

Addendum

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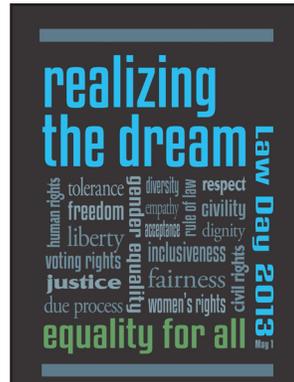
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2013 Law Day Contest Theme Is "Realizing the Dream: Equality for All"

The Alabama State Bar is calling for entries from students in grades K-12 across the state for a creative competition based on this year's theme of "Realizing the Dream: Equality for All." This year's focus celebrates the 50th anniversary of the Rev. Dr. Martin Luther King, Jr.'s "I Have a Dream" speech and the 150th anniversary of the Emancipation Proclamation. Students may submit entries using social media, posters or essays.



ASB President **Phillip McCallum** said, "Rev. King's inspirational words continue to challenge us to live up to



the ideal of equality under the law. Alabama lawyers are united and committed to upholding the rule of law to ensure that our citizens have the opportunity to realize the dream." He noted local bar associations across the state will also sponsor Law Day activities during May.

For information and entry forms, call 800-354-6154, extension 2126. The deadline

is March 29, 2013. Tuscaloosa attorney **David Rains** is chair of the Law Day Committee.

The poster and essay entries will be presented in two classifications—grades K-3 and 4-6 for posters; grades 7-9 and 10-12 for essays and the social media category. A total of \$2,400 in cash prizes will be awarded to winners. Teachers also receive a monetary gift for use in the classroom.

In 1958, President Dwight D. Eisenhower established May 1st as Law Day to strengthen our heritage of liberty, justice and equality under law. This is a national day set aside to celebrate the rule of law and to underscore how law and the legal process contribute to the freedoms we share.

Client Security Fund Annual Mandatory Assessment

Notice is given to all Regular and Special members of the Alabama State Bar that the deadline for payment of the \$25 Annual Mandatory Client Security Fund Assessment is **March 31, 2013**.

Are We There Yet? Is E-mail Really Still Different?

(Posted December 4, 2012 by Laura Calloway, director, ASB Practice Management Assistance Program)

Attorney at Work (<http://www.attorneyatwork.com/>) is a great blog with lots of useful tips and ideas to improve a law practice. I highly recommend that you check it out. But a recent post by Ruth Carter (<http://carterlawaz.com/>), titled "Five Law Firm Website Turnoffs" (<http://www.attorneyatwork.com/five-law-firm-website-turnoffs/>), started a discussion among my fellow PMAs around the country about ethics and best practices for lawyer websites. Some of us weren't sure we could agree with part of her advice.

One of Ms. Carter's website turnoffs is the failure to provide lawyers' e-mail addresses on a firm's website. In the past, many of us have advised that, in order to protect themselves from receiving e-mail with unsolicited confidential information which might create a perceived attorney-client relationship or conflict of interest, lawyers' websites should not post e-mail addresses. Instead, we had counseled they should use a contact form that requires potential clients to read and confirm their understanding of a disclaimer stating that sending confidential information will not create an attorney-client



relationship and will not prevent the firm from representing an opposing party or using the unsolicited information. Requiring a "click-through" acknowledgement is, after all, the only way that you can establish that the potential client saw and read such a disclaimer before sending the information.

Is this overkill? After all, you'd be hard pressed to find a lawyer anywhere who posts a sign in front of his or her office saying, "Sending unsolicited mail to this office through the U. S. Postal Service or making unsolicited telephone calls to me will not create an attorney-client relationship and will not

prevent me from representing an opposing party or using the information against you in the future."

Do we really need a different standard for e-mail and snail mail or phone calls? Logic would seem to say not, but the bottom line is that, briefly inconvenient though it may be, using a click-through disclaimer acknowledgement on your website can save you a world of potential ethical trouble, not to mention help deter spammers. There are plenty of other ways your colleagues can get your e-mail address if needed, such as looking you up in the bar's online directory.

Eventually, ethics advisory bodies will likely come to view e-mail as being just like any other form of communication, but I don't think we're quite there yet. For the time being, I'll continue to recommend click-through disclaimers, before revealing a lawyer's e-mail address on his or her website, as a best practice.

The Scammers Are Baaaack! (It's Not Like They Ever Left)

Lawyers Beware

State bar members in Huntsville and Opelika have brought to our attention another scam that has come to Alabama. Since scams of all types are too numerous for us to catalogue, thankfully, we found that a professional liability company in Ontario, Canada called LAWPRO, well-known to law practice management advisors, has been compiling information about scams being perpetrated on lawyers in North America via its "Avoid a Claim" blog (<http://avoidclaim.com/>). LAWPRO has been compiling a list of names they've seen associated with various types of fraud. You may want to look at this material and then bookmark each of these pages:

- Business loan fraud
- Commercial debt collection fraud
- Divorce settlement and collaborative family law agreement fraud

- Employee injury settlement fraud
- Huge collection of fake IDs, documents and checks given to lawyers
- Real estate bad check fraud

You can file a complaint and help the Internet Crime Complaint Center ("IC3"). The IC3 was established as a partnership between the Federal Bureau of Investigation and the National White Collar Crime Center to serve as a means to receive Internet-related criminal complaints and to further research, develop and refer the criminal complaints to federal, state, local or international law enforcement and/or regulatory agencies for any investigation they deem to be appropriate.



Mock Trial Team Receives \$5,000 Donation from Birmingham Firm to Attend National Competition



Adams & Reese recently gave \$5,000 to Spain Park High School Law Academy to assist the school's mock trial team travels to the National High School Mock Trial Championship, held this May in Indianapolis.

The donation by the firm will cover more than half of the projected national competition expenses of \$9,000, and enable them to book the airfare and hotel rooms.

"This is the single, largest donation we have ever received, and we are grateful to Adams & Reese for the generous contribution," mock trial team co-director Libby Day said. "Our trips are primarily funded by our students and fundraisers that we have year-round, so this contribution makes a huge difference of lowering our students' costs by hundreds of dollars."

Adams & Reese partner **Stephen Walsh** encouraged the firm to assist the mock trial team financially when he heard the story of the Spain Park mock trial team's being stuck in New York City following the

Empire Mock Trial Competition in Brooklyn, due to Hurricane Sandy, and the extended stay depleting much of the school's budget.

The mock trial team returned home with just one week to prepare for the state tournament in Montgomery, but still wound up being picked "Best Overall," based on sportsmanship, professionalism and competitive standing.

Members of the mock trial team representing Spain Park High School at the national competition are graduating seniors Oliver Barreau, Abby Brunner, Scout Johnson, Jordan McDonald, Micah Shoemaker, Bryant Williams, and Read Mills, and junior Jacob Kimes.

Spain Park High School in Hoover celebrated its 10th year of operation in 2011. The high school was the nation's first public school to receive two National Blue Ribbons of Excellence in the same year.



Pictured left to right are Adams & Reese attorneys Daniel Newton, Aaron McLeod, David Bowsher and Stephen Walsh; Spain Park students Micah Shoemaker, Jordan McDonald, Abby Brunner, Oliver Barreau, Jacob Kimes, mock trial team coach Craig Thompson, student Read Mills, Spain Park principal Dr. Ken Jarnagin, student Scout Johnson, mock trial team coach Libby Day, and student Bryant Williams.

New Member Benefit: Credit Card Processing through LawPay

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CREDIT CARD PROCESSING

A new benefit is available to ASB members who want clients to have the convenience of paying fees by credit card because the ability to accept credit cards attracts clients, improves cash flow and reduces collections.

ASB members save up to 25 percent off their credit card processing fees through LawPay, a program designed by AffiniPay.

It is critical for attorneys to correctly handle credit card transactions between their trust and operating accounts. LawPay meets the requirements for the Alabama State Bar's trust account guidelines as well as the *Rules of Professional Conduct*. LawPay not only separates the funds, it protects the attorney trust account from all third-party access.

LawPay restricts the ability of all other banking institutions from debiting monies from an attorney trust or IOLTA account. As a result, *LawPay is the only merchant service provider recommended exclusively by 31 states and 47 city and metropolitan bars.*

LawPay offers multiple hardware and software options to handle credit and debit card payment processing and works with attorneys to select the best option for their business. In addition to traditional credit card terminals, attorneys can take advantage of proprietary payment technology. This secure, web-based option gives members the ability to accept credit card transactions in the office, over the Internet and on the go through LawPay Mobile.

The Alabama State Bar has Affinity partnerships with a number of law-related companies, allowing members to qualify for discounted rates for technology, health insurance and research services. For information about LawPay and other member benefits, see http://www.alabar.org/members/member_benefits.cfm.

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 July 20 during the Alabama State Bar's 2013 Annual Meeting at the Grand Hotel in Point Clear.

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 June 1, 2013.

Applications may be downloaded from www.alabar.org or by contacting Christina Butler at (334) 269-1515 or christina.butler@alabar.org.

Save the Date!

26th Annual Bankruptcy at the Beach: June 21–22, 2013



2013 BANKRUPTCY ON THE BEACH

26TH ANNUAL SEMINAR OF THE ALABAMA STATE BAR BANKRUPTCY & COMMERCIAL LAW SECTION

JUNE 21-22, 2013
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The Bankruptcy and Commercial Law Section invites you to join us for our 26th Annual Bankruptcy at the Beach seminar to be held Friday June 21 and Saturday June 22, 2013 at the beautiful Hilton at Sandestin Golf and Beach Resort.

The hotel has begun accepting reservations, so please book your room now while our block is open. Reserve your room by calling (877) 705-6641 or (850) 267-9600 or online at www.sandestinbeachhilton.com. Our group code is **BOB**.

Be on the lookout for our upcoming newsletter with more details on the seminar. If you have any questions, please contact Sabrina McKinney, section chair, at mckinneys@ch13mdal.com.

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 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, 2013 and vacancies certified by the secretary no later than March 15, 2013. All 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. PDF or fax versions may be sent electronically to the secretary as follows:

Keith B. Norman, Secretary, Alabama State Bar
P. O. Box 671, Montgomery, AL 36101
keith.norman@alabar.org
Fax: (334) 517-2171

Either paper or electronic nomination forms must be received by the secretary no later than 5 p.m. on the last Friday in **April (April 26, 2013)**.

As soon as practical after May 1, 2013, members will be notified by e-mail with a link to the Alabama State Bar website that includes an electronic ballot. Members who do not have Internet access should notify the secretary in writing on or before May 1 requesting a paper ballot. A single written request will be sufficient for all elections, including run-offs and contested president-elect races during this election cycle. Ballots must be voted and received by the Alabama State Bar by 5 p.m. on the third Friday in May (**May 17, 2013**). Election rules and petitions are available at www.alabar.org.

At-Large Commissioners

At-large commissioners will be elected for the following place numbers: 2, 5 and 8. Petitions for these positions, which are elected by the Board of Bar Commissioners, are due by **April 1, 2013**. A petition form to qualify for these positions is available at www.alabar.org.

Double Your Savings at FedEx Office



As an ASB member you are eligible to save up to 20 percent on the materials you need most with FedEx Office® copy and print services.

And now you can save up to 40 percent through May 2013. It's the perfect time to save big on color copies, posters, signs, banners, direct mail services, and much more. For additional information, go to http://www.1800members.com/40_30_partner_content.pdf. To start

saving, go to <http://enrolladvantage.fedex.com/4929> and use passcode **1DRXMP**. If you already participate in the FedEx Advantage® shipping program, simply uncheck the FedEx Express and FedEx Ground shipping options when you begin the enrollment process. Or, call 1-800-MEMBERS (1.800.636.2377, 8 a.m.–6 p.m. EST, M-F).



SAVE THE DATE

JULY 17-20 2013

Alabama State Bar Annual Meeting Grand Hotel Marriott Resort, Golf Club & Spa, Point Clear, Alabama All the cool kids will be in Point Clear. Will your kids be there? While you attend the annual meeting and earn a year's worth of quality CLE credit, your family will be having a blast! And for anyone who's over the age of 30 there will be the usual cocktail parties, a Presidential reception, informal networking opportunities, law school alumni gatherings and more. Let out your "inner child." Plan to attend the annual meeting.



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