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Only Wrestlers Can Fake Professionalism

On February 21, 2008, Alabama's first Professionalism Consortium was held at Cumberland School of Law through the joint work of the Alabama State Bar and the Chief Justice's Commission on Professionalism. The purpose of the consortium was to discuss and evaluate recommendations regarding improving the professionalism and quality of services delivered by lawyers and judges throughout the state.

Some of the recommendations which came out of the consortium were:

1. Chief Justice Sue Bell Cobb is considering having judges throughout the state re-administer the oath to all attorneys in the state as a reminder of our duties. She also has suggested mandatory continuing judicial education in the area of professionalism.
2. Justice Hugh Maddox recommended that each lawyer who is not currently a member of an Inn of Court consider joining, or founding, a local chapter of the American Inns of Court to further encourage ethics, skills and professionalism.

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3. Panelist Tom Methvin encouraged compliance with Rule 6.1 of the *Code of Professional Responsibility* which states, "A lawyer should render public interest legal service. A lawyer may discharge this responsibility by providing professional services at no fee or a reduced fee to persons of limited means or to public service or charitable groups or organizations, by service in activities for improving the law, the legal system or the legal profession, and by financial support for organizations that provide legal services to persons of limited means."
4. Mobile County Bar President Ian Gaston emphasized that professionalism in the court system starts at the top with the judges. Each judge in Alabama should start court on time, treat the parties and attorneys with respect and enforce standards of conduct in a courtroom.
5. Bar Commissioner Allan Chason encouraged expanding the Alabama State Bar's Pilot Mentoring Program to include more sole practitioners and lawyers in small firms who do not have mentors in their firms.
6. Judge Randall Cole proposed the adoption of written standards of professional conduct for lawyers which set forth the court's duties to lawyers and litigants. These standards would be similar to the standards for lawyers reflected in the ASB *Code of Professional Courtesy* and the *Lawyer's Creed*. The standards would be submitted to the Supreme Court of Alabama for adoption.
7. Bar Commissioner Anthony Joseph suggested that every lawyer in the state be required to observe a public reprimand before the Board of Bar Commissioners as a reminder of the lawyer's professional responsibilities.
8. During the consortium, Professor Carol Andrews reminded those in attendance that in 1887, Thomas Goode Jones, the author of the first *Code of Ethics* for lawyers and a member of the Alabama State Bar, worried about "the young lawyers who did not have the gentleman's background and training, and who needed specialized rules to guide them." According to Professor Andrews, there was a fascinating debate about reports of lawyers who would call the judge "an ass" on one extreme and others who curried favor through "marked hospitality thrust upon judges."

9. Mobile County Bar President-Elect John Leach encouraged law firms to adopt policies promoting professionalism among their members.
10. President-Elect Mark White mentioned the success of the Bench & Bar Liaison Committee in Jefferson County in addressing the issue of standard pretrial orders, abuse of discovery and promoting professional conduct among judges in the circuit. He encouraged the establishment of such a committee in each judicial circuit.
11. Judge Harold Albritton disseminated the standards for professional conduct adopted in the United States District Court for the Middle District of Alabama on January 8, 1999 and urged the adoption of these standards within the state court system.

Other members of the Chief Justice's Commission on Professionalism serving with me are:

District Attorney Nick Abbett
Leon Ashford
Judge Sharon Lovelace Blackburn
Dean John Carroll
Judge Charles W. Fleming, Jr.
Sam Franklin
Leon Garrett
J. Douglas McElvy
J. Anthony McLain
Former Chief Justice Drayton Nabers, Jr.
Dean Charles I. Nelson
Keith B. Norman
George Robert Parker
Dean Kenneth Randall
Ernestine Sapp
Judge Greg Shaw
Bryan A. Stevenson
Judge William C. Thompson

On May 13, 2008, Alabama became the second state in the country to establish an initiative that has been successful in North Carolina in promoting professionalism and bolstering public confidence in the legal profession. This pilot program, the Professionalism Support Initiative, will

address unprofessional conduct by lawyers or judges which does not rise to the level of a grievance or judicial inquiry complaint. The program will be administered by Judge Harold Crow, the new director of the commission. Thanks to Phillip McCallum and Jimbo Terrell for their work on this initiative.

Preserving Our Humor, Wisdom and History

During my first year in practice in Baldwin County, two very drunk men wandered in off the street to see me. One of the two men was slightly more sober than the other and was holding up the other to keep him conscious, despite his inebriated state. The two staggered into my office and sat down, almost missing the chairs. More than a bit puzzled, I asked, "What can I do for you?"

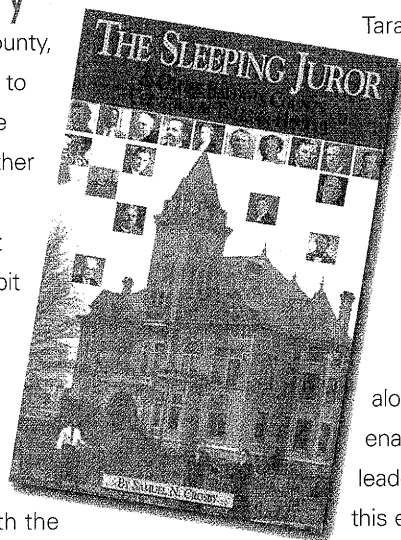
The more sober of the two, who was still holding up his friend so he wouldn't fall face down on our floor, replied, "He wanna' make a will and leave ever'thin' to me."

In spite of myself, I laughed loudly, and with the tears of laughter in my eyes, explained why I could not help them and ushered them out the door. After these men left, I realized I should record other similar events I had either heard about or experienced while practicing law.

This occurrence prompted me to collect funny court stories for 23 years. In 2002, these stories were compiled in the book *The Sleeping Juror*, which was published by the Alabama Law Foundation (through the kindness of 11 local law firms). All proceeds of book sales have been donated to Kids' Chance scholarships and civil legal services for the poor. To date, over \$31,000 has been raised by this project.

ASB Past President Bill Hairston of Birmingham read this book and decided to videotape senior members of the Birmingham bar telling funny court stories. Watching parts of this videotape, and speaking with Reggie Hamner, encouraged me to appoint a Humor and History Task Force this year. Members of the task force are:

Mary Margaret Bailey, Mobile
Charles Carr, Daphne
Elizabeth A. Citrin, Daphne
R. Scott Colson, III, Birmingham
John M. Englehart, Montgomery
R. Graham Esdale, Jr., Montgomery
T. Charles Fry, Jr., Birmingham
Christopher R. Hood, Birmingham
Marcus A. Huff, Huntsville
Kathy Johnson, Montgomery (narrator)
Tara Waller Lockett, Daphne



Thomas J. Methvin, Montgomery
Richard J. R. Raleigh, Huntsville
R. Cooper Shattuck, Tuscaloosa
Patrick Sheehan, Imagination Factory, Birmingham
Ernest Franklin Woodson, Montgomery

The generosity of Freedom Court Reporting, along with the hard work of the task force, enabled us to conduct interviews with senior leaders of the Alabama State Bar. The product of this effort is a three-part DVD which has been produced by the ASB and funded by the donations of three law firms.

The first chapter, "Justice Tempered with Humor," preserves funny court stories from throughout the state. The second chapter, "Leadership Principles of Alabama Lawyers," preserves the counsel of Alabama lawyers regarding leadership principles. The third chapter, "Advice to New Lawyers," contains counsel for new admittees. Each chapter is six minutes long.

This video is posted on the ASB Web site (www.alabar.org) and is available for viewing at no charge. A copy of it has been sent to each local bar president and bar commissioner to be shown at local bar meetings. Also, each interview will be available in its entirety. We hope these efforts will prompt you to videotape interviews with senior lawyers in your circuit to preserve their humor and wisdom for future generations of lawyers and judges.

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Partnering with Our Law Schools

On January 25, the first bar commission meeting to ever be held on a law school campus took place at the University of Alabama School of Law. Law students were invited to attend the meeting, and we hope that they will be encouraged to seek leadership roles within the Alabama State Bar.

Also, students from each of the five law schools in Alabama attended bar commission meetings this year. These students were recommended by their law school deans for their leadership potential. They were the

guests of Commissioner Joe Fawal, who did an excellent job coordinating this effort.

Our Legislative Efforts

The mission statement of the Alabama State Bar includes improving the administration of justice in Alabama. Before the commencement of the 2008 regular session of the Alabama legislature we met with our lawyer-legislators to discuss promoting the passage of two bills which we believe will help fulfill our mission.

The first bill establishes minimum experience requirements for state court judges (requiring lawyers to have a law license for three years to serve as a district judge, five years to serve as a circuit judge and ten years to

Diversity and Client Security Fund Task Forces

The Diversity Task Force, chaired by Aldos Vance, Wyndall Ivey and James Hughey, III, and the Client Security Fund Task Force, chaired by Julia Roth, are both continuing their excellent work in these important areas.

50th Law Day Anniversary

Congratulations to Gregg Everett, Tommy Klinner, Marcia Daniel, Brad Carr, the Law Day Committee, Charles Godwin, Ginger Avery, Bob Prince, and many others for their fine work in making this day special.

Thank You

Thank you for giving me the privilege of serving as president of the Alabama State Bar this year. My hope is that we will continue to encourage each other to do justice, love kindness and walk humbly with our God. ▲▼▲