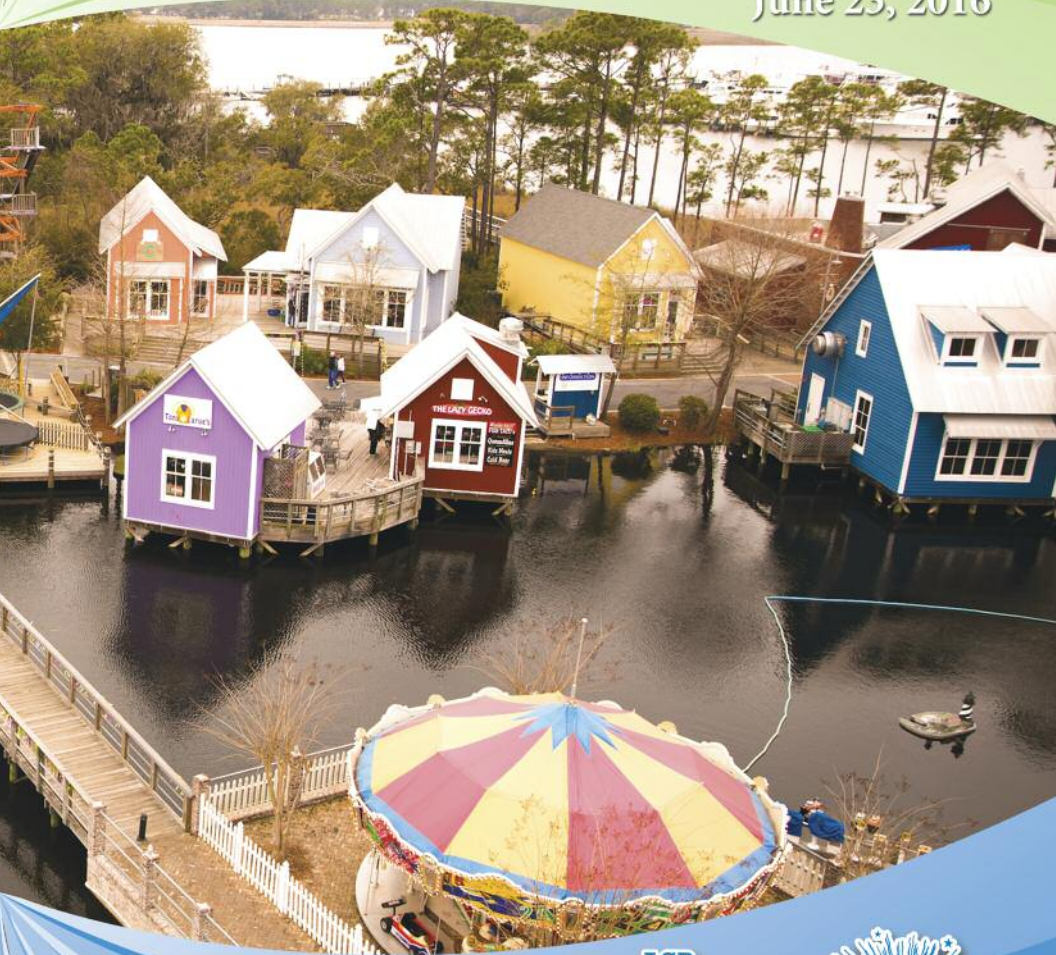


BENCH & BAR Luncheon and Awards Program

June 23, 2016



Presentation of Awards

Lee H. Copeland
Alabama State Bar President
Montgomery

Invocation

J. Parker Miller
Young Lawyers Section Incoming President
Montgomery

ASB
Annual Meeting
2016
& Legal Expo



BAYTOWNE WHARF

Sandestin, FL

BENCH & BAR

Luncheon and Awards Program

The lawyers we celebrate today are excellent models for us all.

Their achievements have improved the profession and fostered a spirit of fellowship among peers, and illustrate a commitment to bettering the communities where they live and work. The Alabama State Bar is pleased to honor them. We recognize their extraordinary achievements as members of this honorable profession.

Judicial Award of Merit Recipient

Presented to a judge who is not retired, whether state or federal court, trial or appellate, and is determined to have contributed significantly to the administration of justice in Alabama.

Hon. Burt Smithart

This year's recipient is the **Hon. Burt Smithart**. Judge Smithart has been the presiding circuit judge for the 3rd Judicial Circuit (Barbour and Bullock counties) since 1999. His professional achievements include co-chair of the Judicial Education Committee for the Alabama Circuit Judges Association and Alabama Judicial College. He was the 2009-2010 recipient of the Judge Jerry M. White Award for Judicial Excellence. Judge Smithart received both his undergraduate degree and his Juris Doctorate from The University of Alabama. Following law school, he practiced law in Union Springs until he was elected to his current position. His community service involvement includes coaching youth sports, helping at the food pantry, serving on educational committees and numerous leadership roles within his church. Judge Smithart and his wife, Elizabeth, an attorney, are the proud parents of daughter, Wesley, a graduate student at Emory University and son, Jon, a sophomore at Auburn University. They reside in Union Springs.



Smithart

Award of Merit Recipients

The purpose of this award is to recognize outstanding constructive service to the legal profession in Alabama.

This year's recipients are:

Mike Atchison

Mike Atchison retired last year after 47 years as a trial lawyer. His career in the courtroom covered almost every kind of litigation from professional liability to commercial airline crashes. He has significant practice defending various product manufacturers, banks and insurance companies. The last 20 years of Atchison's practice were concentrated on complex business and commercial litigation including numerous securities cases. Atchison was also co-outside general counsel to a New York Stock Exchange-listed corporation, a frequent lecturer at legal seminars on a variety of topics and author/co-author of several published articles. A graduate of Birmingham-Southern College and the Cumberland School of Law, Atchison was awarded an honorary Doctorate of Laws by Birmingham Southern College where he served as chair of its board of trustees. He is a member of the American Board of Trial Advocates, Birmingham Bar Association, Alabama State Bar, American Bar Association and Alabama Defense Lawyers Association and is a fellow of the Alabama Law Foundation and the American College of Trial Lawyers.



Atchison

Penny Davis

Penny Davis graduated from The University of Alabama with a B.S. in education in 1973 and received her M.A. in guidance and counseling in 1974. In 1978, she graduated from The University of Alabama School of Law with her J.D. During her law school career, she was the student work editor for the *Alabama Law Review*. Following law school graduation, she clerked for the Honorable Walter P. Gewin, senior judge of the 5th Circuit Court of Appeals. She is currently the associate director at the Alabama Law Institute and has taught at The University of Alabama School of Law since 1984.



Davis

Kate Musso

Katharine "Kate" Musso is a graduate of Harvard College and Harvard Law School. She is a certified fraud examiner and certified anti-money laundering specialist. Musso advised financial industry clients on regulatory matters and compliance. She retired from Jones Walker LLP at the end of 2015. She and her husband, Joe, live in Homewood where she now spends more time in the garden with their rescue dogs.



Musso

William D. “Bill” Scruggs, Jr., Award Recipient

This award was created in 2002 in honor of the late Bill Scruggs, former state bar president, to recognize outstanding and dedicated service to the Alabama State Bar.

W. N. “Rocky” Watson

This year’s recipient is W. N. “Rocky” Watson. For nearly 40 years, Watson has handled civil and criminal trials, domestic relations and business matters including the representation of various local banks. He graduated from Auburn University with honors in 1971. He then attended The University of Alabama School of Law on scholarship. Upon graduating from law school in 1974, he returned to Fort Payne and entered the private practice of law with his father.



Watson

After serving two years as the president of the DeKalb County Bar Association in the late 1970s and again in the mid-1980s at the urging of William D. “Bill” Scruggs, Watson became active with the Alabama State Bar. He served as the bar commissioner from the 9th Judicial Circuit from 1986-1987 and again from 1993-2003. He returned to the Board of Bar Commissioners in 2006 and is still serving. Watson has served in several other capacities with the bar including as a member of the Executive Committee (2000-2001; 2011-2014), vice president of the bar (2011-2012; 2013-2014), member of the Disciplinary Commission (1994-2000; 2001-2003; 2006-present) and as chair of the Disciplinary Commission since 2012. He serves on the Finance and Audit Committee as well as the Personnel Committee of the Alabama State Bar.

Additionally, Watson was the president of the Alabama Law Foundation from 2011-2013, served on the Board of Trustees for the Alabama Law Foundation from 2003-2009 and again from 2013-present. Legal honors received by Watson include selection as a fellow of the Alabama Bar Foundation and fellow of the American Bar Foundation, and he received the Alabama State Bar President’s Award (2002-2003).

J. Anthony “Tony” McLain Professionalism Award

This award is given to recognize members for distinguished service in the advancement of professionalism.

Charles W. Gamble

This year’s recipient is Professor Charles W. Gamble. Professor Gamble received his B.S. degree from Jacksonville State University in 1965, J.D. degree from The University of Alabama (where he served on the *Alabama Law Review* and was elected to Order of the Coif) in 1968 and a LL.M. degree from Harvard University in 1971. He practiced with the Anniston firm of Lybrand, Sides & Hamner after joining the business law faculty of Jacksonville



Gamble

State University. Professor Gamble taught for 10 years at the Cumberland School of Law where he last served as the J. Russell McElroy Professor of Law. He joined The University of Alabama School of Law as acting dean and professor of law in 1982. He was dean of the law school from 1984 to 1987 and served as the Henry Upson Sims Professor of Law from 1987 to 2006.

He received The University of Alabama National Alumni Association Outstanding Commitment to Teaching Award in 1992, the Jacksonville State University Alumnus of the Year Award in 1999, the Student Bar Association’s Outstanding Faculty Award in 2002 and the Sam W. Pipes Distinguished Alumnus Award in 2004. He was reporter to the Committee on the *Alabama Rules of Evidence*, a member of the Alabama Pattern Jury Instructions Committee Civil and a member of the Civil Justice Reform Working Committee. Professor Gamble is the author of several books and numerous law review articles.

President’s Award Presented in Recognition of Exemplary Service to the Profession

President Copeland has chosen to recognize the following members who best exemplify the ASB motto, “Lawyers Render Service.”

Mike Turner

This is being awarded posthumously following Mike Turner’s passing on April 8, 2016. Turner attended The University of Alabama in Huntsville from 1971-1973. In 1976, he obtained a B.S. degree in business from The University of Alabama at Birmingham. Later that same year, he graduated from Lipert’s College of Court Reporting in Plainview, Texas, and started practicing as a court reporter in Birmingham. He took more than 11,000 depositions in places ranging from Ghana, Africa, to Seoul, South Korea, and points in-between. He, along with his wife Mickey, owned and operated Freedom Reporting, which is one of the largest privately-owned court reporting companies in the United States and provides more than 100 court reporters, videographers and trial technicians to clients throughout the country. Mike and Mickey were honored with the Alabama State Bar President’s Award in 2008 and 2011.



Mike Turner

Mickey Turner

Mickey Turner is a business owner with more than 30 years of leadership and entrepreneurial experience. She has been a court reporter for 37 years. She co-founded a firm and sold that firm to a consolidator in the industry and managed it for them for six years. She owns and operates Freedom Reporting, which is one of the largest privately-owned court reporting companies in the United States. They currently provide more than 100 court reporters, videographers and trial technicians to clients throughout the country. Mickey was honored with the Alabama State Bar President’s Award in 2008 and 2011. She is actively involved in the community, legal field and personal development programs.



Mickey Turner

David R. Boyd

David Boyd is a partner at Balch & Bingham LLP, practicing in the firm's Alabama offices. He focuses his practice primarily on business litigation, but has considerable trial and appellate experience in other areas including employment law, constitutional and civil rights litigation, higher education law and state government matters.

Boyd has served as chair of the Alabama Board of Bar Examiners, member of the Alabama State Bar's Board of Bar Commissioners, Alabama State Bar vice president and chair of the bar's Disciplinary Commission. He is past chair of the National Conference of Bar Examiners (NCBE) and former chair and current member of NCBE's Multistate Bar Examination Committee. He is chair of the Middle District of Alabama's History Committee, serves on the Executive Committee of the Alabama Law Institute and as a member of the Alabama Supreme Court's Advisory Committee on the Rules of Civil Procedure. He is a fellow and former president of the Alabama Law Foundation and a fellow of the American Bar Foundation.



Boyd

Samuel H. Franklin

Franklin is a native of Brewton and is a founding member of Lightfoot Franklin White LLC. During his 40 years of practice, Franklin has handled jury trials in many different areas ranging from personal injury/wrongful death to complex business disputes. Although oral arguments before the Alabama Supreme Court are less frequent now, he has had the privilege to argue before them on several occasions. Franklin is a fellow in the American College of Trial Lawyers and an advocate of the American Board of Trial Advocates. He served on the Board of Regents of the American College of Trial Lawyers from 2009-2013 and served as secretary from 2014-2015. He is a former president of the Alabama Defense Lawyers Association, and has been active in the Alabama State Bar. He is also a fellow of the Litigation Counsel of America, from whom he has been presented the Peter Perlman Service Award. In 2006, he received the Commissioners' Award from the Alabama State Bar. He currently serves on the board of the Birmingham Bar Association Volunteer Lawyers Program and has served as chair of the BVLP Private Bar.



Franklin

Dennis R. Bailey

Prior to graduating from Auburn University in 1975 with a degree in journalism, Dennis Bailey was a scholarship baseball player who received Academic All-SEC honors. He attended the Cumberland School of Law at Samford University where he served on the editorial board of the *Cumberland Law Review*. After serving as a federal law clerk in the Middle District of Alabama for one year, Bailey began practicing law with the Rushton Stakely firm in Montgomery in 1980 and has been a shareholder since 1983. A former newspaper reporter, cartoonist and magazine editor, he has been involved in media law since 1980, particularly matters involving First Amendment rights and open government. He has served for years as general counsel for the Alabama Press Association and other media clients, and now supervises a statewide media hotline. The Alabama Legislature has recognized him as being instrumental in the process leading to the



Bailey

passage of the Open Meetings Act. He is a member of the American Board of Trial Advocates and a member of the Board of Directors of the Alabama Defense Lawyers Association.

Jeanne Marie Leslie Service Award

This award recognizes exemplary service to lawyers in need in the areas of substance abuse and mental health and is presented by the Alabama Lawyer Assistance Program Committee.

John Brinkley

John Brinkley is a north Alabama lawyer who graduated from in-state schools, and is married to the former Kristen Davis. They have six children – Wini (2005), John (2007), Lyn (2009), Andy (2011), George (2014) and Charles (2016). John handles personal injury/wrongful death cases, files disability claims and defends those accused of crimes in the Tennessee Valley. He is active in his local bar where he was elected as a bar commissioner and serves as the Madison County Volunteer Lawyers Program Chair. He is involved in several committees/task forces with the Alabama State Bar. Service to others is an integral part of his life and practice.



Brinkley

Robert "Squire" Gwin

Robert W. "Squire" Gwin, Jr., a Birmingham native, is a graduate of Howard College (now Samford University) and the Cumberland School of Law. His practice over the past 23 years has been that of a practitioner with a focus on elder law. He is a founding member of the Alabama Lawyers Assistance Program (ALAP) which has been in existence since 1998. He served as chair of ALAP from 1999 through 2001.



Gwin

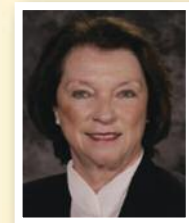
Maud McLure Kelly Award

(Presented at the Women's Section Luncheon on Friday)

Maud McLure Kelly was the first woman to be admitted to the practice of law in Alabama. In 1907, Kelly's performance on the entrance exam at The University of Alabama Law Department merited her admission as a senior, the second woman ever to have been admitted to the school.

Sharon Yates

It is with great honor that the Women's Section of the Alabama State Bar announces **Sharon Yates** as the 2016 recipient of the Maud McLure Kelly Award. Judge Sharon Yates obtained her Bachelor of Science degree in education from The University of Alabama in 1975, her M.A. in educational administration from The University of Alabama in 1976 and her J.D. from The University of Alabama School of Law in 1982.



Yates

Judge Yates was the first woman elected to serve on the Alabama Court of Civil Appeals (1993-2005) and served her last four years as the first female presiding judge. In addition, Judge Yates served as a district court judge in Montgomery County where she created and implemented, with the cooperation of the district attorney, the first Misdemeanor Drug Court and

Misdemeanor Pre-Trial Diversion Program. Currently an associate professor of law at Jones School of Law, Judge Yates teaches evidence, professional responsibility, criminal law and appellate advocacy.

Judge Yates was inducted into the Alabama Women's Academy of Honor by the Alabama Business and Professional Women's Foundation. In 2010, she was honored by the Girl Scouts of Southern Alabama, Inc. as one of its "Women of Distinction."

Local Bar Achievement Awards Recipients

Covington County Bar Association

President: William B. Alverson, Jr.

Tuscaloosa County Bar Association

President: Jaime W. Conger

Montgomery County Bar Association

President: Royal C. Dumas

Mobile Bar Association

President: Peter S. Mackey

Volunteer Lawyers Program Pro Bono Awards Recipients

Al Vreeland Award Recipient

Jeanne Dowdle Rasco, City Attorney's Office, Huntsville – Jeanne Dowdle Rasco became involved in the Alabama State Bar Volunteer Lawyers Program in 2006 while in private practice in Talladega County. From the time Rasco took her first VLP case, there was no looking back. She became more and more involved in the program, initially setting up a wills clinic at the Talladega Alabama Industries for the Blind, as well as accepting case referrals through the program. In 2009, Rasco was placed on the first Pro Bono Celebration Task Force and served as chair of the Law School Involvement Committee. In 2011, she served as vice chair of the task force in an effort to develop a CLE program that served as a national model for the ABA. In 2012, Rasco served as chair of the task force. In 2012-2013, she served as vice chair of the Pro Bono and Public Service Committee and served as chair 2013-2015. She was involved in the Social Return on Investment study and the Community Conversations held around the state as a result. Her leadership has made the Volunteer Lawyers Program stronger and resulted in national recognition of Alabama's Pro Bono Celebration and more importantly the increased provision of legal services to those in need around the state.



Rasco

Firm/Group Award Recipient

Baker Donelson Bearman Caldwell & Berkowitz, Birmingham – Baker Donelson is the only law firm in Alabama that devotes the majority of the time of a full-time, partner-level attorney to developing and expanding its pro bono program. More than 50 Baker Donelson lawyers contributed pro bono hours during 2015 and the firm has contributed more than 20,000 pro bono

hours over the last five years. The majority of these hours have been devoted to civil advice and litigation on behalf of indigent Alabamians. These civil matters have included numerous divorce, adoption, probate and consumer credit cases referred by the Birmingham Volunteer Lawyers Program. Baker Donelson has also represented individual and class plaintiffs in litigation involving violations of civil rights in Alabama's prison system. Their litigation against the City of Harpersville, Alabama, for running a debtors' prison in connection with its municipal court succeeded in shutting down the municipal court and having fines and fees of dozen of clients dismissed. The Shelby County Circuit Court enjoined the practices of the municipal court and its private probation company, Judicial Correction Services, in an order that called their practices a "judicially sanctioned extortion racket." Judicial Correction Services ultimately left the state of Alabama altogether, abandoning more than 100 contracts with municipalities in the state.



Law Student Award Recipient

Carly Calhoun, The University of Alabama School of Law, Tuscaloosa – Carly Calhoun has been an active volunteer since her very first day of law school. Before her first-year orientation program even began, she signed up for a voluntary Day of Service organized by Alabama's Public Interest Student Board. Since that time, she has been a regular participant in nearly every pro bono project offered through the law school. She has volunteered with the Long-Term Care Ombudsman Program, Veterans' Legal Assistance Clinic, Prison Reentry Clinic, Habitat for Humanity Wills Clinic, Project Homeless Connect and Wills for Heroes. Calhoun has contributed more than 75 hours of community service and pro bono work during her first two years of law school. Not only is she a consistent and reliable presence at the Public Interest Institute's events and pro bono programs, she always shows up with a smile on her face and a willingness to do whatever is needed. She regularly goes above and beyond what is expected of her and in doing so exemplifies what it means to be a servant leader.



Calhoun

Mediation Award Recipient

Cassandra W. Adams, Cumberland School of Law, Birmingham – Thanks to Cassandra Adams' efforts, more than 180 hours of pro bono mediation assistance was provided last year which helped 75 clients. Additionally, as the director of the Cumberland Community Mediation Center, Adams has trained volunteers to provide free and confidential mediation services to the greater Birmingham community. These services have also saved the courts untold hours. Pro bono services developed under her leadership and offered by the center include the Samford Residential Life Mediations Program which provides mediation services to students in Samford University's resident halls; providing mediation services to schools needing assistance to resolve disputes arising between students, parent-teacher issues, student-teacher, etc.; providing mediation to the courts; working with Tarrant City Schools and the Birmingham Bar Foundation to launch the Resolve to Solve Peer Mediation Program; partnering with the Alabama Cooperative Extension System to develop a community mediation center/family mediation curriculum to assist senior citizens with conflict resolution and transitional aging issues; and conducting educational workshops to inform the community about the benefit of mediation and availability of free confidential services.



Adams

Retiring Commissioners' Awards

Christina D. Crow
3rd Judicial Circuit

Juan Ortega
13th Judicial Circuit, Place 4

Jason P. Knight
32nd Judicial Circuit

Augusta S. Dowd
10th Judicial Circuit, Place 5

James R. Beaird
14th Judicial Circuit

Roger W. Pierce
37th Judicial Circuit

Clay A. Lanham
13th Judicial Circuit, Place 3

Allan R. Chason
28th Judicial Circuit, Place 1

Alicia F. Bennett
At-Large, Place 5

Alabama Law Institute Legislative Awards Recipients

(Presented at the Alabama Law Institute meeting on Friday)

ACT 2016-379: Alabama Limited Partnership Law

Representative Bill Poole and Senator Cam Ward

This act is the result of extensive work by the ALI Standing Committee on Business Entities. The committee is committed to modernizing and improving all aspects of our business formation and governance laws. This act is a substantial improvement to our limited partnership laws and brings them in line with the many improvements made to our LLC statute the past couple of years.



Poole



Ward

ACT 2016-362: Grandparent Visitation

Representative Mike Jones and Senator Gerald Allen

This act creates the right for grandparents to seek visitation in limited circumstances. This bill is the product of extensive work to draft a law that will withstand scrutiny by a committee of lawyers, trial judges and appellate judges. It is premised on the notion that fit parents have a rebuttable presumption in favor of their decision and that to get visitation grandparents must prove a significant and viable relationship with the child and that visitation is in the child's best interest.



Jones



Allen

ACT 2016-306: Common Law Marriage Repeal

Representative Mike Jones and Senator Rodger Smitherman

This act was the result of the legislature asking ALI to create alternative proposals concerning common law marriage ranging from reform to abolishment for consideration during the 2016 Regular Session. The act, which passed, repeals the notion of common law marriage for those entered into on or after January 1, 2017. Any common law marriage in existence as of January 1, 2017, will continue to be recognized for all purposes.



Jones



Smitherman

The Walter P. Gewin Award

(Presented at The University of Alabama Alumni Reception on Thursday)

Terrence W. "Terry" McCarthy of Lightfoot Franklin White LLC in Birmingham is the 2016 recipient of the Judge Walter P. Gewin Award which honors lawyers whose outstanding service provides the best possible continuing education programs to Alabama's lawyers. McCarthy has unselfishly shared his time and expertise as a seminar presenter for MCLE programs where his presentations always receive the highest ratings in evaluations and his materials are always outstanding. In the summer of 2012, McCarthy joined Charles Gamble and Robert Goodwin as co-author of *Gamble's Alabama Rules of Evidence*, the leading treatises on Alabama evidence that are "must reads" for any Alabama practitioner.



McCarthy

50-Year Members

John Powers Adams	Michael Leon Edwards	Bill T. Kominos	Jerry Clarence Porch
Henry Jere Armstrong	Fredrick Terrell Enslen, Jr.	Richard Donald Lane	George Jewel Porter
William Hugh Atkinson	Frederick Alexander Erben	William Cyrus Lanham, Jr.	Clarence Glenn Powell
Eberhard Erich Ball	James Harold Evans	Earle Forrest Lasseter	Edward Lawrence Ramsey
Walter Lewis Barnett	Eugene Mark Ezell	John Nall Leach, Jr.	John Tipton Roach, Jr.
George Lamar Beck, Jr.	Clifford Foster III	Barry Clayton Leavell	Thomas Lee Rountree
Frank Lee Bell	James William Gewin	Joseph J. Levin, Jr.	Robert Jackson Russell, Sr.
Wayman Jere Blackshear	Anthony Theodore Giattina	Thomas Malcolm Linder, Jr.	Ellis Leon Sanders
Joseph Sidney Bluestein	Claude William Gladden, Jr.	Don Boyden Long, Jr.	William Allen Sanders
Bruce Carver Boynton	Edward Duke Glenn	Yancey Davis Lott, Jr.	William Alton Sanders
Charles Allen Brock	Philip Louis Green	Duncan Young Manley	Claiborne Porter Seier
Robert Arthur Buettner	William Levert Green	Daniel Harry Markstein III	Charles Edgar Sentell
Clermon Ovell Burkhalter	Larry Leon Halcomb	Robert Lee McCurley, Jr.	James Middleton Sizemore, Jr.
Billy Carpenter Burney	Ronald Terry Halfacre	John Fred McDuff	William Mayfield Slaughter
Charles R. Butler, Jr.	Warren Levington Hammond	Robert Murphy McGehee	James Daniel Smith
David Bryson Byrne, Jr.	William Huger Hardie, Jr.	Thomas Claude McGregor	Roy L. Smith, Jr.
Richard Fletcher Calhoun	Travis Woods Hardwick	Lynn Gourley McGuire	William Wayne Smith
James Marshall Campbell	Jerry Ray Herring	Philip Ben McLaughlin, Jr.	Joseph Grier Stewart
William Whit Cardwell, Jr.	Tony Harlan Hight	Henry Marvin McLeod III	Everette Ted Taylor
Benjamin Sam Carroll	Marguerite Jones Hill	William Dudley Melton	Charles Medford Thompson
Nicholas Joseph Cervera	James Melvin Holmes	Craig Miller	Kinch Morgan Varner III
Michael D. Chappelle	William Lee Irons	Walter Michael Moebes	Lanny Sterling Vines
Charles Tyler Clark	Jackie O'Neal Isom	Charles Stewart Money	Larry Howard Warren
John Daniel Clements	John Hollis Jackson, Jr.	Jack William Monroe, Jr.	Samuel Hugh Welch
Herbert William Cohen	James Rogers Jenkins	Leonard Kenneth Moore	Malcolm Wayne Wheeler
Charles DuBose Cole	Douglas Inge Johnstone	Harvey Bland Morris	Taylor Dovetion Wilkins, Jr.
Allen Edward Cook	Thomas Lee Jones	Claud Dent Neilson	James Stanley Witcher, Jr.
Rufus Hagood Craig	Warren Josephson	Dan Franklin Nelson	Lowell Asher Womack
David Woolley Crosland III	Vincent Fonde Kilborn III	Jack Franklin Norton	Leslie Stephen Wright, Jr.
James Harris Crow III	Edward J. Kirst	Earl Rogers Peyton	
Robert Oland Driggers	John David Knight	Wesley Pipes	
Gerard John Dunward	William Collins Knight, Jr.	Charles Neal Pope	

We Look Forward to Seeing You at the Grand Hotel
Marriott Resort, Golf Club & Spa in Point Clear for the

140th Annual Meeting

July 12-15, 2017!



Alabama State Bar
415 Dexter Avenue • Montgomery, Alabama
www.alabar.org