

# Addendum

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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](mailto: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.

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## Plan Now to Attend ABA TECHSHOW 2016

It's not too soon to start making plans to attend ABA TECHSHOW 2016, March 16-19, at the Chicago Hilton.

The ABA TECHSHOW Conference and EXPO is where lawyers, legal professionals and technology all come together. For three days, attendees learn about the most useful and practical technologies available. Our variety of CLE programming offers a great deal of education in just a short amount of time.

As a member of the Alabama State Bar, you can get a discount on registration for

ABA TECHSHOW 2016. This discount only applies to registrants who qualify for standard registration. You can register online at [www.techshow.com/pricing](http://www.techshow.com/pricing). Be sure to use **Discount Code EP1608** to receive your discount.

Network and learn with legal technology experts from across the country. Visit [www.techshow.com](http://www.techshow.com) for up-to-date information on ABA TECHSHOW 2016, the best event for bringing together lawyers and technology! ■

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# Are you MCLE Compliant?

## Credits for 2015 MCLE Year Must Be Earned by December 31

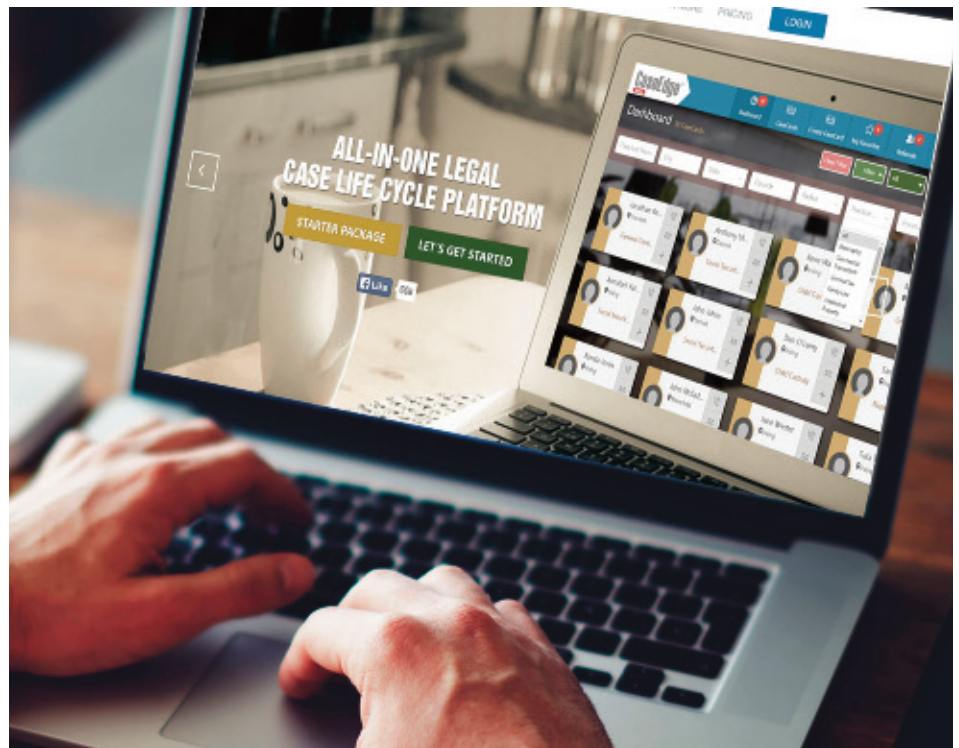
Annual invoices include a statement indicating each member's Mandatory Continuing Legal Education (MCLE) status, plus whether any additional credits need to be earned to achieve compliance by the annual deadline of December 31. An attorney must earn at least 12.0 total MCLE credits (including 1.0 ethics) annually. This notice is not a non-compliance notice, but simply a helpful reminder to those who have not yet completed their annual credit requirement.

Non-compliant attorneys will receive a written notice of an MCLE deficiency in late January or early February. Attorneys who are in compliance should go online and print a copy of their transcript to keep for their records around that same time.

Attorneys should check their transcripts periodically for compliance and always check it in early December to assure that all credits have been reported to the MCLE Department and are up to date. If they find at that time that they are lacking credits, this will give them time to complete their MCLE requirement.

The full list of MCLE Rules and Regulations can be found at <https://www.alabar.org/assets/uploads/2014/08/MCLE-Rule-Book-11-24-14.pdf>.

# MEMBER BENEFIT SPOTLIGHT



## Casemaker Users Now Get Pleadings Access

### *More New Features Coming Thanks To Partnership with CaseEdge*

Casemaker users now have access to more than six million pleadings as part of Casemaker's partnership with Mozato's CaseEdge product. Casemaker is excited to announce this partnership, which will give our users even more tools to help them work faster and smarter.

All Casemaker users will get access to up to five pleadings a month free of charge. Any pleadings past the first five will be available for \$1.99 per pleading. Discounted plans will be available, as well, for heavier usage. Casemaker users will always be able to review the first page of any pleading in the database at no charge.

Pleadings are easy to find—users will get pleadings results in searches just

like any other database on Casemaker or they can directly search the pleadings. Users can also upload a pleading or even a partial pleading and retrieve a list of similar pleadings.

In addition, Casemaker will soon add CaseEdge's expert witness database. Casemaker users will be able to review a huge list of experts who have testified at trials. Like pleadings, Casemaker users will get access to five free expert witness summary profiles each month with the option to purchase more at \$1.99 each. For a fee, users can get a manually prepared in-depth report on any expert as well.

Casemaker users will also have the opportunity to purchase a discounted subscription to the full CaseEdge product. The growing number of features of CaseEdge includes e-sign, expert witness profiles, calendar, ability to maintain and share files and email integration and chat functionality.

For more information, contact Khristina V. Williams at (434) 220-4314 or [kwilliams@casemakerlegal.com](mailto:kwilliams@casemakerlegal.com).





## ALABAMA LEGAL FOOD FRENZY

# More than 1.8 million Alabamians Need Food Assistance

In Alabama, more than one in four children comes from families who experience food hardships. Alabama's eight regional food banks distributed approximately 130 million pounds of food last year through their network of 2,600+ partner agencies and pantries. And the need continues to grow. Food donations are traditionally slow in late spring and early summer as families focus on end-of-school activities and summer vacations. Food banks and their agencies see the demand for food increase during this time as the 700,000 children who depend on access to breakfast and lunch at school are home for the summer months.

In response to these challenges, the Alabama State Bar, Alabama Attorney General Luther Strange and the Alabama Food Bank Association will join together in 2016 to help end child hunger with the launch of the Alabama Legal Food Frenzy, set for April 25–May 6, 2016. Law firms across the state will compete to see who can raise the most food and funds for the eight regional food banks in Alabama.

### Contest Rules

- The contest begins April 25, 2016 and ends May 6, 2016.
- Online registration begins March 1, 2016. (Register by April 1 and we'll add 100 bonus pounds to your total!)
- Awards are based on pounds collected per employee. When registering online, count each person working at your firm, regardless of position.
- Food and fund donations after May 8, 2016 do not count toward your final score.

# ALABAMA LEGAL Food Frenzy

- All food and fund donations must be delivered to or picked up by the food bank no later than May 13, 2016. Deliver your food and monetary contributions to your food bank and your firm will receive a 25 percent bonus of tabulated pounds! Food items will be weighed at the food bank and the results tabulated in pounds.
- Each dollar contributed will count as four pounds of food.
- Contributions of money are tax-deductible and are very welcomed. Cash, checks and online contributions should be made directly to your food bank. You must include the name of your firm and "Legal Food Frenzy" in the designation detail.
- Capital Campaign gifts will not be counted in Legal Food Frenzy award calculations.
- Law firms with multiple office locations will compete as a single entity for the attorney general's awards.
- Candy will not be counted.
- Please do not contribute food items in glass containers—they have a high risk of breakage.
- Please do not open items that are already packed in cases, cartons or boxes. This will make it easier for the food bank to pick up.
- It is very important that you tell the food bank the approximate amount of food you have collected in order for the transportation department to properly prepare.
- If your firm only has a monetary contribution, this needs to be communicated at the time your pickup date is assigned so the food bank is aware of what form of vehicle to send to your firm.

### Most Needed Food Items

- Peanut butter
- Canned tuna
- Canned beans

*(Continued on page 5)*

# ACCOLADES

## Bell, Kanter, Lard Elected Fellows

Michael L. Bell, a partner with Lightfoot, Franklin & White, recently became a Fellow of the American College of Trial Lawyers.



**Bell**

Founded in 1950, the college is composed of the best of the trial bar from the United States and Canada. Lawyers must have a minimum of 15 years of trial experience before they can be considered for fellowship.

Bell graduated from Samford University's Cumberland School of Law.

Rod Kanter, a partner with Bradley Arant, was recently elected a Fellow of the American College of Bond Counsel, which recognizes lawyers based on their skills, accomplishments and high standards of professional and ethical conduct in the practice of bond law.



**Kanter**

The college, formed in 1995, deems a bond lawyer's skill as best judged by his or her peers and limits membership to lawyers who have at least 10 years of "substantial" experience in the field of bond law.

Kanter graduated from Birmingham-Southern College and Vanderbilt University Law School.

Bradley W. Lard, also a partner with Bradley Arant, was elected a Fellow of the American College of Trust and Estate Counsel (ACTEC). Fellows are selected based on their experience, professional reputation and ability in the fields of trusts and estates.



**Lard**

ACTEC, established in 1949, is comprised of lawyers who have demonstrated a high level of integrity, commitment to the profession, competence and experience as trust and estate counselors.

Lard graduated from the University of North Alabama and the University of Alabama School of Law.

## Lamar-Hart Named One of City's Smartest Women

Cynthia Lamar-Hart, a shareholder with Maynard Cooper & Gale, was recently honored by the Women's Fund as one of Birmingham's 10 Smartest Women of 2015. The Women's Fund works with agencies in the greater Birmingham area to focus on eradicating poverty and enhancing economic security for women through education, training and other forms of support. It is a collaborative effort of many of Birmingham's professionals and business and community leaders.



**Lamar-Hart**

Lamar-Hart serves as a board member for the YWCA of Central Alabama and as a director of its foundation and as a planned giving consultant to numerous charities in the area. She has a special interest in the legal needs of LGBT youth in the Birmingham community, and provides consulting services for families and schools with transgender students. ■

## ALABAMA LEGAL FOOD FRENZY

*(Continued from page 4)*

- Canned soups
- Stews
- Pastas
- 100 percent fruit juice
- Canned fruits
- Vegetables
- Macaroni and cheese dinners
- Whole grains
- Low-sugar cereals (boxed)

### Awards

The Attorney General's Cup will be awarded to the firm or legal organization that collects the most pounds per firm employee. In addition, the attorney general will present a special award to the law school collecting the most pounds per person (students and faculty).

Additional prizes will be awarded in these categories:

- Sole Proprietor (1-2) Law Firm: Per Capita
- Sole Proprietor (1-2) Law Firm: Total Pounds
- Small (3-20) Law Firm: Per Capita
- Small (3-20) Law Firm: Total Pounds
- Medium (21-100) Law Firm: Per Capita
- Medium (21-100) Law Firm: Total Pounds
- Large (101 and up) Law Firm: Per Capita
- Large (101 and up) Law Firm: Total Pounds
- Legal Organization (Government, Corporate law departments): Per Capita
- Legal Organization (Government, Corporate law departments): Total Pounds

Food will be weighed in pounds at the food banks. In addition to food collected, each dollar donated will be counted as four pounds of food.

Firms that deliver the food and funds to the food banks will receive a 25 percent bonus in tabulated pounds.

For more information, go to <http://allegalfoodfrenzy.org/>. ■

# IMPORTANT NOTICES

## 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. Plaques 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/2014-lawyers-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 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](http://www.alabar.org) or obtained by contacting Christina Butler at (334) 269-1515 or [christina.butler@alabar.org](mailto:christina.butler@alabar.org).



# IMPORTANT NOTICES

## J. Anthony "Tony" McLain Professionalism Award

The Board of Bar Commissioners of the Alabama State Bar will receive nominations for the J. Anthony "Tony" McLain Professionalism Award through **April 15, 2016**. Nominations should be prepared on the appropriate nomination form available at [www.alabar.org](http://www.alabar.org) and mailed to:

Keith B. Norman  
Executive Director  
Alabama State Bar  
P.O. Box 671  
Montgomery AL 36101

The purpose of the J. Anthony "Tony" McLain Professionalism Award is to honor the leadership of Tony McLain and to encourage the emulation of his deep devotion to professionalism and service to the Alabama State Bar by recognizing outstanding, long-term and distinguished service in the advancement of professionalism by living members of the Alabama State Bar.

Nominations are considered by a five-member committee which 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.

## William D. "Bill" Scruggs, Jr. Service to the Bar Award

The Board of Bar Commissioners of the Alabama State Bar will receive nominations for the William D. "Bill" Scruggs, Jr. Service to the Bar Award through **April 15, 2016**. Nominations should be prepared on the appropriate nomination form available at [www.alabar.org](http://www.alabar.org) and mailed to:

Keith B. Norman  
Executive Director  
Alabama State Bar  
P.O. Box 671  
Montgomery AL 36101

The Bill Scruggs Service to the Bar Award was established in 2002 to honor

the memory of and accomplishments on behalf of the bar of former state bar President Bill Scruggs. The award is not necessarily an annual award. It must be presented in recognition of outstanding and long-term service by living members of the bar of this state to the Alabama State Bar as an organization.

Nominations are considered by a five-member committee which 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.

## Notice of Election and Electronic Balloting

Notice is given here pursuant to the *Alabama State Bar Rules Governing Election and Selection of President-elect and Members of the Board of Bar Commissioners* that the election of these officers will be held beginning Monday, May 16, 2016 and ending Friday, May 20, 2016.

On the third Monday in May (May 16, 2016), members will be notified by email with a link to an electronic ballot. Members who wish to vote by paper ballot should notify the secretary in writing on or before the first Friday in May (May 6, 2016) requesting a paper ballot. A single written request will be sufficient for all contested elections (president-elect and commissioner) and run-offs, if necessary. All ballots (paper and electronic) must be voted and received by the Alabama State Bar by 5:00 p.m. on the Friday (May 20, 2016) immediately following the opening of the election.

### Nomination and Election of President-Elect

Candidates for the office of president-elect shall be members in good standing of the Alabama State Bar as of February 1, 2016, and shall possess a current privilege license or special membership. Candidates must be nominated by petition of at least 25 Alabama State Bar members in good standing. Such petitions must be filed with the

(Continued on page 8)

## Alabama Lawyer Assistance Program



You take care of your clients, but...

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

# 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/lawyer-referral-service/](http://www.alabar.org/membership/lawyer-referral-service/) or email [LRS@alabar.org](mailto:LRS@alabar.org).

# IMPORTANT NOTICES

(Continued from page 7)

secretary of the Alabama State Bar no later than 5:00 p.m. on February 1, 2016.

### **Nomination and Election of Board of Bar Commissioners**

Bar commissioners will be elected by those lawyers with their principal offices in the following circuits:

- 1st Judicial Circuit
- 3rd Judicial Circuit
- 5th Judicial Circuit
- 6th Judicial Circuit, Place 1
- 7th Judicial Circuit
- 10th Judicial Circuit, Place 3
- 10th Judicial Circuit, Place 6
- 13th Judicial Circuit, Place 3
- 13th Judicial Circuit, Place 4
- 14th Judicial Circuit
- 15th Judicial Circuit, Place 1
- 15th Judicial Circuit, Place 3
- 15th Judicial Circuit, Place 4
- 23rd Judicial Circuit, Place 3
- 25th Judicial Circuit
- 26th Judicial Circuit
- 28th Judicial Circuit, Place 1
- 32nd Judicial Circuit
- 37th Judicial Circuit

Additional commissioners will be elected for each 300 members of the state bar with principal offices therein. New commissioner positions for these and the remaining circuits will be determined by a census on March 1, 2016 and vacancies certified by the secretary no later than March 15, 2016. All terms will be for three years.

A candidate for commissioner may be nominated by petition bearing the signatures of five members in good standing with principal offices in the circuit in which the election will be held or by the candidate's written declaration of candidacy. Nomination forms and/or declarations of candidacy must be received by the secretary of the Alabama State Bar

no later than 5:00 p.m. on the last Friday in April (April 29, 2016).

### **Election of At-Large Commissioners**

At-large commissioners will be elected for the following place numbers: 2, 5 and 8. Applications for these positions, which are elected by the Board of Bar Commissioners, are due by April 1, 2016.

### **Submission of Nominations**

Nomination forms, declarations of candidacy forms and applications for at-large commissioner positions must be submitted by the appropriate deadline and addressed to:

Keith B. Norman  
Secretary, Alabama State Bar  
P.O. Box 671  
Montgomery AL 36101

These forms may also be sent by email to [elections@alabar.org](mailto:elections@alabar.org) or by fax to (334) 261-6310.

***It is the candidate's responsibility to confirm that the secretary receives the nomination form by the deadline.***

Election rules and petitions for all positions are available at [www.alabar.org](http://www.alabar.org).

## **eFiling Available—Mobile County Probate Court**

Pursuant to the June 23, 2015 order of the Alabama Supreme Court, notice is hereby given that the Probate Court of Mobile County will commence the acceptance of pleadings filed electronically, in accordance with the Probate Court of Mobile County's published policies and procedures, on January 4, 2016. All lawyers interested in this service and training on said service should review the Probate Court of Mobile County's website at [www.probate.mobilecounty.gov](http://www.probate.mobilecounty.gov). For more information, contact Stacie Vitello, judicial division chief, at (251) 574-6008 or [svitello@probate.mobilecounty.gov](mailto:svitello@probate.mobilecounty.gov). ■



# UPDATE AND STATS:

# Parents Are Forever

## FAMILY MEDIATION PROGRAM



For the past two years, the Center for Dispute Resolution and the Supreme Court of Alabama have collaborated on the Parents Are Forever Family Mediation Program. The center coordinates statewide mediation services for low- to middle-income families with minor children whose parents are in the court system, and through a grant from the court, pays the mediators. In this program we also promote attorney professionalism in family law and report mediator pro bono contributions. The center maintains records and statistics.

Requirements for cases chosen for mediation include:

- Must be DR cases;
- Must have been ordered into the program by the court using a sample order;
- Income level of family must be \$75,000 or less, gross;
- Parents may be represented or pro se;
- Parents mediate finances, parenting time, responsibilities and child support in order to present judges with a plan for their family;
- Mediators used must be registered on the Alabama State Court Mediator Roster ([www.alabamamediators.org](http://www.alabamamediators.org)) and must give pro bono time to each case;
- Parents/attorneys should first be given a chance to select the qualified mediator, but if they are unable to agree, a judge may appoint;
- In mediation, attorneys and parents must agree to work cooperatively and jointly with each other and the mediator toward the goals of a parenting plan and a financial plan.

### Late December 2013–December 1, 2015 Statistics

- 195 cases (total incoming was 203, but eight were withdrawn as non-conforming)
- 179 mediations (16 in progress)
- 143 agreements (125 full agreements; 18 partial)
- 80 percent settlement rate
- Average family income: \$44,000
- Average number children: 1.5
- Average cost per mediation: \$876.89
- Number of children whose parents were helped by mediators: 262

The center has paid mediators \$144,687.18 and mediators have given approximately 258 hours of pro bono time—more than six weeks of free assistance!

Counties participating: Autauga, Bibb, Chilton, Clay, Coffee, Cullman, Dale, Dallas, Elmore, Etowah, Fayette, Geneva, Greene, Hale, Henry, Houston, Jefferson, Lauderdale, Lawrence, Lee, Limestone, Madison, Mobile, Montgomery, Morgan, Perry, Russell, Shelby, Tuscaloosa, Walker and Wilcox

Invited but no cases sent: Baldwin, Calhoun, Chambers, Cleburne and Randolph

Top family mediation counties: 1. Houston, 2. Walker, 3. Lee, 4. Dale and 5. Dallas ■





*Save the Date*



ALABAMA STATE BAR

# Annual Meeting

BAYTOWNE WHARF IN SANDESTIN

JUNE 22-25, 2016