

## **MINUTES**

### **ALABAMA STATE BAR**

### **2005 GRANDE CONVOCATION AND ANNUAL BUSINESS MEETING**

**Magnolia 4  
Grand Hotel, Point Clear, Alabama**

**Saturday, July 23, 2005**

#### **1. CALL TO ORDER**

President J. Douglas McElvy called to order the Grande Convocation and the 126<sup>th</sup> Annual Business Meeting of the Alabama State Bar. After making a few brief remarks about the annual meeting, he introduced the Honorable Drayton Nabers, Chief Justice of the Alabama Supreme Court for his State of the Judiciary.

Chief Justice Nabers observed that he had completed his first year as Chief Justice and had enjoyed getting to know the bench and the bar. He paid tribute to the late Howell Heflin and his legacy to the judicial system and asked for a moment of silence. After the moment of silence, he thanked retired Associate Justice Houston for his interim stewardship as acting chief justice prior to his appointment as Chief Justice. The Chief Justice also expressed his appreciation to Douglas McElvy and the support he received from the Alabama State Bar during his first year. He stated that he looked forward to working with Bobby Segall and Boots Gale over the course of the next year.

Chief Justice Nabers observed that Alabama has a sound and capable judicial system, blessed with good judges. He addressed several items in his remarks, including financial issues that plagued the judicial system. He noted that with the court system at 75 percent of its manpower formula, it was necessary to increase its efficiencies to make up for limited resources. The Chief Justice highlighted pilot projects for electronic filing that soon would be underway as an example of improving efficiency. He also commented on courthouse security, noting that only half of the courthouses in the state possess adequate security. He stated that a lack of funds was preventing the remaining courthouses from being brought up to standards. The Chief Justice next discussed the need to reform the indigent defense system. He said that the quality was not uniform and that a system of centralized oversight was needed. He reported that retired Associate Justice Gorman Houston had agreed to head up a commission to draft legislation to improve this system.

The Chief Justice then commented on mediation and the need to adopt and implement the best practices for mediation. He also spoke on professionalism and the creation of the Chief Justice's Commission on Professionalism modeled after a similar commission in Georgia. In this regard, he stated that with the help of attorneys across the state he believed that emphasizing professionalism would help improve the profession and make attorneys aware of their responsibilities beyond just serving their clients.

The Chief Justice concluded by commenting on President Douglas McElvy's article in the July issues of *The Alabama Lawyer* discussing the rule of law. He stated that lawyers and judges have a responsibility to nurture the rule of law and that nothing is more important. He stated that the development of the rule of law has been recognized as the most magnificent achievement of the last 1,000 years. Chief Justice Nabers observed that while the torch of the rule of law burns brightly, it is our responsibility to ensure that it burns brighter before we pass it to the next generation.

## **2. ALABAMA LAWYERS HALL OF FAME**

President McElvy recognized Past President Sam Rumore for a report of the Alabama Lawyers Hall of Fame Selection Committee. Mr. Rumore announced the inductees for 2005. They were: in the category of attorneys deceased less than 100 years; Honorable Oscar W. Adams, Jr., William Douglas Arant and Honorable Hugo Black. In the category of attorneys deceased more than 100 years; Honorable Harry Toulmin.

Mr. Rumore asked those in attendance to consider submitting nominations of attorneys to be considered in the future for inclusion in the Hall of Fame in order for the legal profession to honor its predecessors in Alabama.

## **3. PRESIDENT'S AWARD**

President McElvy recognized Pat Graves and Alyce Spruell as chair and vice-chair of the Leadership Forum for their outstanding work. He next recognized Caine O'Rear and Karen Bryan, chair and vice-chair of the Long Range Plan Task Force. He concluded by recognizing Sam Stockman as chair of the Volunteer Lawyers Program Access to Justice subcommittee for his outstanding work during the past year.

## **4. LOCAL BAR ACHIEVEMENT AWARDS**

President McElvy recognized Ed Patterson for the presentation of the awards. The awards were presented to the following local bar associations: Large Bar Category: Huntsville-Madison County Bar Association; Medium Bar Category: Shelby County Bar Association; Small Bar Category: Marshall County Bar Association.

## 5. **MEMORIAL RESOLUTIONS**

President McElvy recognized former bar President Gary Huckaby who read a resolution memorializing former bar President Pat Richardson. Following the reading of that resolution, President McElvy recognized former bar President John Owens who then read a resolution memorializing former bar President Howell Heflin. Finally, President McElvy recognized former bar President Spud Seale who read a memorial resolution honoring former bar President Red Clark.

## 6. **50 YEAR CERTIFICATES**

President McElvy stated that certificates would be presented to those attorneys who have been members of the Alabama State Bar who were admitted in 1955 and had been members of the Alabama State Bar since 1955. President McElvy presented a 50-year certificate to James W. Cameron of Montgomery who was present to receive his certificate. The other bar members who received 50-year certificates but were not present included:

Mr. Harold Thomas Ackerman  
Mr. George James Bouloukos  
Mr. Harold Alfred Bowron Jr.  
Hon. John Newton Bryan Jr.  
Mr. Thomas Eugene Buntin Jr.  
Mr. Hugh Madison Caffey Jr.  
Mr. Julius Theodore Cage Jr.  
Mr. Kenneth Ray Cain  
Mr. Hubert Nelson Camp  
Mr. Thomas Neely Carruthers Jr.  
Mr. Richard Cleon Carter Jr.  
Mr. Robert Milton Collins  
Mr. Edward Oliver Conerly  
Mr. Charles Donald Conway  
Mr. Warren Baker Crow III  
Mr. Edwin Jerome Curran Jr.  
Mr. George Victor Eyraud Jr.  
Mr. Hugh Douglas Farris  
Mr. Warren Luenberg Finch  
Mr. Claude Funkhouser Jr.  
Mr. Harlan Hobart Grooms Jr.  
Mr. Jack Jordan Hall  
Mr. Herman Hardy Hamilton Jr.  
Mr. Jack Eugene Held  
Mr. Wiley Phillip Henderson  
Mr. Kenneth Ulysses Hubbard  
Mr. Olen Jinright  
Mr. James Ray Knopf

Mr. Ronald C. Lonergan  
Mr. Howard Spinks Mason  
Mr. Donald Gene Mayhall  
Mr. Vincent James McAlister  
Mr. Stova Franklin McFadden  
Mr. Gilbert D. Mobley  
Mr. Charles Morgan Jr.  
Mr. John Cartwright Morris  
Mr. Joseph Johnson Mullins Jr.  
Mr. Charles L. Murphree  
Mr. William Hausser Murray  
M/G Robert Wheeler Norris  
Hon. Robert Manley Parker  
Mr. John Vernon Patrick, Jr.  
Mr. Elisha Calvin Poole  
Mr. Miles Tilman Powell  
Mr. John Tom Radney  
Mr. Robert Raymond Reid Jr.  
Mr. Edmon L. Rinehart  
Mrs. Mary Parmer Roemer  
Mr. William Perry Rutledge  
Mr. Michael Joseph Salmon  
Mr. Charles Richard Samuel  
Mr. Lelas Eugene Schmitt  
Mr. Roy Walter Scholl Jr.  
Mr. Lawrence Brown Sheffield Jr.  
Mr. Lucian Lamar Smith Jr.  
Mr. Thomas Luther Smith Jr.  
Mr. James Milas Smith  
Mr. Walter D. Sowa  
Mr. Donald Wilson Spurrell  
Mr. Samuel Randall Stephenson  
Mr. Sterling F. Stoudenmire, Jr.  
Mr. William Borden Strickland  
Ms. Ruth Simpson Sullivan  
Hon. James Wilfred Tucker  
Mr. Edward Powell Turner Jr.  
Mr. John Malcolm Tyson  
Mr. Davis Cooper Wadsworth, Jr.  
Mr. Homer Vann Waldrop  
Mr. Marion Elbert Weston  
Mr. Cornelius Sheldon Whittelsey III  
Mr. Jack Wilson  
Mr. Joseph Lenard Worthy  
Mr. George Herbert Wright Jr.  
Mr. John Newton Wrinkle

7. **RECOGNITION OF PAST PRESIDENTS**

President McElvy asked all former presidents of the Alabama State Bar to stand and be recognized.

8. **BOARD OF BAR COMMISSIONERS RECOGNITION**

President McElvy asked all current members of the Board of Bar Commissioners to stand to be recognized.

9. **COMMISSIONERS' MEDALLIONS**

President McElvy recognized the retiring Commissioners who received medallions for their service. Those retiring Commissioners included Stephen A. Rowe, Place Number 7, 10<sup>th</sup> Judicial Circuit; George M. Higginbotham, Bessemer Cut-off; Robert L. Gonce, 11<sup>th</sup> Judicial Circuit, Wesley Pipes, Place Number 1, 13<sup>th</sup> Judicial Circuit; Taylor T. Perry, Jr., 17<sup>th</sup> Judicial Circuit; Louis C. Colley, 19<sup>th</sup> Judicial Circuit; Broox G. Garrett, Jr., 21<sup>st</sup> Judicial Circuit; Robert C. Gammons, Place Number 1, 23<sup>rd</sup> Judicial Circuit; William J. Trussell, 30<sup>th</sup> Judicial Circuit, Benjamin H. Richey, 34<sup>th</sup> Judicial Circuit; and J. Robert Bentley, 41<sup>st</sup> Judicial Circuit.

10. **PRESIDENT'S CONCLUDING REMARKS**

President McElvy recognized immediate past President Bill Clark. Mr. Clark took the opportunity to thank President McElvy for his year of service as president of the Alabama State Bar. Following his remarks, Mr. Clark presented President McElvy with his past president's plaque and ribbon. Mr. Clark next recognized Lena Ellis, secretary to the president, and presented her with a framed certificate of appreciation for her service during President McElvy's term of office.

President McElvy returned to the podium. He thanked his wife, Eleanor for her support during his year as president. He thanked Ms. Lena Ellis for her help in getting him prepared to travel 7500 miles to attend the 38 local bar meetings during his year as president. He stated that his message to local bars was that the state bar is not just a regulatory entity but a service agency that provides lawyers with the tools to help them in their everyday practice. He then discussed the importance of the legal profession and reminded everyone in the audience that the profession controls its own direction. He stated that even though the legal profession may not control public perception, lawyers can control what they do to make the profession better. President McElvy observed that lawyers should protect the rule of law just like members of our armed forces protect our nation from hostile threats. He stated that it was our responsibility as lawyers to protect the rule of law from threats and even though we may not change public perception, nevertheless we should extol the ideals of professionalism to make our profession stronger in protecting the rule of law.

## 11. INTRODUCTION OF PRESIDENT-ELECT

President McElvy asked Mr. Boots Gale to come to the podium. President McElvy congratulated Mr. Gale on his election as president-elect. Mr. Gale made a few brief remarks.

## 12. REMARKS OF THE NEW PRESIDENT

President McElvy introduced the state bar's new president, Bobby Segall, and called Mr. Segall to the podium. He turned over the office of president to Mr. Segall and presented him with the president's gavel and presidential ribbon. President Segall thanked Mr. McElvy and he then introduced his wife, Sandy, and thanked her for her support. He also introduced his sons, Joshua, a third-year law student, and Jacob, a junior in college. President Segall also introduced his sister, Linda, and her husband, Bob Taffett, and his cousin Bonnie Varon and her fiancé, Gerald Labovitz. He noted that he was the third member of his firm, along with federal judges Richard Reeves and Truman Hobbs, Jr., to serve as president of the Alabama State Bar. He also recognized his partners and firm members and thanked them for their support.

President Segall stated that professionalism and service go hand in hand. He stated that he would continue to focus on the service theme as identified by the bar's motto, "Lawyers Render Service" and to highlight that the bar is more than a regulatory agency. President Segall observed that a hallmark of a fair and impartial judicial system is an independent judiciary, both in perception and reality. President Segall stated that we needed to change the current method of selecting appellate judges because it creates a perception problem and makes the system vulnerable to attack. He noted that Mobile attorney Bob Denniston had developed a DVD that vividly demonstrates the attack ads in statewide judicial campaigns that weaken our system of justice. He stated that many people, including lawyers, have lost confidence in our judicial system as result of the way we select them. President Segall stated that as president he would help lead a team effort headed up by former Justice Gorman Houston to make appellate judges both independent in perception and reality by changing the method of their selection. He publicly thanked Justice Houston, who he referred to as a modern day Aticus Finch, for undertaking this challenge to help change the method of selecting our appellate judges in Alabama. President Segall reminded the audience that all lawyers have a role to play and that this initiative would require their help.

President Segall next mentioned other issues that he would address during his year as president. Those included indigent defense as well as improving the delivery of civil legal services to the poor. He stated that these areas were very important and that the bar had been working on them for many years. President Segall concluded by stating that he looked forward to working on these and other challenges during his term as president.

**13. RECOGNITION OF KIM WARD**

President Segall took a moment to recognize Kim Ward, MCLE Director. He stated that Ms. Ward would be leaving the bar after ten years of service. He thanked Ms. Ward for her service to the Alabama State Bar and wished her well.

**14. GRAND PRIZE DRAWING**

President Segall recognized Laura Calloway and ISI President Bill Bass for the drawing of the 2005 grand prize supplied by ISI Alabama. The grand prize was won by Richard Tingle of Huntsville.

**15. ADJOURNMENT**

President Segall closed the meeting by informing the audience that the 2006 Annual Meeting would be at the Sandestin Beach Resort, July 12-15. He reminded the Commissioners of a brief meeting immediately following the Annual Business Meeting. He declared the 2005 Annual Business Meeting of the Alabama State Bar adjourned

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J. Douglas McElvy, President  
Alabama State Bar

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Bobby Segall, President  
Alabama State Bar

ATTEST:

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Keith B. Norman, Secretary  
Alabama State Bar

**NOTE:** During the 2005 Alabama State Bar Annual Meeting, the following awards were presented:

Walter P. Gewin Award Recipient:	Hon. Bernard Harwood
Alabama State Bar Judicial Award of Merit Recipient:	J. Scott Vowell Circuit Judge Tenth Judicial Circuit
Commissioners Award:	Hon. J. Gorman Houston
Pro Bono Award Winners: Attorney Award: Firm Award:	Franklin Louis Shuford, Jr. Ball, Ball, Matthews & Novak
Maud McLure Kelly Award:	Hon. Phyllis Nesbit
Local Bar Achievement Award:	Huntsville-Madison County Bar Shelby County Bar Marshall County Bar