schools have joined together to encourage their students to take the Pro Bono Pledge (see below) during Pro Bono Month 2015. Law students may go to *http://www.probonopledge.com/* and commit to include time each year to render service to their communities through volunteering, mentoring, participating in legal clinics, working in public interest or public service and providing legal services to those in need.

Pro Bono Pledge

As a law student, I understand that I am entering a profession that maintains a special responsibility to render service to others. I recognize that utilizing my legal training and knowledge for pro bono efforts during law school and after I graduate makes a difference in the lives of my clients and community. I see the critical need for legal services and access to justice among those with less means in Alabama and across the United States. I want to dedicate part of my time to resolve those issues.

I pledge that my future endeavors will include time each year to render service to my community through activities such as volunteering, mentoring, participating in legal clinics, serving on boards, working in public interest or public service and providing legal services regardless of a client's ability to pay.

I pledge to participate in pro bono.



Back in grade school, my father and I constantly battled about how I did things. He wasn't urging me to work harder to obtain perfection. Instead, he wanted me to stop obsessively doing things again and again, seeking to remove a single flaw when I had already produced a result that was more than good enough. He would patiently try to explain that success in life didn't come from total perfection–it came, instead, from raising your work to an acceptable level of quality and then doing as much at that level as you possibly could.

As you might guess, I was hard to convince then, and still am. Deep in the heart of almost every lawyer lives a serious case of perfectionism. My father's theory isn't necessarily right for producing legal work, where even a small mistake can sometimes mean devastating losses for the client and a malpractice action for the lawyer. When managing your practice, though, there are lots of less-than-perfect things you can do. And, if you can ease your practice management tasks along, you will have more time to devote to legal tasks that must be perfect. A simple plan for prioritizing daily to-dos can help.

by Laura A. Canoway, ASB airector of service programs

Many lawyers struggle every day to keep on track. Constant interruptions make it hard to keep focused on, much less complete, the most important tasks you face each day. And when things go on like this for days or weeks, it can feel like every file or stack of paper on your desk is on fire. Here's what to do:

- Start by making a single to-do list containing everything that you can think of that needs to be done. Don't try to organize or prioritize the tasks, just list them. Next, carefully go over the list and break it into two lists. On the first list, keep only things that must be done by a lawyer. If you don't have to do it yourself, don't. Put everything else on the second list.
- Take another look at the lawyer list and, on a new, high-priority list, pull off the three or four things you know must be accomplished today or you might as well not show up tomorrow. If you have an assistant, delegate the priority items on the non-lawyer list to him or her. If not, schedule some time away from your prime production hours to handle them (and to consider getting some non-lawyer help). Then,

get started on your priority legal items. Check your progress around three p.m. each day. This allows time to get things back on track if unexpected events are derailing your plans.

Revise your lists before you leave for the day, or each morning as soon as you arrive in the office. Let the highpriority list guide the work you must tackle each day, but keep the non-priority lists handy so that you can add less pressing tasks to them as they come up. This way, you can stay focused on what's most critical without distraction, because you won't have to worry about what you may be forgetting. It's all on one of the lists.

This system doesn't require learning new technology and costs no more than the price of a legal pad and a few minutes of your time, yet it can serve as a rope across a raging river you're trying to cross–something to grab onto and reorient yourself as the steady flow of work threatens to pull you under. And that's good enough.

A version of this article was published in the March/April 2010 issue of Law Practice.

Need more clients?

Join the ASB Lawyer Referral Service



WHY JOIN?

- Expand your client base
- Benefit from our marketing efforts
- Improve your bottom line

OVERVIEW OF THE PROGRAM

- Referrals in all 67 counties
- Annual fee of \$100
- Maximum percentage fee of \$250 on fees between \$1,000 and \$5,000
- Professional liability insurance required for participation

Sign me Up!

Download the application at www.alabar.org/ membership/lawyerreferral-service/ or email LRS@alabar.org.

MEMBER BENEFITS SPOTLIGHT

Insurance Specialists, Inc.

ISI Alabama, the bar's insurance member benefit provider, reminds you that open enrollment for health insurance plans for 2016 begins



November 1. If you aren't satisfied with your current health insurance policy or want to be sure you are getting the most competitive rate available, you can speak directly to a member agent at (888) 474-1959 or shop online anytime by visiting *www.isi1959.com*.



Casemaker

Casemaker, the bar's free legal research service, recently added the formal opinions of the Office of General Counsel to its database. Now, when you perform a search, in addition to cases and statutes, you'll also get any formal opinions that are relevant. Or you can browse the opinions by year. Look for the book entitled *Formal Opinions of the Office of General Counsel* in the Alabama Library. Sign in to Casemaker from your MyDashboard page at *www.alabar.org*.

Ruby Receptionists

Ruby Receptionists is the perfect solution for solo and small law firms. They're a bright, friendly team of



receptionists

live, virtual receptionists who provides top-notch service at a fraction of the cost of an on-site receptionist. Sign up today with a 21-day risk-free money-back guarantee and receive an eight percent discount. See www.callruby.com/asb/.

BOOKS FOR SALE: Alabama Rules of Court–State



The 2014 Alabama Rules of Court–State books are for sale at \$20 each, and a limited number of 2013 Alabama Rules of Court–State books are for sale at \$10 each. These are available for purchase in the Supreme Court and State Law Library, by cash or check only. Please mail a check or money order, made payable to **AL Supreme Court and State Law Library**, to:

Alabama Supreme Court and State Law Library ATTN: Public Services–Book Sale 300 Dexter Ave. Montgomery 36104

Contact any Public Services staff member at (334) 229-0563 with questions.

Get in the Holiday Spirit with the Leadership Forum

The Leadership Forum Section hopes you and yours will make plans to join us December 3–5, on the grounds of Callaway Gardens for a fun, family-oriented holiday weekend with CLE offered (but not required). If you need flexibility, you'll have it-all Alabama State Bar members, their guests and families are welcomed to stay one, two or all three nights to enjoy significantly discounted rates on accommodations and events we've negotiated specially for our Alabama



State Bar Members. If you need CLE to justify the trip, you'll have it. If you want to hit the Gardens while on your way to the SEC Championship game or shopping, that works too. The Gardens are conveniently located near Atlanta if you are planning a holiday shopping trip or are looking ahead to the big game for all the SEC's marbles. (Stay at the Gardens Friday night and hit I-85 the next morning). Or, punt football or shopping and stay around and enjoy holiday festivities put on at the Gardens! We'll provide more information and registration instructions via e-mail soon, so watch your inbox or contact one of the Leadership Forum Section's officers named below if you have questions.

Things to Do: Callaway Gardens offers an activity sure to please every member of your family. Golf, tennis, nature/hiking trails, zip-lining, fishing and a free "Birds of Prey" raptor show are just outside your door. Since we are visiting during December, we'll see Callaway Gardens transform into a magical holiday wonderland on a nightly basis, when more than 8,000,000 lights illuminate 15 different holiday scenes as part of "Fantasy in Lights," a nationally-renowned exhibition recognized by *National Geographic Traveler*. Kids will have the opportunity to take train and trolley rides and pictures with Santa Thursday, Friday or Saturday night. On Saturday, there will also be a special holiday character breakfast, storytelling and cupcake decorating with Mrs. Claus, a fresh greenery workshop for those adults who are craftily-inclined and a holiday chapel organ concert. The opportunity to earn credits, including ethics, before noon Saturday and enjoy the afternoon with your family. If you have met your MCLE needs for the year, don't let that stop you from joining us. In fact, you won't pay a registration fee if you don't attend the programming sessions.

Accommodations and Dining: Calloway Gardens will be offering three options for your accommodations:

- For \$139 per night, plus tax, you can select the Mountain Creek Inn, offering traditional hotel-type accommodations adjacent to our MCLE meeting space;
- (2) If you need more space or want to make it even more of a getaway, choose the cozy Southern Pine Cottages (two bedrooms, plus full living and kitchen area); or
- (3) The ultra-luxe Mountain Creek Villas and Vacation Homes (full two-, three- and four-bedroom homes).

Six restaurants, grills and lounges are available to us on-site, so once you are here, there's no need to leave unless you want to explore or dine in historic downtown Pine Mountain.

Mark your calendars now, and be watching your inbox for more details on registration, MCLE and the schedule of events. If you have any questions, contact Ed Sledge (*esledge@babc.com*), Ashley Fincher (*ashley.fincher@phelps.com*), Andrew Nix (*anix@ maynardcooper.com*) or Jon Waggoner (*waggojg@auburn.edu*).

Christmas Village will

be open every night

so you can shop for

MCLE Option: If

you are still looking

2015, we've got you

covered. We're put-

ting together an out-

standing faculty with

MCLE credits offered

(at a minimum) Fri-

day afternoon and

Saturday morning,

and potentially more

it. If you can't make it to Pine Mountain be-

if demand supports

fore Friday evening, you'll still have the

to complete your

MCLE needs for

ornaments, treats

and gifts.

IMPORTANT NOTICES



Need a private judge for a quick resolution of a domestic relations, contract or tort case?

Read profiles of private judges and get information at www.alabamaprivatejudges.org.



Alabama Center for Dispute Resolution

P.O. Box 671 Montgomery, AL 36101 (334) 269-0409

Alabama Lawyers' Hall of Fame

May is traditionally the month when new members are inducted into the Alabama Lawyers' Hall of Fame which is located at the state judicial building. The idea for a hall of fame first appeared in 2000 when Montgomery attorney Terry Brown wrote state bar President Sam Rumore with a proposal that the former supreme court building, adjacent to the state bar building and vacant at that time, should be turned into a museum memorializing the many great lawyers in the history of the state of Alabama.

The implementation of the idea of an Alabama Lawyers' Hall of Fame originated during the term of state bar President Fred Gray. He appointed a task force to study the concept, set up guidelines and then to provide a recommendation to the board of bar commissioners. The committee report was approved in 2003 and the first induction took place for the year 2004. Since then, 50 lawyers have become members of the hall of fame. The five newest members were inducted May 1, 2015.

A 12-member selection committee consisting of the immediate past president of the Alabama State Bar, a member appointed by the chief justice, one member appointed by each of the three presiding federal district court judges of Alabama, four members appointed by the board of bar commissioners, the director of the Alabama Department of Archives and History, the chair of the Alabama Bench and Bar Historical Society, and the executive secretary of the Alabama State Bar meets annually to consider the nominees and make selections for induction.

Inductees to the Alabama Lawyers' Hall of Fame must have had a distinguished career in the law. This could be demonstrated through many different forms of achievement–leadership, service, mentorship, political courage, or professional success. Each inductee must have been deceased at least two years at the time of their selection. Also, for each year, at least one of the inductees must have been deceased a minimum of 100 years to give due recognition to historic figures as well as the more recent lawyers of the state.

The selection committee actively solicits suggestions from members of the bar and the general public for the nomination of inductees. We need nominations of historic figures as well as present-day lawyers for consideration. Great lawyers cannot be chosen if they have not been nominated. Nominations can be made throughout the year by downloading the nomination form from the bar's website and submitting the requested information. Plagues commemorating the inductees are located in the lower rotunda of the judicial building and profiles of all inductees are found on the bar's website at https://www.alabar.org/membership/ alabama-lawyers-hall-of-fame/2014lawyers-hall-of-fame/.

Download an application form at https://www.alabar.org/assets/uploads/ 2014/08/Lawyers-Hall-of-Fame-Nomination -Form-2016-fillable.pdf and mail the completed form to:

Sam Rumore Alabama Lawyers' Hall of Fame P.O. Box 671 Montgomery, AL 36101 The deadline for submission is March 1, 2016.

Judicial Award of Merit

The Alabama State Bar Board of Bar Commissioners will receive nominations for the state bar's Judicial Award of Merit through **March 15, 2016**. Nominations should be mailed to:

Keith B. Norman, secretary Board of Bar Commissioners P.O. Box 671 Montgomery, AL 36101-0671

The Judicial Award of Merit was established in 1987. The award is not necessarily an annual award. It must be presented to a judge who is not retired, whether state or federal court, trial or

IMPORTANT NOTICES

appellate, who is determined to have contributed significantly to the administration of justice in Alabama. The recipient is presented with a crystal gavel bearing the state bar seal and the year of presentation.

Nominations are considered by a three-member committee appointed by the president of the state bar, which then makes a recommendation to the board of bar commissioners with respect to a nominee or whether the award should be presented in any given year.

Nominations should include a detailed biographical profile of the nominee and a narrative outlining the significant contribution(s) the nominee has made to the administration of justice. Nominations may be supported with letters of endorsement.

Local Bar Award of Achievement

The Alabama State Bar Local Bar Award of Achievement recognizes local bar associations for their outstanding contributions to their communities. Awards will be presented during the Alabama State Bar's 2016 Annual Meeting at the Sandestin Golf and Beach Resort– Baytowne Wharf.

Local bar associations compete for these awards based on their size-large, medium or small.

The following criteria will be used to judge the contestants for each category:

- The degree of participation by the individual bar in advancing programs to benefit the community;
- The quality and extent of the impact of the bar's participation on the citizens in that community; and
- The degree of enhancements to the bar's image in the community.

To be considered for this award, local bar associations must complete and submit an award application by May 6, 2016. Applications may be downloaded from *www.alabar.org* or obtained by contacting Christina Butler at (334) 269-1515 or *christina.butler@ alabar.org*.

Alabama Lawyer Assistance Program



You take care of your clients, but...

who takes care of **YOU**?

For information on the Alabama Lawyer Assistance Program's Free and Confidential services, call (334) 224-6920.



Mediation Week



Pictured with Alabama Supreme Court Chief Justice Roy Moore (as he signs the declaration celebrating the **Parents Are Forever Family Mediation Program** for Alabama during Mediation Week) are the Hon. Scott Donaldson, Martha Reeves Cook, Jana Russell Garner and Samuel N. Crosby.



Pictured with Gov. Robert Bentley (as he signs the proclamation for Mediation Week) are Prof. and Mediation Clinic Director Elyce Morris, William D. Coleman, Judy Keegan (Alabama Center for Dispute Resolution director), and the Hon. Scott Donaldson.

Thank You, Pro Bono Mediators

Thanks to the ASB members listed below for your pro bono time as mediators!

Beverly Baker J. Payne Baker Robert Barr Robert Boliek Sarah Bowers Robin Burrell William Caughran L. Brian Chunn David Coleman Cedrick Coleman Louis Colley Martha Reeves Cook George Copeland Timothy Culpepper Donald Fazekas R.A. "Sonny" Ferguson Charles Fleming Anton Gaede Jana Garner J. Kirkman Garrett Michael Hammick Arthur Hanes R. David Hendrickson L.D. Holt Leslie Johnson Sharon Johnston John Karrh Stephanie Kemmer Ross Kinder Sammye Kok John "Jack" Lavette Richard Mauk Rodney Max J. Wesley McCollum H. Edward McFerrin Elizabeth McGlaughn George McMillan Virginia Miller R. Boyd Miller Jameria Moore Brock Murphy Horace O'Neal Ann Ott William Ratliff Ferris Ritchey James Rives Christina Robinson Holly Sawyer Stephen Sexton Morris "Bo" Shaw Allison Skinner Donna Smalley Elizabeth Smithart Angeline Sperling Ron Storey Edward "Ted" Strong Mark Taupeka Michael Upchurch Michael Walls James Walter W. Watson John Webb LaShunta White-Boler Richard Whittaker Bruce Williams





If you answered **YES** to all questions above go to *certification.alabamalawfoundation.org* to submit your annual certification any time SEPTEMBER 1 – OCTOBER 31. Certifications are only valid if submitted during that time.