



Addendum

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A FOOT IN THE DOOR

Moses Wenslydale Moore may not be a household name, but he's still a man worth knowing

On February 1, 1865, the same day that Congress passed the 13th Amendment to the Constitution ending slavery, Dr. John S. Rock, esquire, became the first person of African-American descent to be admitted to the Bar of the United States Supreme Court. Seven years later, on January 4, 1872, a young Mobile attorney, **Moses Moore**, became the first African-American to be admitted to practice before the Alabama Supreme Court.

Little is known about Moses Wenslydale Moore prior to 1871. He graduated from Howard University and was admitted to the District of Columbia bar. From there, he went to Mobile, Alabama, where he applied for admission to the bar. During this time period, admission to the bar was by means of an examination by a judge of a candidate's legal knowledge. In November 1871, Moore presented himself before **Circuit Judge John Elliott** for such an examination. Judge Elliott asked retired **Alabama Supreme Court Justice Lyman Gibbons** to examine Moore. According to a reporter for the *Mobile Daily Register*,

"...examination was conducted in open court. A great deal of interest was manifested on the part of the bar... He passed a very satisfactory examination and an order was made by the Court admitting him to the bar."

Four months later, Moore, at the time a resident of Selma, applied for admission to the bar of the Alabama Supreme Court, a request which was granted and recorded as follows in the Supreme Court minutes:

"Comes into open Court **Patrick Ragland Esq.**, an attorney of this Court, and makes application that Moses W. Moore of the County of Dallas be admitted

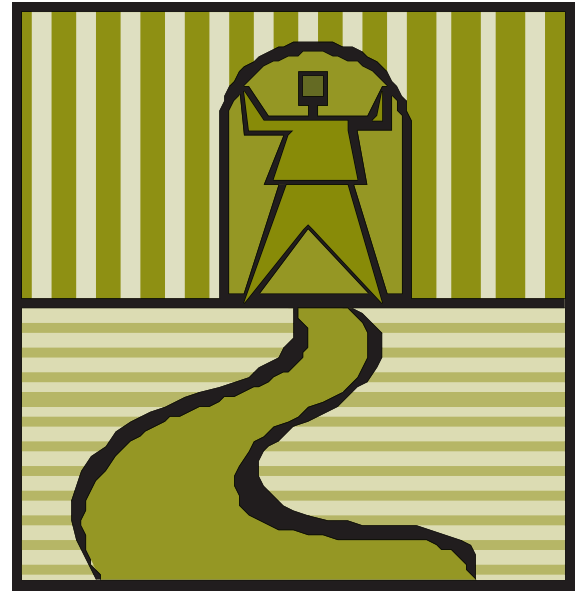
to the bar as an attorney of this Court and it

appear-
ing to the satisfaction of the court that said applicant is of lawful age of good moral character and that he has been licensed to practice law in the Supreme Court of the District of Columbia, it is therefore considered by the Court that said Moses W. Moore be licensed as an attorney at law and solicitor in Chancery in all the Courts of law and equity in this state upon taking the oath prescribed by law and said oath was then duly administered."

The supreme court in 1872 included **E. Wolsey Peck** as chief justice with **Thomas M. Peters** and **Benjamin F. Saffold** as associate justices. Ragland, who sponsored Moore before the Court, was, in 1872, serving as the marshal and librarian of the supreme court.

If little is known about Moore prior to his coming to Alabama, even less is known about him after his admission to the bar of the Alabama Supreme Court. Whether he returned to Dallas County to practice law or left Alabama, no one knows. If nothing else, he deserves to be remembered for being the first black admitted to practice before the Alabama Supreme Court.

—Timothy A. Lewis, law library director, Supreme Court of Alabama, Montgomery





First round of auditions were a great success under the talented direction of Margie Benson (above, right). Final auditions will be held Tuesday, February 17th.

2004 Law Day Drama to Celebrate 50th Anniversary of *Brown v. Board of Education*

The excitement is becoming contagious as the Law Day Committee of the Alabama State Bar prepares to present a drama based on the actual transcript of the *Brown v. Board of Education* trial, weaving in the story of young Ruby Bridges, the first student to attend school following the ruling. The drama will be held in addition to the annual Poster & Essay Contest. Produced under the direction of co-chairs **Tim Lewis** and **Tommy Kliner**, the play will be presented during Law Week at the Supreme Court of Alabama for students and the public. Tickets are on a first-come, first-serve basis, so visit the bar's Web site at www.alabar.org and order yours!

Public Notice Reappointment of Incumbent Magistrate Judge

The current term of the office of **United States Magistrate Judge Susan Russ Walker** is due to expire April 22nd, 2004. The United States District Court is required by law to establish a panel of citizens to consider the reappointment of the magistrate judge to a new eight-year term.

The duties of a magistrate judge position include the following: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from the judges of the district court; (4) trial and disposition of civil cases upon consent of the litigants; (5) examination and recommendation to the judges of the district court in regard to prisoner

Thinking Outside Of the Box

petitions and claims for Social Security benefits.

Comments from members of the bar and the public are invited as to whether the incumbent magistrate judge should be recommended by the panel for reappointment by the court and should be directed to Chair, Merit Selection Panel, c/o Debra P. Hackett, clerk, U. S. District Court, P. O. Box 711, Montgomery, AL 36101-0711. Comments must be received by March 20th, 2004.

Why Did You Go to Law School? Athletes, Academics and the Law: Play It Smart!

The official kick-off for **Athletes, Academics and the Law: Play It Smart!** was held in Montgomery January 23rd. Area coaches, students and media joined lawyer/athletes **Charlie Trotman, Steadman Shealy, Gusto Yearout, Kermit Kendrick, Robert Beeman,** and **Charlie Anderson** to introduce this exciting ASB educational outreach project. Lawyer/athlete volunteers will go statewide to speak at area schools about the importance of focusing on academics with an eye toward a future in law or a similar profession. Encourage your local high schools to sign up to participate in this special event opportunity! Get complete details and sign-up forms at www.alabar.org.



Charlie Trotman (left) and Steadman Shealy (right) visit with Montgomery high school students Clint Granger (second from left) and Parker Ellis (second from right).

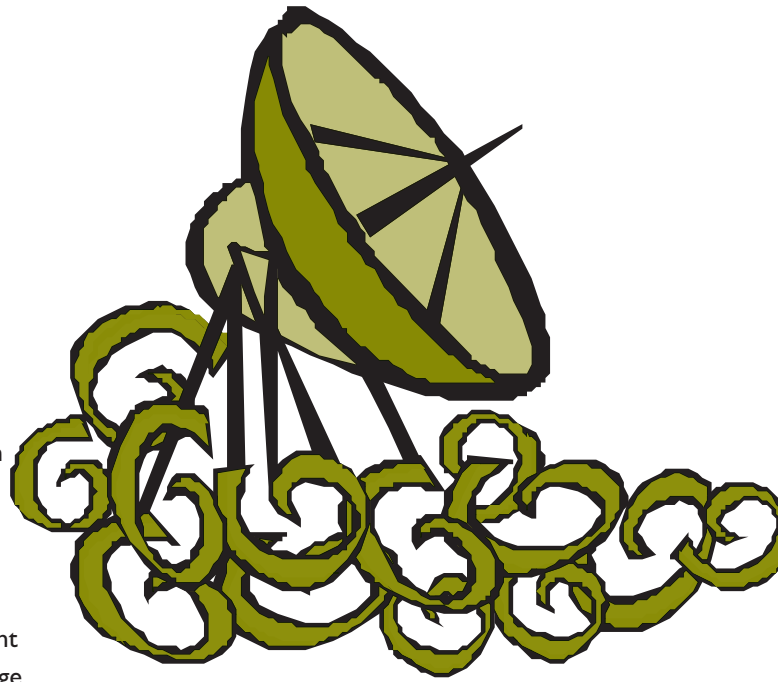
ABA TechShow 2004

Get up to speed on the latest and greatest in legal technology

The 2004 ABA TechShow, March 25th-27th at the Sheraton Chicago Hotel and Towers, is the premier CLE event for those interested in the use of technology in the law office—created by and for lawyers and legal professionals and produced by the ABA’s Law Practice Management Section.

ABA TechShow offers more than 50 educational sessions in eight different tracks and a two-day expo featuring the latest cutting-edge technology. For complete information including sessions, speakers and vendors, click on the “TechShow” link found on the members’ page of the ASB Web site, www.alabar.org.

Register by February 26, 2004 and receive a \$100 discount off the \$795 registration fee. Alabama State Bar members get an additional \$100 discount. Use Program Promoter Code PP6. Visit www.techshow.com/register.html to register online.



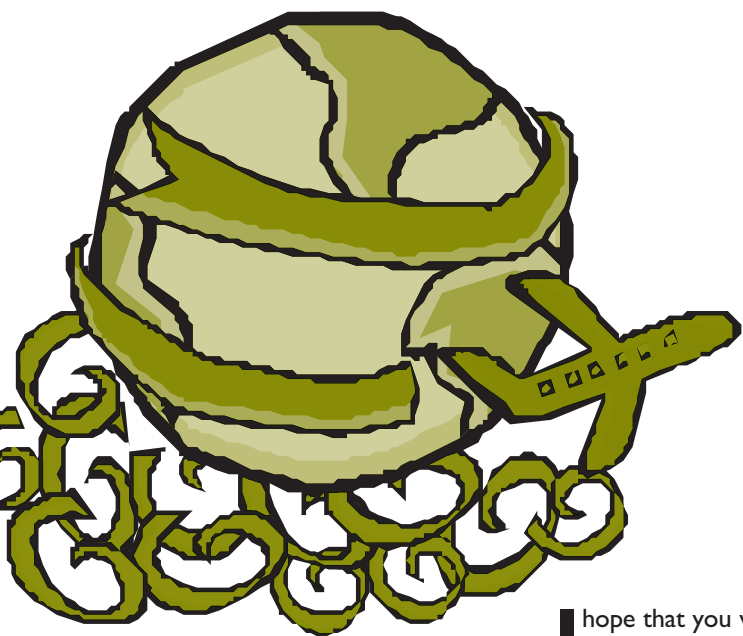
Judicial Award of Merit Nominations Due

The Board of Bar Commissioners of the Alabama State Bar will receive nominations for the state bar’s Judicial Award of Merit through March 15th, 2004. Nominations should be prepared and mailed to:

Keith B. Norman, secretary
Board of Bar Commissioners
Alabama State Bar
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.



An American's Story

By doing something for others, you will always reap the biggest reward

I hope that you will spare me a few minutes of your time to tell you about something that I saw on Monday, October 27th. I had been attending a conference in Annapolis and was coming home on Sunday. As you may recall, Los Angeles International Airport was closed on Sunday, October 26th, because of the fires that affected air traffic control. Accordingly, my flight, and many others, were canceled and I wound up spending a night in Baltimore. My story begins the next day.

When I went to check in at the United counter Monday morning, I saw a lot of soldiers home from Iraq. Most were very young and all had on their desert camouflage uniforms. This was a change from earlier, when they had to buy civilian clothes in Kuwait to fly home. It was a visible reminder that we are in a war. It probably was pretty close to what train terminals were like in World War II.

Many people were stopping the troops to talk to them, asking them questions or just saying, "Welcome home." In addition to all the flights that had been canceled on Sunday, the weather was terrible in Baltimore and the flights were backed up. So, there were a lot of unhappy people in the terminal trying to get home, but nobody gave the soldiers a bad time. By the afternoon, one plane to Denver had been delayed several hours. United personnel kept asking for volunteers to give up their seats and take another flight. They weren't getting many takers. Finally, a United spokeswoman got on the PA and said this, "Folks, as you can see, there are a lot of soldiers in the waiting area. They only have 14 days of leave and we're trying to get them where they need to go without spending any more time in an airport than they have to. We sold them all tickets, knowing we would oversell the flight. If we can, we want to get them all on this flight. We want all the soldiers to know that we respect what you're

doing, we are here for you and we love you."

At that, the entire terminal of cranky, tired, travel-weary people, a cross-section of America, broke into sustained and heartfelt applause. The soldiers looked surprised and very modest. Most of them just looked at their boots. Many of us were wiping away tears. And, yes, people lined up to take the later flight and all the soldiers went to Denver on that flight.

That little moment made me proud to be an American, and also told me why we will win this war. If you want to send my little story on to your friends and family, feel free. This is not some urban legend. I was there, I was part of it, I saw it happen.

—William Ross, Administrative Judge, United States Department of Defense, Los Angeles

Adoption of Appellate Mediation Rules

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

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

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

LOMAP Tip of the Month: Telephone Policies and Protocol

Is your telephone your best friend or
your number one enemy?
A pain or a profit-maker?

The telephone can be a gigantic pain, but few lawyers recognize that it can also be an extremely effective marketing tool for the firm. The secret to taming the phone, and making it your faithful servant rather than your enemy, is to implement an effective telephone policy. This policy, when shared with both your staff and your clients, can help you:

- Reduce client complaints regarding unreturned phone calls;
- Make better use of your time on the phone; and
- Reduce the number of interruptions every day.

The policy should be in writing, in a form that you can easily give to clients during the initial consultation. It explains the times of day you will receive and return phone calls, methods for leaving appropriately detailed messages, who the client can expect to speak with when you're out,

and what to do in the event of an emergency.

For a sample telephone policy, contact Laura A. Calloway, director of the Law Office Management Assistance Program, at (334) 269-1515 or send an e-mail to lcalloway@alabar.org.
—Laura A. Calloway,
director, LOMAP



NOTICE OF AND OPPORTUNITY FOR COMMENT ON AMENDMENTS TO THE RULES AND INTERNAL OPERATING PROCEDURES OF THE U.S. COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

Pursuant to 28 U.S.C. § 2071(b), notice and opportunity for comment is hereby given of proposed amendments to the Rules and Internal Operating Procedures of the United States Court of Appeals for the Eleventh Circuit.

A copy of the proposed amendments may be obtained from the Eleventh Circuit's Web site at www.ca11.uscourts.gov. A copy may also be obtained without charge from the Office of the Clerk, U.S. Court of Appeals for the Eleventh Circuit, 56 Forsyth St., N.W., Atlanta, Georgia 30303 [phone: (404) 335-6100].

Office Technology Driving You Crazy?

The Law Office Management Assistance Program wants to help, but first we need a little information. Take a minute to fill out this survey and mail it to Laura Calloway, P. O. Box 671, Montgomery 36101-0671, or fax it to (334) 261-6310. We need at least 600 responses to have a statistically relevant sample, so don't hope someone else will respond. You'll be glad you did!

Firm Information

(please indicate number in each category)

- Partners
- Associates
- Other Lawyers
- Paralegals
- Secretaries
- Other staff _____

Description of practice: _____

Please check the programs that you use:

Word Processing

- Microsoft Word
- Word Perfect
- Other _____

Time and Billing Software

- Juris
- PCLaw
- TABS
- Timeslips
- Other _____

Case Management Software

- Abacus
- Amicus Attorney
- Time Matters
- Other _____

Litigation Support (including presentation)

- Case Map/Time Map
- PowerPoint
- Summation
- Other _____

Please check the ways that you use e-mail:

- Communicate with other lawyers
- Communicate with clients
- Communicate internally
- Other _____

Please check programs or functions that you use:

- Computer software firewall
- Encryption program for e-mail
- Encryption program for information stored on computer

Please check the computer-based research tools you use and give an estimate of your use:

For-fee legal research service

- Westlaw _____ %
- Lexis _____ %
- Loislaw _____ %
- Versuslaw _____ %

Free Internet-based research service

- Findlaw _____ %
- LexisOne _____ %
- Other _____ %

Please indicate how you connect to the Internet at your office:

- Dial-up modem
- DSL
- Cable Modem
- Satellite
- T1 Line
- Other: _____

Would you use technology training if it were offered by the Alabama State Bar?

- Yes No Not Sure

If "yes," for what software or technology?

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Editor:

Gloria J. McPherson, Montgomery

Associate Editor:

Ashley Hamlett, Montgomery

Contributors:

Laura A. Calloway, Montgomery

Timothy A. Lewis, Montgomery

Hon. William Ross, Los Angeles

Notice of Election

Notice is given herewith pursuant to the Alabama State Bar Rules Governing Election of President-Elect and Commissioners

President-Elect

The Alabama State Bar will elect a president-elect in 2004 to assume the presidency of the bar in July 2005. Any candidate must be a member in good standing on March 1st, 2004. Petitions nominating a candidate must bear the signature of 25 members in good standing of the Alabama State Bar and be received by the secretary of the state bar on or before March 1st, 2004. Any candidate for this office must also submit with the nominating petition a black and white photograph and biographical data to be published in the May 2004 **Alabama Lawyer**.

Ballots will be mailed between May 15th and June 1st and must be received at the state bar by 5 p.m. on the second Friday in June (June 11th, 2004).

Commissioners

Bar commissioners will be elected by those lawyers with their principal offices in the following circuits: 1st; 3rd; 5th; 6th, place no. 1; 7th; 10th, place no. 3, place no. 6; 13th, place no. 3, place no. 4; 14th; 15th, place no. 1, place no. 3, place no. 4; 23rd, place no. 3; 25th; 26th; 28th; 32nd; and 37th.

Additional commissioners will be elected in these circuits for each 300 members of the state bar with principal offices herein. The new commissioner petitions will be determined by a census on March 1st, 2004 and vacancies certified by the secretary no later than March 15th, 2004. All subsequent terms will be for three years.

Nominations may be made 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. Either must be received by the secretary no later than 5 p.m. on the last Friday in April (April 30th, 2004).

Ballots will be prepared and mailed to members between May 1st and May 15th, 2004. Ballots must be voted and returned by 5 p.m. on the last Friday in May (May 28th, 2004) to the Alabama State Bar.

Divorce on the Beach

The XVIII
Annual Family
Law Section's



Divorce on the Beach

seminar will be June 3–5, 2004 at the Sandestin Golf and Beach Resort. Make your plans now to attend and get 12 hours of CLE credit. The group reservation code is 318366. Go to www.alafamlaw.org for more information.

WHY IS THIS YEAR'S ANNUAL MEETING SPECIAL?



■ It's our 125th birthday!

■ It's at the **Sandestin Hilton Beach Resort!**

■ Featured/invited speakers include **Kenneth Starr**, Washington DC attorney who served as special prosecutor during the Clinton presidency, and **Richard North Patterson**, Alabama attorney turned best-selling author.



■ You can get a year's worth of CLE-
and a family vacation at the same time!



MARK YOUR CALENDAR NOW . . . JULY 22-24, 2004

Check our Web site at www.alabar.org often for updates and registration information!

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