

Addendum

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Lawyers Reach Out During Annual Day of Service

Over 150 lawyers from across the state showed up for the **1st Annual Lawyers Day of Service** June 10th. The Alabama State Bar Young Lawyers' Section organized this event and lawyers of all ages participated to make it a success. The **Public Service Committee of the Birmingham Bar Association** also helped get everyone involved.

"My goal this year was to increase service to our community and service to our profession," said Christy Crow, 2005-06 president of the section. "Lawyers want to give back to their communities and we were happy to be able to provide an opportunity for them to serve."

Lawyers in Mobile, including **Judge Pamela Millsaps**, Mobile County circuit court judge (juvenile), painted bedrooms at **St. Mary's Home** and did yard work. St. Mary's (founded in 1836) is a home for abandoned/abused/neglected children.

Lawyers in Montgomery served at the **Father Purcell Memorial Exceptional Children's Center**, painting parts of the facility and meeting the children. Father Purcell's is a skilled nursing facility that provides a loving home for severely disabled children. It draws children from all over the country and the ages range from infancy to 18.

In Birmingham, **Hands On Birmingham** put lawyers to work at a variety of places, including painting and rehabilitating homes at **Alethia House**, feeding the hungry at the **Fire House Shelter** and painting and landscaping at **Children's Village**, a foster children's residential facility.

Huntsville lawyers volunteered at the **Community Development Project** where they did yard work and repainted a home for low-income Huntsville residents.

"This is the first of what we hope will be a growing annual event where lawyers all over the state unite for a day of service. It represents just one of the many ways that attorneys give back to their communities throughout the year. Our state bar motto is 'Lawyers Render Service,' and we take that seriously, whether it be through the **Volunteer Lawyers Program**, providing free legal assistance to victims of natural disasters, serving on non-profit boards, or participating in this event," says **Brannon Buck**, Birmingham attorney and former president of the state bar's YLS.

Everyone who volunteered had a great time and enjoyed serving the community. If you couldn't volunteer this time, don't worry, plans are already underway for next year.



Montgomery-area YLS volunteers at the Father Purcell Children's Center during the Lawyers Day of Service

Montgomery Chapter of Federal Bar Association Gives Attorneys a Chance to Look Beyond the "Robe"



Pictured at last year's law clerk reception, sponsored by the Montgomery chapter of the Federal Bar Association, are, (l. to r.), front row: Chief Judge Mark E. Fuller, U.S. District Court for the Middle District of Alabama; Court Reporter Jimmy Dickens; Judge Edward E. Carnes, U.S. Court of Appeals for the Eleventh Circuit; Glory McLaughlin (District Court law clerk); Rachel Lary, law clerk for Judge Joel F. Dubina; Julie Reed, law clerk for Judge Edward E. Carnes; Wes Gilchrist, law clerk for Judge Edward E. Carnes; and Emily Marks, Montgomery Chapter president. Back Row: Judge Joel F. Dubina, U.S. Court of Appeals for the Eleventh Circuit; Kristin Henson, law clerk for Judge Edward E. Carnes; and Chief U.S. Magistrate Judge Charles S. Coody, U.S. District Court for the Middle District of Alabama

It's hard to think about winter activities when it's a sweltering 98 degrees outside, but the Montgomery Chapter of the Federal Bar Association wants you to start planning your November calendar now.

During the first week of November, the chapter will hold its annual **Law Clerk Reception** in conjunction with its **Federal Practice Seminar**. This year's reception will be the evening of November 2nd for all seminar attendees. The seminar, which will feature presentations by federal judges of the Middle District, will last half a day on November 3rd.

Specific times and a location will be announced soon. For more information as it becomes available, visit the chapter's Web site at www.fedbar.org/montgomery.html.

If November is just too far away for you to consider, then think about joining the FBA to take advantage of the Montgomery Chapter's "**brown bag lunches**." These lunches, available only to FBA members, give a small group of

Interested in informal, but informative lunches? Be sure to sign up to "brown bag it" with local federal judges.

attorneys the chance for informal lunchtime discussions with local federal judges.

Emily C. Marks, an attorney with Ball, Ball, Matthews & Novak, is president of the Montgomery chapter. She says that the lunches grew out of a desire to enhance interaction between attorneys and the federal judges.

"The Federal Bar Association seeks to promote communication between and among federal practitioners and the judges before whom they appear. Active participation in the FBA affords the opportunity for attorneys and judges to discuss issues affecting federal court practice," Marks says. "The brown bag lunches are uniquely designed to foster open discussions regarding issues such as updating the district's juror questionnaire and the use of courtroom technology."

The Montgomery FBA has already held two such lunches, which were well attended by both the judges and FBA members. The next lunch will be August 15th at noon at Montgomery's Frank M. Johnson Federal Courthouse. Participation is open to the first 15 FBA members who register. The lunches are free—participants simply bring their own meals.

The FBA is dedicated to the advancement of the science of jurisprudence and to promoting the welfare, interests, education and professional development of all attorneys involved in federal law. Nationally, the organization has more than 16,000 members from all areas of the law. For more information on the Federal Bar Association, the Montgomery chapter and its activities, visit the Web page or contact Emily Marks at emarks@ball-ball.com or (334) 387-7680.

—Lt. Col. Susan L. Turley, staff judge advocate, Maxwell-Gunter Air Force Base, Montgomery

Focus is on Kids and the Foster Parents Who Care for Them

Madison County's FOCAL works hard to provide life's "little extras" that mean so much to children and teens

For 25 years, Huntsville's **Foster Children's Alliance** (FOCAL), a non-profit, all-volunteer effort, has assisted foster parents and the Madison County Department of Human Resources with money to help provide the necessities and little extras for foster children. Many times, foster children who are taken into care because of neglect or abuse come to homes without proper clothing, school supplies or anything else. Their needs are great and foster parents can't always provide everything.

Little League baseball registration fees, tutoring, band instrument rental, cheerleading uniforms, dance costumes, summer camp fees, fees for school field trips, church ski trips, and various pieces of medical equipment for special needs children are all items paid for through FOCAL, in addition to exercise classes, basketball fees or a prom dress.

At Christmastime, about 500 children receive gifts from their wish lists procured by FOCAL volunteers, who pick up donations from churches, company projects or FOCAL shopping trips. And the gifts arrive in plenty of time for Santa to assist foster parents with the delivery, because Santa calls on foster children, too!

Once a year, FOCAL honors foster parents with an appreciation dinner with special awards honoring Madison County social workers and the Foster Parents of the Year.

And, now that it is time for students to return to school, FOCAL's project will be providing age- and grade-appropriate backpacks for each foster child who needs one, from kindergarten to high school. Pencils, glue, crayons, notebooks, rulers, calculators, and paper are gathered and placed in backpacks so that foster parents have a few less things to worry about with their already-strapped budgets. The organization has partnered with another non-profit organization, which sells backpacks for reduced prices to parents who need them, to provide the backpacks to foster parents in an economical and efficient way.

FOCAL operates solely on donations. There are no operating expenses; officers donate postage, stationery and time and the board is currently working to raise enough money to get through the remainder of the year. The economy and other factors have made donations difficult to come by, but the board continues its efforts, and a major letter-writing campaign is underway to raise money for Christmas 2006. The Huntsville community generously opens its hearts and assists, and FOCAL is mindful that it is responsible to the children and the community. Fortunately, that combination has resulted in a remarkably positive effort for Madison County foster children for almost a generation.

For more information or to make donations, contact FOCAL at P.O. Box 453, Huntsville 35804 or retamck@comcast.net.

—Reta A. McKannan, **Addendum** associate editor, Huntsville



Need to vent? Want to write? Looking for something you don't even know that you missed? *It's all here, and more*

Pursuant to 28 U.S.C. § 2071(b), notice and opportunity for comment are hereby given of proposed amendments to the Rules and Internal Operating Procedures of the United States Court of Appeals for the Eleventh Circuit, and of proposed amendments to Addendum Four, Eleventh Circuit Plan Under the Criminal Justice Act.

A copy of the proposed amendments may be obtained on and after August 1, 2006 from the court's Web site, 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., NW, Atlanta 30303 (phone 404-335-6100). Comments on the proposed amendments may be submitted in writing to the Clerk at the above street address by August 31, 2006.

Miss the **2006 ASB Annual Meeting**, "Renew, Relax, Reconnect" in Sandestin? Well, we didn't bring back any sand or seaweed, but the **CLE Program Materials** are available on a single CD. It's convenient, portable and worth every penny! You'll get all the materials from the various seminars and sessions presented during the annual meeting, as well as the *Alabama Rules of Professional Responsibility* and other information from many of the ASB's programs, sections and services. Who could ask for more?

Simply send a check or money order for \$15 per CD, made payable to the ASB, along with your name, address and phone number, to the Alabama State Bar, Communications Department, P.O. Box 671, Montgomery 36101. No limit—order as many as you want!

The CLE Program Materials CD is for informational purposes only and no CLE credit will be granted.

Voluntary Sentencing Standards Regional Workshops

The Alabama Sentencing Commission is holding regional workshops to explain the Voluntary Sentencing Standards, which go into effect October 1st, and how to complete the worksheets. Separate workshops will be held on Thursday and Friday in each location, with the Friday workshops scheduled for judges, district attorneys, lawyers and local legislators. The Thursday workshops are primarily for court clerks and their employees, probation and parole officers, community correction directors and employees, court referral officers, and others interested in attending. The programs have been approved for 5.8 hours of CLE credit. **Because space is limited, pre-registration is required.** You may pre-register online at sentencingcommission.alacourt.gov, by calling (334) 954-5095, by e-mailing sentencing.commission@alacourt.gov or by faxing (334) 954-5201. All workshops begin at 9 a.m. and end at approximately 4 p.m.

August 10th and 11th, Rainsville, Northeast Community College, Campbell Business Education Building, Room 110

August 17th and 18th, Birmingham, Samford University, Cumberland School of Law, Brooks Hall

August 24th and 25th, Jasper, Beville State Community College, Roland Educational Center, Roland Auditorium

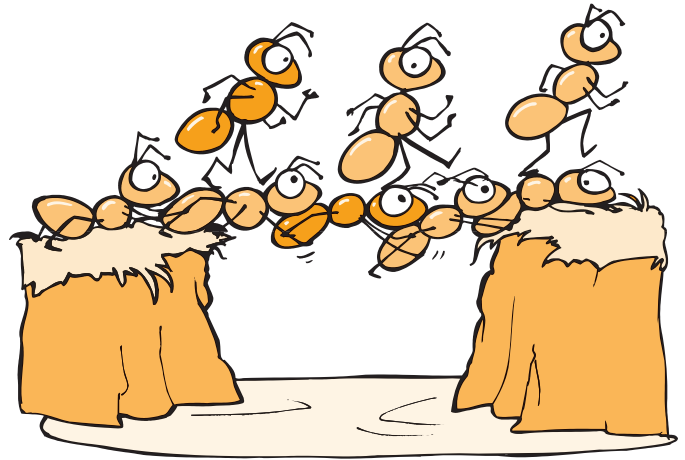
September 7th and 8th, Bay Minette, Faulkner State Community College, Branch Building Auditorium

September 14th and 15th, Montgomery, Heflin-Torbert Judicial Building, Mezzanine Classroom

September 21st and 22nd, Mobile, Mobile Government Plaza, 8700 Jury Assembly Room

Great Ideas Plus YLS Grants Equal Community Success

Funding law-related projects or organizations is the idea behind the Young Lawyers' Section Special Grants program



Lawyers are naturally creative people. While most of us will not be the next Monet or Picasso, we do see needs in our communities and then help create solutions to those needs. Often, those solutions need funding.

Over the years, the **Young Lawyers' Section** of the Alabama State Bar has helped fund numerous community projects. This willingness to fund law-related projects has led to the **Minority Pre-Law Conference** in Montgomery and Birmingham. A few years ago, we also helped fund a **Teen Court** program in Andalusia.

Most lawyers across the state did not know that we were willing to assist in funding projects like this. So this year, we decided to formalize the process by providing "special grants." The YLS has pledged to donate \$3,000 in grants this year and we are planning different fundraising events so that, hopefully, we can give away even more next year.

The applications should be for a specific law-related project or organization that provides low-cost/no-cost legal services within Alabama. The Teen Court program is a great example of how attorneys in a local area can get together and make a difference in their community and in the lives of others.

If there is a law-related community need in your area, go to www.alabamayls.org and download a grant application or contact **Shay Lawson** at (205) 752-0644. You have until September 1st to submit the applications and we will award the grants by November 1st. There are a lot of projects out there that just need a little funding (and a lot of hard work) to get them going. I know that you will do your part to make that happen!

—Christy Crow, Union Springs, 2005-06 president, ASB Young Lawyers' Section

APPELLATE MEDIATION TRAINING: MEDIATING THE DECIDED CASE

Presented by the Alabama Center for Dispute Resolution and the Appellate Mediation Office
Wednesday, October 25, 2006

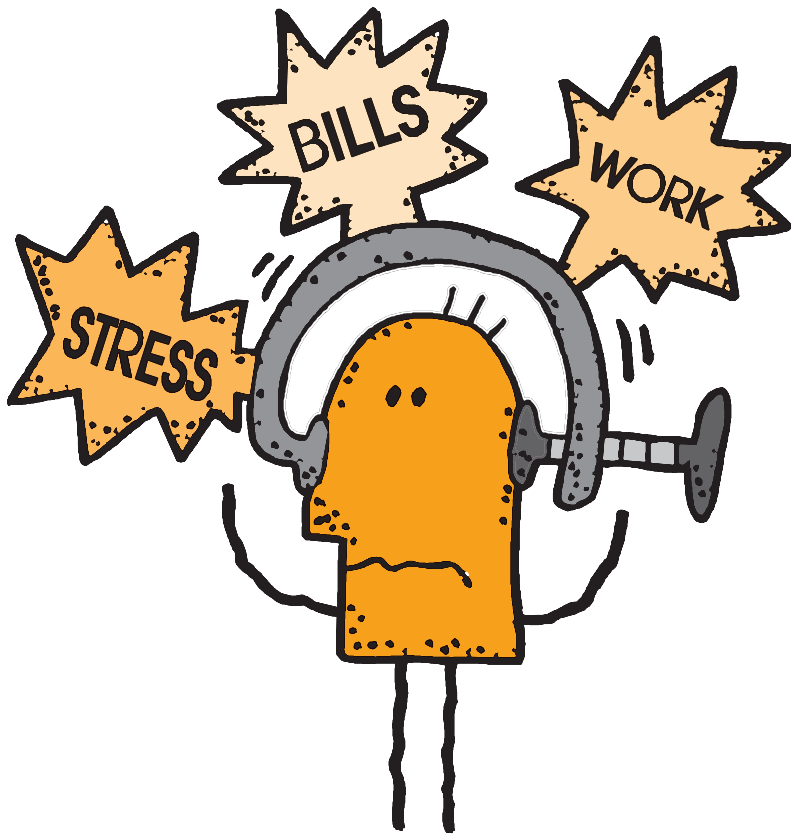
Alabama State Bar Building, 415 Dexter Avenue, Montgomery

Featured Trainer: Gary Canner, esq., former Eleventh Circuit mediator

Six hours of CLE, including one hour of ethics

Cost: \$240

For more information or to register, call (334) 269-0409



Let Go of The Peanuts

Are your "internal" scales so out of balance that you dread getting up each day and can't go to sleep at night? Finding ways to deal with stress can help get you back on track, professionally and personally, before it's too late.

Have you felt too stressed in your practice? The symptoms of stress include procrastination, making excuses, lowered productivity, irritability or incivility, emotional tension, hyperventilation, inability to concentrate, a pounding heart, tightened stomach, depression, headaches, insomnia, fatigue, and proneness to accidents. Prolonged stress may lead you to "take the edge off" by increasing smoking and drinking, or engaging in substance abuse. Almost everyone has experienced at least a few of these symptoms at some point. In fact, 25 percent of lawyers suffer from stress according to the American Bar Association, and lawyers rank first in depression out of 105 occupations. Chronic stress causes strokes, heart attacks, hypertension, ulcers, and a decreased immune system that makes you more susceptible to all sorts of illnesses.

Life is too short to burn out, die early or stay miserable, so how do I find peace and satisfaction? There is help. All 50 states have lawyer assistance programs. Abundant advice includes taking care of myself with exercise and good eating habits, remembering not to take wins and losses personally, breathing exercises, engaging in prayer or meditation, and enjoying some healthy recreation or hobby. Of course, won't this take time from my practice and interfere with my income goals? Isn't stress just a part of being a lawyer?

Not so, says Dustin A. Cole, author and president of a

company that helps firms enhance attorney's skills. He argues that most attorneys believe that stress and money are directly linked. There is a fear that reducing stress may reduce income. This is a myth that holds back many lawyers. Studying business and marketing skills leads to better management of stress by developing an effective infrastructure to manage your business. You will have stress, so managing it is the key. Although the answers and skills don't come overnight, Cole says that as long as you continue asking, searching and learning, you will have higher degree of job satisfaction and success.

Let's see . . . over the last five years how many business management or marketing type seminars have I attended? Okay, maybe he has a point. This reminds me of a story recently repeated by a former coach. Remember how monkeys are caught in the wild? A coconut is drilled out with a small hole large enough for an adult monkey's hand. A cord is fastened to the coconut and then fastened to the tree. Next, the coconut is filled with peanuts or appealing food. The monkey reaches in, grabs the peanuts, but then he cannot pull his hand out of the coconut. The monkey is captured and shipped to off to a zoo, because he would not let go of the peanuts. I get the point, but really . . . I am just too busy right now.

—David P. Martin, Ford, Martin & Abernathy PC, Tuscaloosa

A Life Without Regret

This Alabama lawyer's choices in life may seem extreme to some, but he'll never wonder "what if?"



Six years ago, I walked away from the practice of law to pursue my lifelong dream of writing fiction. Some said it wasn't much of a change—from defending criminals to making up legal thrillers—but risk is not something lawyers take as a first choice and walking away from a paying job seemed like a huge risk. I didn't have a publishing contract, or an agent, or even a completed manuscript. All I had was an idea for a character, the bare outline of a story and a sense that I was doing the right thing.

Had I merely written a hard-edged novel with earthy language, I would have been published much sooner. If I had written a softer novel with a more explicit message, I would have found a Christian publisher years ago. But I wanted to write something different. A novel with an edge, but not explicit language. And I wanted any message the book might convey to come from the experience of reading the book, not from being told the point. Writing a story like that was exhilarating. Finding a publisher for it proved a challenge and took longer than I had ever imagined. Two years later, and still no publisher, I was ready to give up.

Then, late one afternoon, an editor called from a Midwest publishing company. Not a large New York house, as I had hoped, but a good organization with worldwide distribution. They liked my first novel, *Sober Justice*, and before it was released struck a deal for a follow-up book. By the time the second book, *Double Take*, was published, a director in Hollywood had optioned the motion picture rights to the first one.

Both books generated broad interest among readers and booksellers but even with that, writing still did not produce enough income to meet our expenses. To survive, we liquidated our financial assets. As the account balances dwindled, bills piled up and creditors began to call. We were behind on everything. In the midst of it all, my wife smiled and said,

"Let's sell the furniture." So, we sold the furniture. And when that was gone, friends stepped up to help.

It would be great to end this with "they lived happily ever after." But most days, it's been two steps forward in a dusty battle. A battle I wouldn't leave even if I could. Creditors still call and we're still behind on all the bills. I write on a computer that was a gift from a friend. It sits on a table I made from lumber salvaged from a barn. The room where I write is stacked with boxes of things that used to sit on the bookcases that once lined the walls. And my third book was released in May. *Electric Beach*. It's the best one yet.

—Joe Hilley, *Fairhope*

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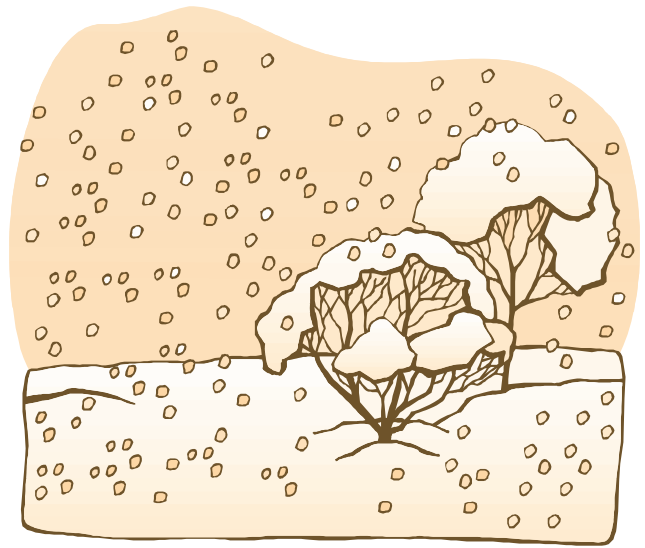
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BOOK REVIEW

In the Bleak Midwinter— A Welcomed Diversion During Steamy Summer Months

Another attorney-turned-author with ties to Alabama scores big with murder mystery



Julia Spencer-Fleming, attorney-turned-author with ties to Alabama, triumphed with her first of a series of mysteries. In fact, *In the Bleak Midwinter* won more major mystery awards than any debut mystery. Spencer-Fleming did not set out to write a typical lawyer-sleuth but rather used her experiences from growing up in a military family and her involvement in her Episcopal church to create her likable, friendly but firm main character, former Army helicopter pilot Clare Ferguson. But Spencer-Fleming's legal background is evident in her characters who are lawyers and her intertwining criminal and child protection law in her story.

Clare is a newly ordained Episcopalian priest serving a small church in the Adirondack mountain region of upstate New York. She wants her church to get involved in community charity, but she gets more entangled in her new town than she intended when an infant is abandoned on the church stairs and a young mother is brutally murdered. Clare joins Police Chief Russ Van Alstyne to solve the mysteries but not without first taking risks to her career and her own life.

In the Bleak Midwinter is an enjoyable, intelligent mystery with honest characters and a twisting and turning plot. Spencer-Fleming adds humor to the story with colorful members of Clare's parish and the small town's reaction to a female priest. Her compelling descriptions of the cold, snowy Adirondacks are a welcomed diversion from our steamy Alabama climate, and Clare's reliance on her faith for strength and guidance is inspiring. Spencer-Fleming's other mysteries featuring Clare and Chief Van Alstyne are *A Fountain Filled with Blood*, *Out of the Deep I Cry* and *To Darkness and Death*.

Spencer-Fleming lived in Mobile, as well as many other destinations the military sent her family to, while growing up, and one of her parents is from Tuscaloosa. She took up writing while a stay-at-home mother of two, but during the time it took to finish her first book, she got a full-time job at a Portland, Maine law firm and had a third child. She no longer practices law and lives and works in a 180-year-old farmhouse in the southern Maine countryside with her husband, three children and beloved dog.

—Ashley H. Hamlett, **Addendum** editor, Montgomery

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