President's Column

Judith J. Johnson

I want to welcome those of you who are not presently members of the HCBA and urge you to join. Those of you who live and have an office in other counties are also eligible to join if a substantial portion of your practice is in Hinds County. The Hinds County Bar Association is growing and developing, and we want you to be a part of it. Membership is on a yearly basis, and we have purposely kept the dues as low as possible, only $35.00 a year.

SERVICES PROVIDED HCBA

All our committees work to provide services to members and the public. For example, the Small Firm Practice Committee has provided CLE and other support services to single practitioners and other members in small firms; the CLE Committee has provided short, inexpensive CLE programs for members; the Bench and Bar Committee has worked to help the judges, as well as to resolve problems between judges and lawyers; the Newsletter Committee has provided this informative newsletter six times a year; the Speakers Committee has provided us with excellent speakers at our meetings which are held every other month; and the Library Services...continued on page 2

Your Hinds County Bar Association
By Ben J. Pinaza, Jr.,
Co-Chair, HCBA Membership Committee

The HCBA is given direction and leadership by its officers, board of directors and Executive Director. But implementation of the Association's goals is primarily through its committee structure. Since with this issue many of you are receiving the HCBA News for the first time we wanted to tell you something about these committees' activities. The following is a brief synopsis of some of the past and planned future activities of the HCBA committees.

AD HOC COMMITTEE ON HCBA ROOM IN THE COURTHOUSE

A room in the newly renovated Hinds County Courthouse has been designated for use by the Hinds County Bar for its members. The HCBA room is located on the third floor on the south side of the courthouse on the east end of the "old" part of the building close to the new law library in the east annex. The president of the HCBA has appointed an ad hoc committee to obtain furnishings for the room.

Linda Thompson Greaves, chair of the committee, states that the room is to be furnished for HCBA members to use as a waiting area or a meeting room. The room will be comfortably furnished with tables, chairs and a small sofa in the traditional law office style of furniture, with upholstery of burgundy, mauve and gray, and wood pieces of mahogany and walnut.

...continued on page 4

New Rules On Joint And Several Liability
By Silas W. McCharen and Jeffrey T. Webb

The "Tort Reform" bill recently passed by the Mississippi Legislature significantly changes the prior law in Mississippi on joint and several liability. See 1989 General Laws, Chapter 311. These changes took effect July 1, 1989, and apply only to causes of action accruing on or after that date.

SUMMARY

Under prior Mississippi law, a defendant only one percent responsible for plaintiff's injuries could be held liable for all the plaintiff's damages. Although not entirely clear, it appears that in all civil actions accruing after July 1, 1989, based upon fault, the general rule is that the liability of two or more defendants is several only. A joint tort-feasor is liable only for the amount of damages allocated to him in direct proportion to his percentage of fault. This is a significant departure from prior Mississippi law on joint and several liability in view of the fact that Mississippi has never recognized apportionment of fault among or between defendants.

The new law requires the trier of fact to determine and allocate the percentage of fault for each defendant. For example, if a plaintiff received a $100,000 judgment against tort-feasor A and tort-feasor B, and both tort-feasors...continued on page 6

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING
August 15, 1989
12 Noon $8.25 Capital City Petroleum Club
The speaker will be the Honorable Kane Ditto, Mayor of Jackson.
President's Column continued...

Committee has worked to improve services to lawyers provided by the Mississippi State Law Library and the Mississippi College Law Library.

NEW SERVICES

All of these committees and others will continue to work. In addition, we have new committees working on such diverse projects as designing a lounge in the new Hinds County Courthouse for members of the Association, while another committee is working to inform and help lawyers who have problems with addiction. Other new committees are the Women in the Profession Committee, Black Involvement in the Profession Committee, the Committee on the Homeless, the Committee on Senior Lawyers, and the Law and Related Education Committee, all of which will be responding to specific problems in those areas. I am also planning to appoint a Child Advocacy Committee soon, so if anyone is interested, please call me.

SPECIAL THANKS

I want to thank Harrison McVeer, Co-Chairperson of the Bench and Bar Committee for his hard work in preparing the excellent reception for the new Hinds County judges.

I also want to thank Rob Willford, Chairperson of the Bicentennial of the Constitution Committee, for his diligence in designing and executing the essay contest for the Jackson Public Schools. We were all very proud of the three deserving young women who won the contest and appeared at our last meeting.

CLERK OF COURT OPENING

The United States District Court for the Southern District of Mississippi is seeking an experienced administrator to fill the position of Clerk of Court. The Clerk serves as the chief administrative officer of the Court and operates under the supervision of the Court. General responsibilities include the administrative management of the non-judicial functions and activities of the Court. For information and further information, please contact the Honorable William H. Barbour, Jr., Acting Chief United States District Judge, Southern District of Mississippi, 255 E. Capitol Street, Suite 430, Jackson, MS 39201.

HCBA members congratulating the judges included, from left, John C. Crecel, Jr., John H. Downey, and Richard A. Montana, Jr., HCBA President, and Donna Swett Owen, Chancery Court Judge.

On June 30th, following the swearing in ceremony for Hinds County judges at the Hinds County Courthouse, the Hinds County Bar Association, Chancery Clerk Pete McGee, and Circuit Clerk Barbara Dunn sponsored a reception honoring the judges. Many HCBA members attended the ceremony and reception to honor the judges.

Also attending the reception were HCBA members, left, Harrison D. McVeer III, chairman of the reception, and, right, Robert C. Glennell.
The committee anticipates making formal documents available to the public, including formal reports, agendas, and minutes of meetings.

The committee is tasked with reviewing and recommending a budget for the upcoming fiscal year. This budget will be submitted to the Executive Committee for review and approval.

The committee is responsible for maintaining records and providing information to the public. Records will be maintained in a secure location and will be accessible to the public upon request.

The committee is also responsible for providing assistance to members. Members may seek assistance in a variety of areas, including legal, financial, and administrative matters.

The committee is authorized to enter into contracts and agreements for the purpose of carrying out its duties. Such agreements will be entered into only after careful consideration of the terms and conditions.

The committee is empowered to allocate funds as necessary to carry out its duties. This includes the allocation of funds for travel, meals, and lodging expenses.

The committee is authorized to hire staff as necessary to carry out its duties. Staff will be hired only after a thorough evaluation of qualifications and experience.

The committee is empowered to seek and accept donations and gifts, both monetary and non-monetary, to support its work.

The committee is authorized to delegate tasks to subcommittees or task forces as necessary to carry out its duties. Subcommittees and task forces will be established by the committee and will report to the committee as necessary.

The committee is responsible for ensuring that all meetings are conducted in a professional and ethical manner. This includes the maintenance of confidentiality and the protection of personal information.

The committee is authorized to conduct investigations as necessary to ensure compliance with laws and regulations. This includes the investigation of complaints and the enforcement of penalties as necessary.

The committee is empowered to take legal action as necessary to enforce its authority and to protect the interests of the association.

The committee is responsible for ensuring that all financial transactions are conducted in a manner that is consistent with the bylaws and regulations of the association. This includes the maintenance of accurate records and the filing of necessary reports.

The committee is empowered to establish policies and procedures as necessary to carry out its duties. These policies and procedures will be reviewed periodically and revised as necessary.

The committee is responsible for ensuring that all members of the association are informed of the committee's activities and of their rights and responsibilities.

The committee is empowered to take action in the best interests of the association, even if such action is contrary to the personal interests of any individual member.
were financially responsible (i.e. able to respond in full to their respective shares of the judgment) so that any contribution would be necessary in order for the person suffering the liability to recover all or any of the $40,000 from the wrongdoer.

It should be noted that these examples assume that there was no finding of contributory negligence on the part of the plaintiff. If the plaintiff were contributarily negligent, the plaintiff's recoverable damages would be reduced by the percentage of fault attributed to the plaintiff's own acts.

The second exception is that the statute does not apply to multiple intentional tort-feasors. The bill provides that the several liability rules do not apply to two or more persons "conspiring and deliberately pursuing a common plan or design to commit a tortious act, or actively take part in it." Although examples of these significant changes in the law are not known at present, the new rules attempt to do justice to both plaintiff and defendants.

The plaintiff will know that if defendant B is financially solvent, he can recover at least fifty percent of any damages, rather than futilely attempting to enforce a judgment against an insolvent defendant under a pure base standard. In exchange, a defendant jointly held jointly liable, that defendant would be permitted to implead the remaining joint tort-feasors so that they may be held to the original defendant by way of contribution. After all joint tort-feasors are brought into the action, a valid fault determination can then be made by the jury that is binding on all parties.

As an alternative to Rule 14, Rule 19 (Leont of Persons Needed For a Just Adjudication) could be applied so bring in the remaining tort-feasors because they may be necessary and indispensable parties. Any other approach may allow the plaintiff to thwart the purpose of the statute. For example, if a plaintiff decided to sue one joint tort-feasor alone, the outcome may be the same as if the old law of joint and several liability were still in effect. If the individual defendant were joined to the existing tort-feasors, a valid determination of percentage of the remaining tort-feasors' respective joint fault would be made. The lone defendant would be liable for all damages, and no right of contribution would exist.
The Young Lawyers Division of the Mississippi State Bar presented the Honorable Antonia Scalia, United States Supreme Court Justice, for an address at their annual meeting on Sunday, July 14th. Justice Scalia and his wife attended several social functions of the Bar Annual Meeting, and many HCSA members had opportunity to meet Justice Scalia. The Clerk of Justice Scalia is a very well-known and respected figure in the legal community.

Linda Thompson Greaves, editor of the UCBA News, had opportunity to meet Justice Scalia at the reception given by the Mississippi Women Lawyers Association.

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HCBA INVITES YOU TO JOIN NOW!

If you have not already joined the Hinds County Bar Association, we invite you to do so. Just fill out the form and return it with a $35 check to:

Hinds County Bar Association
151 E. Griffith Street
Jackson, MS 39201

Name__________________________________________

Address _________________________________________

_____________________________________________

Membership privileges include: six informative luncheon meetings a year, CLE, social events, receiving the HCBA newsletter (with membership meeting notices) and many other services.

Hinds County Bar Association, Inc
151 E. Griffith Street
Jackson, MS 39201

FIRST CLASS

IMPORTANT
HCBA Luncheon Meeting
12 Noon, August 15, 1989
President's Column

Judith J. Johnson

At the December luncheon meeting we will present a number of by-law changes for your entertainment and approval.

The Board of Directors has approved the following changes:

1) to provide for honorary memberships for distinguished lawyers and judges, if such ever appear;
2) to provide for a student membership;
3) to move the elections up two months to give the incoming president more time to plan her administration;
4) to remove the sexist language from the by-laws to indicate the Hinds County Bar's commitment to equal opportunity and right thinking;
5) to provide for an executive director, who has been doing the work for several years anyway;
6) to provide for removal of nonperforming directors and committee chairpersons;
7) to change the notification and quorum requirements for amending the by-laws.

If you have any questions or comments about the by-laws, please call me. Copies of the by-laws will be available at the meeting for your edification.

New Decade Resolutions
By Captain Equity

There is nothing quite like the end of a decade when it comes to rationalizing away bad habits and poor choices in favor of a fresh start on the future. And sometimes our solemn resolutions of excellence, which are often pronounced atop the bathroom scales or in the shadows of early morning reality checks, even find their way to fruition, but seldom without some serious reflection and rumination. Since today's focus is on ten-year goals rather than next week's diet, let's take a quick, albeit earnest look back at the 1980's.

The decade had a definitive beginning (as most decades do) quite apart from the calendar. The 80's began precisely at noon EST on January 20, 1981. You will recall then Chief Justice Burger administering the oath of office to our newest President. You will also recall an airplane lifting off the ground in Tehran.

It was a decade determined to leave behind the stain of scandal and paralytic malaise that defined the beginning and end of the 70's. The new leadership preached a return to fundamental values and a restoration of American esteem. We were eager for that formula to succeed. Lower taxes, higher military spending and a balanced budget were all suddenly and simultaneously within our grasp, thanks to some.

...continued on page 3

Are You an ACOA?
By Belinda J. Stevens
Chairman, Wellness Committee

Are you an attorney who was raised in a home with one or more alcoholic parents or a parent who suffered from some other addiction, such as workaholism, gambling, food addiction, etc.? If so, you are qualified to be a member of a recently organized group known as adult children of alcoholics (ACOA).

There are certain characteristics that are common to most adult children of alcoholics:

1) Fear of authority figures;
2) Approval seeking or people pleasing, losing self identity in the process;
3) Difficulty with intimate relationships;
4) Either super responsibility or super irresponsibility;
5) Fear of confrontation, feeling guilty about standing up for oneself;
6) Denial, inability to feel or express feelings;
7) Low self-esteem;
8) Fear of rejection and abandonment, yet rejecting others;
9) Addiction to excitement;
10) Reacting rather than acting;
11) Guessing at what is normal;
12) Poor time management, inability to set priorities correctly;

...continued on page 4
December 15
Fundamentals of Real Estate. Sponsored by MC School of Law. Jackson, MS.

December 15
Insurance Litigation (Uninsured Motorists/Bad Faith Insurance). Sponsored by MS Trial Lawyers. Jackson, MS.

December 15
Family Law Update. Sponsored by MS Pro Bono Project. Jackson, MS.

December 15
Evidence for the Trial Lawyer. Sponsored by UM Center for CLE. Jackson, MS.

December 15

December 15
Fall Seminar 1989. Sponsored by Southeast MS Legal Services. Hattiesburg, MS.

December 15
MS Elder Law. Sponsored by National Business Institute. Jackson, MS.

December 15
Construction Law in MS. Sponsored by Lorman Business Center. Jackson, MS.

December 19
HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS.*

December 27
Real Estate Contracts. Sponsored by K.F. Broackle. Jackson, MS.

December 27
MS Real Estate License Law. Sponsored by K.F. Broackle. Jackson, MS.

December 30
Real Estate Law. Sponsored by K.F. Broackle. Jackson, MS.

January 5
Successful Techniques in Personal Injury. Sponsored by MS Trial Lawyers. Jackson, MS.

January 11
Ethics. Sponsored by MS State Bar Association. Jackson, MS.

January 12
Employment Law Preview. Sponsored by MC School of Law. Jackson, MS.

January 12
Business Law and Procedure-Recent Developments. Sponsored by MC School of Law. Jackson, MS.

January 24
CLE for Municipal Attorneys. Sponsored by UM Center for CLE. Jackson, MS.

January 26
Motion Practice. Sponsored by Jackson Young Lawyers Association. Jackson, MS.

January 26
Managing the Workforce in the 1990's. Sponsored by Lorman Business Center. Jackson, MS.

February 7

February 9
Winning at Jury Trials. Sponsored by UM Center for CLE. Jackson, MS.

February 16
Representing the Injured Worker. Sponsored by MS Trial Lawyers. Jackson, MS.

February 20
HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS.*

*Not approved for CLE credit.

Women in the Profession Luncheon Meeting
By Lynn Fitch Mitchell

On November 6, 1989, the HCBA Women in the Profession Committee, together with the Women's Student Bar Association at MC School of Law, held a luncheon meeting and panel discussion at the law school. Members of the panel were Judy Johnson, HCBA President, Lynn Fitch Mitchell, Chairmen of the Women in the Profession Committee, Julie Sneed Muller and Cecile Edwards.

Panel members gave presentations to the group on such topics as private practice, public service, teaching, clerkships, and the special trials and tribulations for women associated with each area.

Many thought-provoking questions were brought forth during the discussions. The meeting was well attended and considered very successful and beneficial to all those in attendance.

Participants in the recent HCBA Women in the Profession Committee luncheon meeting and panel discussion, which was held jointly with the Women's Student Bar Association at MC School of Law, included (seated, from left) Cecile Edwards, Julie Sneed Muller and Lynn Fitch Mitchell, chairman of the Women in the Profession Committee; and (standing, from left) Chelye Prichard, president of the MC Women's Student Bar Association, and Judy Johnson, HCBA president.
new Decade continued...

thing called the Laffer Curve and someone called David Stockman. Aside from a cock-eyed bunch of cranks in Iran and Libya, our chief adversaries were a flagging national spirit and an outdated, inflation ravaged economy; nothing that old fashioned American optimism couldn't conquer.

The first half of the 80's seemed to be going according to the 1980 campaign script with the symbolic midpoint being the triumphant 1984 Los Angeles Olympics, followed by the landslide vote of confidence America gave its President. A short time later, Jim Baker left his job at the White House and Jim Bakker began to hit his stride at PTL. Hardly omens of trouble, but...

January 1986: the Space Shuttle command "throttle up" had become as routine as America's newly rediscovered recipe for success. But in an instant, the surreal replays of the videotaped explosion etched itself on the national psyche like nothing since Dallas in '63. In a second the dream was a nightmare. A budget deficit, trade deficit and stock market crash dominated the financial pages while carnivals for hostages, Contras, Crack and AIDS ruled the front pages. The headlines weren't fun to read anymore.

And finally 1989, the end of the 80's. It will go down with 1945 and 1968 as one of the extraordinary years of this or any other century. The culmination of the 80's will be remembered as the year the Bamboo Curtain shook and the Iron Curtain rusted out. Though certainly not all, it will be the year that Gorbachev finally convinced the suspicious cold warriors of the west that he was for real. Not that the Soviet President was a born again, free market capitalist in search of a stock tip or franchise opportunity, but rather a smart, if not desperate pragmatist committed to necessary, yet risky reforms aimed at salvaging an empire that could no longer conceal or deny its impending collapse.

For Americans, this will forever be the year of the second San Francisco earthquake and Hurricane Hugo, just as it will mark the assumption of power by a decent man swept into office by dubious means. A Thousand Points of Light, resurrection of the abortion debate, flag burning, a controversial Drug Czar, and Dan Quayle jokes provide a shorthand reference for political watchers. And of course let's not forget General Noriega, the passing of the Ayatollah, or Batman.

'89 will also go down as a year of fallen heroes. Pete Rose was banned from baseball; Jim Wright, from the Speaker's Chair. That other Jim, the fund-raising evangelist, was carted off to a federal penitentiary in chains while Bart Giannetti came out a premature loser to cigarettes and stress. The wholesale looting of the nation's S&Ls and the wholesale dismantling of HUD along with high dollar influence peddling practiced by everyone from former Cabinet members to U.S. Senators continued a decade of grabby example setting calculated to teach untold legions of young politicians and business leaders the true meaning of ethics, values, integrity, etc. And everybody wonders what's wrong with our kids.

1989 was also the year of the great Japanese silent auction: Rockefeler Center, Columbia Pictures and downtown Los Angeles come quickly to mind. The trend toward foreign ownership of the USA showed no signs of slowing as the new decade moved in to replace the old.

The 90's have begun. It happened somewhere between John Tower and the Berlin Wall. When and where, I'm not quite sure; historians will let us know later. But for now, what does all of this say about the next ten years? Will it be the decade of Europe or of the Pacific Rim or perhaps even of the onset of world peace dictated by intertwined economic interests rather than the deterrent capability of nuclear missiles? It will be increasingly difficult for the President of the United States to obfuscate Moscow and then explain to the CEOs of Pepsi and McDonald's why he took it on himself to trash those corporations' foreign operations and most of the Russian Diet Pepsi and Big Mac market with it. All in all it looks like a good ten years ahead for much of the world, especially the emerging industrialized nations of Europe and Asia. It's a bit more problematic for the increasingly unrealistic USA, at least as long as our leaders, urged on by the voters, continue to prefer red ink to black.

All of which brings me closer to home. What does the decade of the 90's hold for Mississippi? As with the USA, much of it depends on the truths we are willing to confront and the collective resolutions we choose to make and keep. A cursory glance back at Mississippi history should be instructive on how to take a state with a lot of talented and caring people, abundant natural resources, favorable geography and a livable climate, right to the bottom of most categories that count in measuring economic health and overall quality of life. Despite some progress, leadership and attitude reversals of late, Mississippi remains the victim of many of its own stewardship, dating back to a succession of leaders and before. Thank goodness most of us finally agree on that much.

The appropriate question for 1989 is simply, what are we going to do about it? That query brings me to this year's round robin of New Year's resolutions. In the busy world of law practice, it's easy to confuse our resolutions to diets, abdicating the social and political agenda to others by humming the anthems of the status quo: "I'm fine, my family is fine, things are fine." Perhaps, however, despite pockets of affluence in and around I-55 N and a growing sphere of good intentions, the numbers would indicate otherwise. No one has to tell us why: failure to fully come to terms with public education, race relations, economic competitiveness and counterproductive attitudes born in the late century which cling stubbornly to life. Together they spell MISSISSIPPI'S IMAGE TO THE REST OF THE WORLD. Since preparation is often reality, it is not difficult to grasp why Mississippi remains at or near the bottom.

The good news is that we don't have to accept a permanent spot in the educational - human relations - economic cellar of America. Europe has demonstrated the lightning speed of change when people come together to demand it. Mississippi's next decade is at hand; its economic future is at stake. And by the way, so is yours. "Yes, but" or "Well, maybe" just aren't acceptable responses any longer. At least, I hope they're not.

Happy New Year - Happy New Decade.

Christmas Holidays

Governor Mabus has authorized all state offices to be closed on Tuesday, December 26th, in addition to Christmas Day.

The State Law Library and the Hinds County Chancery and Circuit Courts will be closed on that day.

Offices of the City of Jackson will be open on December 26th.
13) Living life from the viewpoint of a victim and being attracted to that weakness in others;
14) Criticism of oneself. Whatever the addiction or dysfunction exhibited by the parent, the entire family is affected. It may be that neither of your parents suffered from the dysfunction but one of your grandparents did. The dysfunctional family characteristics can be handed down from generation to generation.

As a result of being raised in a dysfunctional household, a child may assume one of four roles: (1) the family hero, (2) the scapegoat, (3) the lost child, or (4) the mascot. Each role, as well as being a coping mechanism, has certain positive and negative aspects that the child carries with him or her into adulthood. Because ACOA lawyers frequently take on the role of the family hero, it is important that they know both the positive and negative aspects of this psychological phenomenon. "The Family Hero" by Mike Sweeney.

The positive characteristics of this particular role include (1) independence, (2) ability to accomplish goals, (3) focus, (4) high attentiveness, (5) organizational ability, (6) responsibility, (7) success, (8) leadership abilities, (9) high achievement, and (10) ability to survive.

The negative aspects or characteristics of an ACOA include (1) fear of rejection, (2) avoidance of risk, (3) perfectionism, (4) inability to get needs met, (5) low self-esteem, (6) inability to feel or express feelings, (7) fear of intimacy, (8) inflexibility, (9) fear of failure, (10) guilt, (11) procrastination, (12) fear of confrontation, and (13) unreasonable high expectations of others. "Leaving The Enchanted Forest" by Covington and Berkett.

The practice of law is a natural drawing card for the ACOA. He or she has already spent a lifetime taking care of others and dealing with the problems of others. Unfortunately, the problem of caring for everyone else usually means that the ACOA forgets to take care of his or her needs in the process. He or she has difficulty in saying "no" to people, thereby creating a greater caseload than can be handled reasonably.

Regardless of the caseload, civic commitments or neglected home life!

Workaholism is common among ACOA's. They are prime candidates for burn-out and are prone to depression, because they are unable to effectively deal with stress. "Home Away From Home," by Janet Waltz. ACOA lawyers take the practice of law very seriously and do not believe it to be something to be enjoyed. Vacations or time off are usually out of the question. If he or she does take time off, the ACOA feels guilty about it. Procrastination and difficulty in following a project through are common problems with ACOA's. Waiting until the last minute to prepare a motion, research a brief or file a case is a prevalent response among ACOA lawyers.

The greatest difficulty for the ACOA is his or her ability to form healthy relationships. As a child, the ACOA learned to trust in family relationships that did not work. As he or she grew older, the ACOA learned to hold back and not to give a hundred percent to relationships. Years of unmet needs leave the ACOA feeling unloved and unworthy. An ACOA has difficulty with intimate relationships, a problem which may adversely affect his or her law practice and career.

If you are a lawyer and either of your parents or grandparents were alcoholics or suffered from some other addictive behavior, you may be an ACOA. If so you now have the unique opportunity to experience personal growth before stress, depression, burn-out or problems with personal relationships overwhelm you. For information about ACOA support groups, call Belinda Stevens, Chairman, HCCA Wellness Committee, at 359-3847.

STATE LAW LIBRARY
FAX SERVICE AND
BOOK SALE
By Susan Hicks

The Mississippi Library Commission has provided the State Library with a Library Services and Construction Act grant to install facsimile equipment in order to participate in a statewide library fax network. The new machine is also being used to enhance the Library's photocopying service to attorneys for filling rush requests for documents and for receiving lengthy photocopying requests. The fax number is 359-2912. In the event of an unsuccessful transmission, telephone 359-3672.

The State Library is accepting sealed, written bids until 10:00 a.m., December 15, 1989, for the sale of surplus copies of retrospective volumes of Mississippi Reports and Mississippi Cases. Most of the volumes are in good to excellent condition. Volumes 1-94 of the Reports may need rebinding. In the near future, House and Senate Journals, General Laws, and superceded editions of Mississippi Codes (territorial laws, Hutchinson's, Hemingway's, and 1930 codes) will also be offered for sale.

To be placed on the bid lists or for further information, contact Susan Hicks at 359-3672, or write to the State Library, P.O. Box 1040, Jackson, MS 39215-1040.

Mississippi College Law Library

Christmas Schedule

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<td>December 20 &amp; 21</td>
<td>8:00 a.m.</td>
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<td>December 22 (Friday)</td>
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<td>January 8-12</td>
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<td>January 13 &amp; 14</td>
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Regular Hours Resume on Monday, January 15, 1990:

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<td>Monday through Thursday</td>
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<td>Sunday</td>
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HCBA Membership Meeting - Louisa O. Dixon (right), Commissioner for the Mississippi Department of Public Safety, was guest speaker at the October HCBA membership meeting. She is shown pictured after the meeting in conversation with (from left) Federal District Judges Walter J. Gex III and Dar M. Russell, Jr. and HCBA members, John M. McCullough and Lawrence J. Franck.

The HCBA was pleased to have several judges as guests at the October membership meeting, including (left to right) Federal District Judges Tom S. Lee and Henry T. Wingate and Hinds County Circuit Judge William F. Coleman.
Wishing You and Yours
a Joyous Holiday Season and a
Happy New Year!

DON'T FORGET
YOUR CLE REQUIREMENT

Hinds County Bar Association, Inc
151 E. Griffith Street
Jackson, MS 39201

Hinds County Bar Association

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Judith J. Johnson, President
Leonard D. Van Slyke, Jr., Vice President
and President-Elect
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Executive Director
Patricia H. Evans

Correspondence regarding the newsletter should be directed to: Linda Thompson Greaves, Editor, Post Office Box 4554, Jackson, Mississippi 39296-4554. Letters to the editor must be signed, but the writer's name will be withheld upon request. The editor reserves the right to reject any letter.

FIRST CLASS

IMPORTANT
HCBA Luncheon Meeting
12 Noon, December 19, 1989
President's Column

Judith J. Johnson

Thank you for allowing me this opportunity to serve as your president. I am looking forward to continuing the excellent programs of my predecessor, in addition to adding some new and different and, I think, important programs. A list of committees and committee chairpersons appears elsewhere in the newsletter. I do want to highlight the work of some new committees I have appointed.

Our first meeting will present Pam Martin-Hovis, who will speak on addiction. In a recent study in Georgia, 18% of the lawyers were identified as chemically dependent, and I doubt that Mississippi would fare better. Alcoholism and drug addiction are unfortunately not the only addictions that plague our profession. Workaholism is rampant, and even rewarded, in the legal profession. In addition, many attorneys are affected by the alcoholism of family members, and adult children of alcoholics abound in the legal profession. There are also attorneys who have eating disorders and other compulsive behavior problems. To further my modest goal of curing all of our addictions, I have appointed a Wellness Committee chaired by Belinda Stevens. One of the goals of this committee is to

HCBA Room in the Hinds County Courthouse

A room in the newly renovated Hinds County Courthouse has been designated for use by the Hinds County Bar for its members. The HCBA room is located on the third floor on the south side of the courthouse on the east end of the "old" part of the building close to the new law library in the east annex. The president of the HCBA has appointed an ad hoc committee to obtain furnishings for the room.

Linda Thompson Greaves, chairman of the committee, states that the room is to be furnished for HCBA members to use as a waiting area or a meeting room. "We will have comfortable seating areas with tables, chairs and two telephones. The furniture will be of the traditional law office waiting room style with upholstery of burgundy, mauve and gray and wood pieces of mahogany and walnut." Fulton Thompson, co-chairman of the committee, is in charge of raising funds for the purchase of the furniture. He says that all HCBA members are invited to participate in the purchase of the furnishings. Contributions in the amount of $100, $250 or $500 will be requested. Those contributing will be honored at a reception where a plaque with each contributor's name will be hung in the room.

"Several members of the HCBA are talented artists as well as attorneys, and we want to solicit from them some original art to decorate the walls of the room,"

New Executive Director

Patricia H. Evans ("Pat") joined the Hinds County Bar Association as Executive Director effective May 1.

She is also Director of Admissions and Placement at Mississippi College School of Law, having served in that capacity since 1987. Prior to that time, she spent seven years as Director of Public Relations and Marketing for the Jackson Symphony Orchestra Association. In that capacity, Evans received ten marketing and communication awards from the International Association of Business Communicators.

She has been the 1988-89 President of the Jackson Symphony League, the largest volunteer arts group in the state, and is also a member of the Orchestra Association's Board of Governors and its Executive Committee.

A licensed lay reader at the Chapel of... continued on page 2

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

June 20, 1989 12 Noon $8.25
Pat Martin - Hovis will speak on "Everything You Never Wanted to Know About Addiction."
Cle Calendar of Events

June 20
HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS.

June 23
MS Collection Law. Sponsored by Professional Education Systems. Jackson, MS.

June 27
Employee Benefits in MS. Sponsored by National Business Institute. Jackson, MS.

July 8-22
Cambridge University Study Program. Sponsored by the Univ. of MS. Cambridge, England.

July 10-12

July 11
Education Law Institute. Sponsored by the Univ. of Southern MS. Hattiesburg, MS.

President's Column continued...

establish a Lawyer's Assistance Program with a local hospital to furnish confidential counseling and referral to members of the Hinds County Bar Association.

Another one of my primary goals this year is to involve black lawyers in the HCBA and in the profession. The Black Lawyer Participation in the Profession Committee, headed by Robert Gibbs, is assuming this responsibility. We hope to have a program later in the year in this regard.

Another new committee is Women in the Profession chaired by Lynn Flach Mitchell. The ABA has recently published a study detailing problems of women in the profession, the bottleneck of which is that the quality of life for all people in the legal profession is deteriorating. Even in Jackson, with our strong sense of family values, many attorneys are finding their practice leaving little time for family life. Obviously this is a problem worth working on.

If you have any suggestions, or criticisms, you will call me.

HCBA Room continued...

Thompson said.

Contributions may be mailed to the HCBA, Pat Evans, Executive Director, 121 E. Griffith Street, Jackson, Mississippi 39201.

For further information, please call Linda Greaves at 987-4267, or Fulton Thompson at 354-3910.

November 10
Workers' Compensation Practice & Procedure. Sponsored by MS School of Law. Jackson, MS.

November 16
Tort or Environmental Litigation in MS. Sponsored by MS Chapter Federal Bar, Jackson, MS.

November 18
Evidence. Sponsored by Gulf Coast Law Institute. Biloxi, MS.

September 8
Representing Debtors in Chapters 7 and 13. Sponsored by Ms Bankruptcy Conference. Jackson, MS.

September 29
Taxation of Partnerships and Corporations. Sponsored by MS Association of Public Accountants. Jackson, MS.

December 7-8
Annual Conference. Sponsored by MS Bankruptcy Conference. Jackson, MS.

December 12
HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS.

*Not approved for CLE credit.

Executive Director continued...

The Cross Episcopal Church. Evans is a volunteer with the Mississippi Museum of Art and the Mississippi Museum of History. She is active in the St. Andrew's Episcopal School Community and was a member of its 1989 Literacy Campaign.

A graduate of Memphis State University with a degree in Business Administration, she is the parent of three children.

HCBA Membership Meeting - At the April 1989 membership meeting, George L. Phillips, United States Attorney for the Southern District of Mississippi, was guest speaker. Pictured at the luncheon are, from left, Phillips, J. Jerry Langford and Jay A. Travis III.
Financial Assistance To Clients
By James M. Anderson

Financial assistance to clients by attorneys is governed by Mississippi Rules of Professional Conduct Rule 1.8 (1987) which states:

1. A lawyer may advance court costs and expenses of litigation, the repayment of which may be contingent on the outcome of the matter; and
2. A lawyer representing an indigent client may pay court costs and expenses of litigation on behalf of the client.

The rule is written with the impecunious term "indigent" to indicate a client who is financially unable to pay court costs and expenses of litigation.

The Ethics Committee of the Mississippi State Bar Association considered the issue of whether an attorney can ethically assume a proprietary interest in pending litigation by advancing monies for any other expense contemplated under any circumstances to acquire a proprietary interest in a cause of action without any requirement of the client.

The committee dictated: "shall not;" these rules define proper conduct for which failure to conform as dictated provides a basis for invoking the disciplinary process.

HCBA Board for 1989-90 - Members of the board of the Hinds County Bar Association for the coming year are: front row, from left, Leonard D. Ynghale, Jr., vice president and president-elect; Judith J. Johnson, president, and Richard A. Montgomerie, Jr., secretary-treasurer. Back row, Harold D. Wynn, president-elect; John H. Day, secretary; David L. Erwin, treasurer; Alton H. Harvey, Jr., past president; Richard A. Courtright, director; and F. Hall Bailey, past president of the Jackson Young Lawyers. Not pictured is Richard B. Courtright, director.

Supreme Court Support Services
By Susan Hicks

State Librarian

The 1989 Mississippi Legislature has passed H.B. 2442, effective July 1, 1989, amending Sects. 39-1-1 through 39-3-1, Miss. Code Ann. (1972), to place the State Library under the supervision and control of the Mississippi State Supreme Court and to vest the court with the authority to promulgate rules and regulations for the operation of the Library. The Library will function separately from the general现已and, in, the shared resources and expertise throughout the consolidated body in legal and fiscal matters and systemic management. Systematic operations will free administrative staff somewhat to concentrate their activities on library management and enhancement of public services.

Three new services are currently provided: (1) Photocopying and accounts receivable services were expanded recently. You now have three payment options for fee-based services: 1) by cash or check, 2) by billing per transaction payable upon receipt of bill, or 3) by a monthly billing service. In this last named method, the Library will keep a record of all charges for the month and send a statement with each receipt of each transaction. Remittances can be made once a month. The first charge of a new month is made. It is a $2 per month assessment for this service. Photocopying requests may be placed both by mail and by phone. Requests will be filled by the Library staff within half a day of receipt.

Another new service, offered as of May 1, 1989, by the Court through the Clerk of Circuit Court, Hinds County Courthouse, provides an additional service to the Supreme Court opinions. Specifically, this subscription service is available for the 395 opinions of the Court, opined on the day the cases are decided. You may opt to receive financial assistance to the client by advancing court costs and expenses of litigation and may condition repayment on the actual outcome of the matter. If the client is indigent, the lawyer may pay the court costs and expenses of litigation without any requirement that the client repay the lawyer.

Our note that the exceptions to the rule, which in general state that a lawyer shall not provide financial assistance to a client in connection with pending or contemplated litigation, only apply to financial assistance for court costs and expenses of actual litigation. The exceptions do not provide for advancement or paying of court costs and expenses that the client may have other than court costs and litigation expenses.

HCBA Committees Appointed for 1989-90
President Judith J. Johnson has appointed 23 committees to serve during 1989-90. The committee chairman, vice chairman (or co-chairmen) are:

Al Hoc Committee on HCBA Room in the Courthouse
Lois Thompson Greaves, Chmn.; R. Folsom Thompson, Vice-Chm.

Bank and Bar Relations
John H. Downey and Harrison D. McVey, Co-Chms.

Black Lawyer Participation in the Profession
Richard B. Chase, Chmn.; Hal Donaldson, Vice-Chmn.

Budget and Finance
A. M. Edwards, Chmn.; Gravette Tate, Vice-Chmn.

By-Laws
Cyndy Lee Perry, Chmn.; Terry K. Rushing, Vice-Chmn.

Continuing Legal Education
C. E. H. Child, Chmn.; DeAnna Smith, Vice-Chmn.

Law Related Education
Wm. (C.) Nichols, Chmn.; Mary Lawrence Greer, Vice-Chmn.

Legal Aid
A. Spears Gibbon III, Chmn.; Owen G. English, Vice-Chmn.

Legal Economics
R. L. Bunnell, Chmn.; R. C. Wilkerson, Vice-Chmn.

Legislative
H. R. C. Shasta, Chmn.; J. W. Hennigan, Jr., Vice-Chmn.

Legal Education
C. W. Johnson; H. S. Law, Chmn.; Clifford C. Thompson, Chmn.; W. Wilson Golden, Vice-Chmn.

Membership
J. W. Hooker, Chmn.; J. B. O'Bannon, Jr., Vice-Chmn.

Newsletter Editorial Board
Annice Davis, Chair; Robert C. Wilkerson, Vice-Chmn.

Paralegal Award
Judith J. Johnson, Chair; R. C. Wilkerson, Vice-Chmn.

Pro Bono
R. L. Bunnell, Chair; John T. Gates, Jr., Vice-Chmn.

Public Information
Pamela Johnson, Chair; Michael J. Harvey, Jr., Vice-Chmn.

Public Relations
Susan Hicks, Chair; Mary H. Smith, Vice-Chmn.

Publicity
D. R. Clark, Chair; C. D. Moore, Vice-Chmn.

Referral
John H. Downey, Chair; Hal Donaldson, Vice-Chmn.

Small Firm
Richard D. Roberts, Chmn.; Robert W. Crockett, Vice-Chmn.

Social
J. C. Easter, Chair; Emma Long, Vice-Chmn.

Student
G. F. Davis, Chair; Kim Reynolds, Vice-Chmn.

Women in the Profession
D. L. Huggins, Chmn.; Margaret Williams, Vice-Chmn.

February Bar Exam Results
Catherine Baker, executive secretary of the Mississippi Bar Association, announced that 79.4% of the examined candidates taking the February 1989 bar examination attained a passing score. Ninety-seven percent took the test; seventy-seven passed it. This compares with previous testings as follows:

July 1988 75.1%  
February 1988 85.4%  
February 1987 83.1%  
February 1986 80.6%
Martin-Hovis to Speak at June HCBA Luncheon

Pam Martin-Hovis is the owner of The Turning Point, an outpatient treatment center for major addictions located in Jackson. She has been working in the field of addiction for twelve years. She earned her Bachelor's Degree in Psychology from Mississippi University for Women, and she holds a master's level certification in Alcoholism and Eating Disorders.

A pioneer in the field of eating disorders in Mississippi, Martin-Hovis is the author of the forthcoming book The Grazing Syndrome: Losing Weight Forever.
President's Column

Judith J. Johnson

I want to thank Fulton Thompson and Linda Greaves for their work on the Bar Room Committee. The Bar Room, as we affectionately call it, is the present empty room in the new Hinds County Courthouse which is dedicated to the HCBA. The Board voted last year to furnish the room as a lounge for members to use when dallying at the courthouse.

Michael Grogan, interior designer, has drawn a plan for us, consisting of two seating areas, one with a table and chairs, the other with a sofa and armchairs. We will have two telephone lines for local calls.

Fulton is presently contacting firms and individuals for contributions. The donation categories are: Associate ($100); Partner ($250); Leader ($500); President's Club ($1000). There will be a reception for the donors and a plaque for each category. We welcome contributions in any category or any kind. We have one framed photograph of the HCBA in 1933 which should add interest. We are also receiving memorial contributions. Fulton will be glad to hear from you if you wish to contribute. Please call him at 354-5910.

A View From The Probate Bench

by Chancellor W.O. Dillard
Fifth Chancery District
Hinds County, Mississippi

The Uniform Rules of Chancery Practice were approved by the Mississippi Supreme Court and became effective on February 1, 1989. Rules concerning probate matters are Rule 6.01 through 6.17, and are found at pages 473 through 477, Mississippi Rules of Court - State and Federal, 1989, West Publishing Company. These rules are self-explanatory; however, they should be reviewed prior to presenting a probate matter. There are also local rules for the Fifth Chancery Court District which were adopted and were made effective on the same date, and local rules should be reviewed as to the particular chancery court district where the matter is to be presented.

There were a number of amendments to our statutes and some new legislation in 1989 concerning matters which must be followed. Some of these are as follows:

1. Chapter 311, House Bill No. 1171, provides that in civil actions based on fault, the liability for damages caused by two or more persons shall be joint only to the extent necessary for the person suffering injury, death or loss to recover 50% of his recoverable damages. This bill also amended the statute of limitations on certain actions, limiting the general $15-1-40 to three years, and also amended §75-17-7 to...

...continued on page 2

A Few Thoughts On Motivation of Lawyers

by David B. Grishman
Chairman
Legal Economics Committee

Because individuals desiring to become lawyers must first proceed through a course of training marked by its competitiveness and rigorous scholastic demands, many assume that all lawyers are intrinsically motivated. While many lawyers are so motivated, there are others who are not, and it is the latter who frequently must receive a good dose of positive reinforcement. Although techniques which work in several instances may not work in all instances, there are some generalizations that prove helpful in trying to keep a staff of lawyers functioning at high levels of productivity within the structure of a law firm.

One must recognize that lawyers first and foremost are individuals with their own goals and desires. But even with their idiosyncrasies, there are a number of common stages through which all lawyers pass during the course of their professional careers. The types of motivation required for each of these stages may vary, however.

A new lawyer joining a firm frequently begins as an apprentice, learning, helping others and following directions from more experienced practitioners. The young lawyer in such an environment may be aided by a good mentor who strives to provide the new lawyer with good work...

...continued on page 4

HINDS COUNTY BAR ASSOCIATION LUNCHEON MEETING

October 17, 1989
12 Noon
$8.25
Capital City Petroleum Club

The speaker will be Louisa O. Dixon, Commissioner for the Mississippi Department of Public Safety.
November 16  
Toxic Tort or Environmental Litigation sponsored by MS Chapter Federal Bar, Jackson, MS.

November 17  
Special Issues in Corporate Practice. Sponsored by OM Center for CLE. Jackson, MS.

November 17  
Crimes, Law sponsored by MS School of Law, Jackson, MS.

November 30 - December 1  
Mastering the Art of Trial Advocacy sponsored by OM Center for CLE. Jackson, MS.

December 2-3  
Structuring & Organizing Business Enterprises. MS Law Institute, Jackson, MS.

December 4-5  

December 6  
HCBA Christmas Social. MS Bar Center, Jackson, MS.

December 19  
HCBA Membership Meeting. Capital City Petroleum Club. Jackson, MS. *

*Not approved for CLE credit.
A View continued...

Others, it would be to obtain the file when presenting a probate matter to the court, since review of these types of matters is not only tedious, but also often confusing. There are situations where the chancellor needs to know in order to approve your request. The dates of filing, items required, and the form in which work has been done and is to be done, plus fees previously allowed are all much easier for the chancellor to determine upon a quick examination of the file, and you should not defer to guess at these important factors.

These statutes, along with many others, should be read and applied properly. Where there is a question, it is certainly not the chancellor's duty to call him or her and ask for suggestions as to a matter which is unique or where you have had difficulty in finding the procedure or statute to follow. This should not open the door to corrigibility or to eliciting an opinion in advance as to how the court would rule, but should be a joint effort by the attorney and court to serve the needs of the public for which the court was established.

1. Unless the rules have been submitted and published by the Superior Court of the State of California, the local rules are not effective. In Re Application of the Local Rules Adopted by the Fifth District Committee, 526 P.2d 1229 (1974).

Motivation continued...

Assignments in a conducive work environment — not just the physical layout of the office but an environment in which understanding and cooperation are apparent. Once a law firm really begins to function as a team, the attorney, he or she may move from the apprentice stage into the co-worker stage and thereby function as an independent contributor. At this stage, the attorney should go through a reworking process and may seek to make an independent contribution to the firm's practice and work. Specialization begins to manifest itself, the lawyer may acquire additional self-esteem and confidence. A new sense of contribution to the firm may be acquired and the attorney may begin to feel a greater sense of independence in his or her professional career.

The third stage through which an attorney may pass is the supervisory stage in which the lawyer may spend more time training and interfacing with others. It is at this stage that the lawyer may feel that they are getting away from many of the more tedious and time-consuming details of practice, entertaining those tasks to others more junior. The lawyer's supervisory stage should be defined as a time of management skills and frequently may derive much of his or her enjoyment from the practice of law seeing younger lawyers develop and mature. Much of the development of the lawyer in this phase of one's career is derived from the good work of others.

Finally, a lawyer may move into the professional stage of practice in which the lawyer may move to shape the direction and future of his or her firm as a whole. It is in this stage of a lawyer's career that the lawyer generally comes to trust the organization and others within it to be directly responsive to the needs of the firm's clients. During each of these phases of a lawyer's career, the sources of motivation may be significantly different. The natural drive that may come with the demanding academic training necessary for a law career is a factor that may act in the same way, but within the context of the firm and its goals, they nevertheless should work together.

A firm may well know what it wants to achieve, but young lawyers generally have the ability to see a number of ways to achieve the same goal. Young lawyers today frequently seek sets of values tailored to their own personalities. They work not only self-interest but the practices of a personal and professional way of doing things that is meaningful and rewarding. It is not enough simply to work hard. Life must have other personal aspects if lawyers are to be able to work in a firm that is demanding and pressures demanded upon them by their chosen field of endeavor.

The most important, the decision-making role of the lawyer is a question of a firm's management. The lawyer is a member of a team to share a common vision. Such a vision will generally be enhanced individual lawyer effectiveness because each lawyer can see not only a future for himself or herself but continuing to develop his or her career within the framework of the organizational goals and objectives.

A clear vision should be sufficiently clear to be readily understandable, yet it should hold challenges to the organization as a whole. There is nothing wrong with having and respecting for the past. Of course planners believe it necessary to start with a clear slate, but preservation of the past while focusing on the future can provide a real sense of stability necessary to meet the challenges that lie ahead. An organization is not a team of individuals, but as an entity toward its future.

To assure that all of its lawyers are properly motivated, a firm can choose direction, and to do so it must have a defined goals which may be used as blueprints for guiding future actions. If all lawyers share the same core values and it units successful, the goals of the firm and its members should be realized. Concerns for excellence should not confine the lawyer's thinking to their firm's management. All lawyers within the firm should share a responsibility and take initiative within the framework of the goals of the firm without waiting for specific direction.

The principal focus of a firm's efforts should be on quality, service, responsiveness and innovation. All the lawyers within the firm should join together as a single cohesive force to achieve the commonly shared goals. Diversity within a firm generally means not just having, but being, many different kinds of lawyers, and act the same, but within the context of the firm and its goals, they nevertheless should work together.

The organizational structure of a firm should facilitate decision making at the appropriate level to get the job done. If all decisions, however, are made by the partners, the decisions are going to be made by those who are less equipped to make the decision because they are probably too far removed from the complexities of today's problem or situation. Thus policies and procedures should focus not on controlling individuals but in enabling the individuals to function within the framework of the organizational goals and objectives. They should also be clear and consistent that may come with the demanding understanding and cooperation are apparent. A new sense of contribution to the firm may be acquired and the attorney may begin to feel a greater sense of independence in his or her professional career.
Mississippi College Law Library
Needs Back Issues of The Mississippi Lawyer

Do you keep your back issues of The Mississippi Lawyer? If you have any of these issues, please call Cindi West at the Mississippi College Law Library (644-9700).

Year Vol. No. Issue Numbers
1970 17 1, 2, 4, 5, 6, 7, 8, 9, 10, 11
1971 18 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
1972 19 1, 2, 3, 4, 5, 6
1978 25 2
1980 26 10, 11

The Mississippi College Law Library is cooperating with the William Heim Company by providing them with back issues of The Mississippi Lawyer. The Company reprints the issues and makes the journal available to law libraries throughout the country.

Please help if you have these issues. If you want to keep your collection, the library will photocopy your issues and return the originals to you.

July Bar Exam Results

One hundred twenty-three new lawyers qualified for admission to the Mississippi State Bar by passing the July 1989 bar examination. One hundred seventy-eight one-applicants took the examination, giving an over-all passage rate of 71.98%. First-time takers scored 72.18% when 118 of 135 successfully completed the exam. Retakers scored 27.8% with only 5 of 18 passing. One lawyer applicant passed the attorney examination. This compares with previous test results as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Applicants</th>
<th>No. passing</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 1989</td>
<td>395</td>
<td>223</td>
</tr>
<tr>
<td>July 1988</td>
<td>700</td>
<td>400</td>
</tr>
<tr>
<td>February 1987</td>
<td>472</td>
<td>298</td>
</tr>
</tbody>
</table>

How do the Mississippi percentages rank against other states? Using the July 1988 statistics released by the National Conference of Bar Examiners, one finds that Mississippi applicants compare fairly well with those of neighboring states.

State No. of applicants No. passing %
Alabama .............................................................. 245 62.0
Florida .............................................................. 1,798 61.9
Louisiana ........................................................... 685 77.4
Mississippi ........................................................ 472 71.6
Tennessee .......................................................... 1,008 67.3
Texas ................................................................. 1,008 67.3

The law schools experienced by the successful test-takers (with the number of graduates in parentheses) were: Duke (1), Emory (2), LSU (2), Memphis State (2), Mississippi College (31), Tulane (1), Vanderbilt (1), University of Alabama (3), University of Kansas (1), University of Mississippi (65), University of San Diego (1), University of Tennessee (1), and University of Virginia (4).

The swearing in ceremony was held in the Old Capitol in Jackson on July 28, 1989. The Mississippi County Bar Association congratulates these successful new lawyers and welcomes them to the Mississippi State Bar.

Concept Home, Midway
Best Bets For Autumn
by Captain Equity

A chance to see the Cubs play baseball in October, sweater weather, and Parliament, poor-mouthing SEC college football coaches stoning their chances for victory while praising the vaunted attacks of Ohio State, Notre Dame, and the University of Florida in the South and just about everybody is happy about it. Metro Jackson is certainly no exception. September and October allow the capital city more than warm days and cool nights. Much more. But, of course, I'm not telling you anything. Try the time you read this, the first installment of Jackson's annual Autumn Classic of Culture and Enlightenment will be history and you will surely be thinking in the afterglow of memory. Of course I'm talking about Pride of Homes '89.

Every September the Homebuilders Association sponsors an autumn sale of a sales and marketing onslaught on the community area which is the logistic equal to D Day or the Children's Crusade. It starts innocently enough with the September 24th Sunday edition of The Clarion-Ledger. From your vantage point on the front door of your aging, paint-chipped, foundation-plugged house, nothing appears amiss. Oh yes, the pool looks a little shakier than usual, but you can probably explain that away by the high-powered nudes scandal in Washington or perhaps the Sovereignty Commission Flies have finally been revealed. Get to your local Indianapolis Papers and inserted in the Ledger compliment of Gannett. But no. It's the long awaited PARADE OF HOMES ADVERTISING TABLOID SUPPLEMENT which prompts an audible, albeit unmentionable sentence fragment:

"Why, did you say they were bringing Parade Magazine back?"

After clarifying your discovery to spouses and children, everyone pours a cup of coffee and sits silently.

"You know honey, if we had a new house, we could root the pool in the Great Room instead, this house is too compacted.
A Sharper Leader." You silently agree, trying not to give her any encouragement.

The homebuyer, the family carpooling towards Parade of Homes Nirvana: Tour 4 - Madison (N. Jackson). Here you will meander through a meandering array of newly built, high dollar dwellings situated proudly on huge lots or in lovely, spacious, new subdivisions. Madison County cotton fields. Once there you will exchange muffled comments with your forlorn spouse, "The house will turn blue."

"Where do you put the chair?" and "I love the built-ins." In the interest of civility, you make a point to smile inactively at the armies of real estate agents hummmed in the Gannett kitchens. Periodically, you and the family will extend to the red and white striped Parade of Homes Courtesy Tent where you will down samples of Kenwood Spring Water, provided for your convenience by the ever thoughtful Homebuilders Association of Jackson.

Your forces march through the foliage and family rooms of Trace Ridge, Wood Trace and Trace Wood-Ridge believing that to be so, but nothing in comparison with the autumn flames of the 1989 Concept Home of Dinmore. As the sun sets westward towards Tallahassee, you arrive at the subdivision (scratch that, planned community). You arrive at the planned community only to discover that you must catch a shuttle bus from a Parade of Homes Slurping Area near St. Andrews High School. After parking in Cooly (or is it Pluto?) you board a retired Golden Eagle for the short ride to paradise. Once in your seat, you realize that the assurance forces of marketing have invaded the gentle pastures of Madison County. An unfortunate,initiated, twenty-five-year-old letter from Your National Bank reads a prepared speech about legendary hometown, tree-lined vistas and planned living. "What sounded as an adventure into the remotely possible is somehow turning ugly. You fight these dark impulses, somehow trying to justify your involuntary Cyrus as simply a reaction to not being able to make payments on a $30,000 loan."

Once at the Concept Home, things are better. There are more real estate agents and more Kenwood Spring Water. There is also a big house dressed up with orangy reds and jukeboxes you suspect aren't part of the deal should you take the plunge. There are more muffled comments mixed with obligatory cohes and snubs and finally a last pink paper cup of Kenwood Spring Water.

That night you sit on the couch in the enclosed carport in a funk of a heightened awareness. Worn carpeting, hairline cracks, and scuffed baseboards scream at you and the wife as you sit silently. It's all made worse by the unspoken realization of your failure to visit one of the ESL Treasure Homes to group for the free Caribbean cruise that will now go to some undeserving grader who didn't have a paper qualifying for a thirty-year fixed mortgage. Mercifully, the realization is broken by a timely half question from your life partner:

"Isn't the fair coming up pretty soon?"

The fair. Pig races. dangerous rides. "Isn't the fair coming up pretty soon?"

"Isn't the fair coming up pretty soon?"

The fair. Pig races. dangerous rides. "Isn't the fair coming up pretty soon?"

The fair. Pig races. dangerous rides. "Isn't the fair coming up pretty soon?"
Louisa O. Dixon, speaker for the October HCBA luncheon meeting, has been Commissioner for the Mississippi Department of Public Safety since January 1988. She was formerly Director of the Investigative Audit Division of the State Department of Audit for nearly four years. She worked with the John Glenn Presidential Committee in Washington, D.C., from January 1983 until January 1984. From August 1979 until May 1982, she was Assistant Solicitor for the Office of Special Counsel, Economic Regulatory Administration in Washington, D.C. She had previously been law clerk for the Honorable Albert G. Schatz, U.S. District Judge for the District of Nebraska, and law clerk for the Honorable Donald R. Ross, U.S. Circuit Judge, Eighth Circuit Court of Appeals.

Ms. Dixon received a B.S. degree, summa cum laude, in clinical psychology from Ohio State University and a law degree from Creighton University. She is married to Wilton J. Johnson III, a partner with Ott & Purdy, Ltd., in Jackson.

Hinds County Bar Association, Inc
151 E. Griffith Street
Jackson, MS 39201

FIRST CLASS

Don't Forget Your Annual CLE Requirement

IMPORTANT
HCBA Luncheon Meeting
12 Noon, October 17, 1989