



HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

APRIL 2002



President's Column

by Patricia W. Bennett

This is my last column as President as my term ends in June. I must take this opportunity to thank the HCBA Board of Directors, Executive Director Pat Evans, the committees and chairpersons, and the general membership for your support in helping me to have a very successful year as your President.

As I reflect on my year as President and my involvement with other commissions, advisory groups and task forces, I would like to share a few parting remarks about bias. Ideas about race and gender bias range from it does not exist to seeing everything as biased. If either extreme is taken, it complicates the matter, mostly through its effect on communication and trust. Bias does exist but every action or decision cannot be considered biased.

The Gender Fairness Task Force appointed by the Mississippi Supreme Court is looking to determine whether gender bias exists in the judicial system and Bar of Mississippi. After surveying judges, lawyers and court personnel, the Second Interim Report of the Task Force has been issued. The initial project findings indicate "that there is a greater measure of unfairness toward women than men in the Mississippi court system."

Unfortunately, some individuals involved with the justice system do not see a need for the study. Consider a judge's remark, "This is, I believe, a ridiculous exercise.

Surely we have more important things to do than engage in some 'witch hunt.'"

I wish that we would take the study and report seriously. Regardless of personal feelings, which could possibly be biased, it is important that biases, perceived or real, that are believed to influence legal rights and judicial decisions are addressed and eradicated.

If the public is to respect the American system of justice, a perception of fairness is as important as the principle of fundamental fairness. All persons involved with the legal justice system, whether in the capacity as judge, lawyer, court personnel, litigant, juror or the general public as an observer should have faith that inures confidence that all persons will be treated fairly. Further, a sense of fairness and fair play in the resolution of disputes will promote respect for individual rights and should inevitably reduce contested litigation. As much as I have enjoyed my experiences in the courtroom as a trial lawyer, I believe we all would do well with less time spent there.

Conflicts, disputes, injuries, grievances and dissolution of relationships will probably always occur. However, when reasonable people expect the justice system to function without outside influences of gender, race, disability, or the economic status of the parties, people will become more interested in a remedy that empowers them with a voice and choice in settling disputed matters. *continued on page 2*

FEBRUARY MEMBERSHIP MEETING

Faye Peterson, Hinds County District Attorney, was the speaker at the February HCBA Membership Meeting. Ms. Peterson (left) is pictured with Patricia W. Bennett, HCBA President.



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HCBA LUNCHEON MEETING

Tuesday, April 16, 2002

Capital Club

12:00 Noon

\$12.00

The speaker will be Dunn Lampton, United States Attorney for the Southern District of Mississippi

CLE Calendar of Events

- | | |
|---|--|
| <p><i>April 16</i>
MS Real Estate Title Law: Problems & Solutions.
NBI. 800-930-6182</p> <p><i>April 17</i>
Writing & Revising Student Handbooks/School Issues. Lorman Business Center. 715-833-3959</p> <p><i>April 18</i>
Nursing Home Negligence. PESI. 800-826-7155</p> <p><i>April 18</i>
Annual Spring Employee Benefits Law & Practice Update. ALI-ABA Video Law Review. MC School of Law. 800-253-6397</p> <p><i>April 19</i>
MS Bar Natural Resources Section CLE.
MS Bar. 800-682-6423</p> <p><i>April 25</i>
The Thursday Thing: Neg & Settlement Skills/Trial Practice. UM-CLE. 662-915-7282</p> <p><i>April 26</i>
Family Law Update. UM-CLE. 662-915-7282</p> <p><i>May 3</i>
MS Bar Labor & Employment Law Section CLE.
MS Bar. 800-682-6423</p> <p><i>May 8</i>
MS Bar ADR Section: Effective Use of Arbitration CLE. MS Bar. 800-682-6423</p> | <p><i>May 14</i>
Solving Water Intrusion & Mold Problems.
Lorman Business Center. 715-833-3940</p> <p><i>May 15</i>
Skip Tracing in MS.
Lorman Business Center. 715-833-3940</p> <p><i>May 16</i>
Public Records & Open Meetings in MS.
Lorman Business Center. 715-833-3940</p> <p><i>May 17</i>
MS Bar Family Law Section: Hot Tips CLE.
MS Bar. 800-682-6423</p> <p><i>May 23</i>
School Law Issues in MS.
NBI. 800-930-6182</p> <p><i>May 23</i>
The Thursday Things: Environmental Law Update/Ethic.
UM-CLE. 662-915-7282</p> <p><i>May 24</i>
Criminal Law Update.
UM-CLE. 662-915-7282</p> <p><i>May 31</i>
MS Bar Taxation Section: 7th Annual Tax Clinic.
MS Bar. 800-682-6423</p> |
|---|--|

HCBA Calendar of Events

- April 16, 2002*
HCBA Membership Meeting.
Noon. Capital Club
- May 9, 2002*
HCBA/JYL Evening Honoring the Judiciary.
6:30 p.m. Old Capitol Inn
- May 23, 2002*
HCBA/JYL Golf Tournament.
Noon. Annandale Golf Club
- June 18, 2002*
HCBA Membership Meeting.
Noon. Capital Club
- August 20, 2002*
HCBA Membership Meeting.
Noon. Capital Club

President's Column *continued from page 1*

Don't rush to the conclusion that I think lawyers and lawyering will become nonexistent. I believe this will necessitate a greater need for the services of legal counsel. Lawyers will have greater influence in helping parties to fashion a remedy or relief.

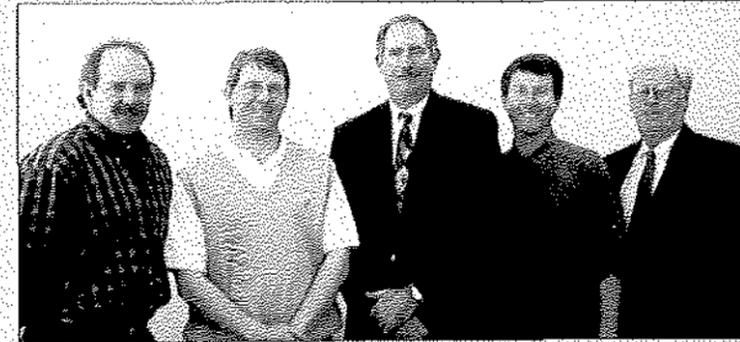
Let's just remember that in some instances bias does exist or a real perception of bias exists. Therefore, we must be careful regarding how we deal with issues and parties to avoid the appearance and any actual bias that may tend to creep in to cloud our actions and judgment. Unquestionably, bias will lead to faulty decisions.

Having served as President of the HCBA, I can genuinely state that gender and race bias have greatly diminished from what it was twenty years ago when I began practicing law. I have had the support and assistance of members of the HCBA without any perception, real or imaginary, of unfair bias. Thank you for your unwavering support and encouragement.

PICTORIAL DIRECTORIES AVAILABLE

Extra copies of the new Hinds County Bar Association Pictorial Directory are available. You can purchase a directory by sending a \$60 check to the HCBA Office, 151 E. Griffith Street, Jackson, MS 39201, and one will be mailed to you.

HCBA/JYL 2002 Golf Tournament



Planning this year's HCBA/JYL Golf Tournament are (from left to right): Keith Oberst, Chairman, and committee members: Jody Varner, Ben Piazza, Stuart Kruger and Harris Collier. Not pictured are: John Proctor, Debra Allen, Ken Miller, Bob Grenfell, Paul Miller, Kenny Griffiths and Rob Dodson. The Tournament will be held at Annandale on May 23, 2002.

2001 Golf Tournament Proceeds Presented

At the February Membership Meeting, the Hinds County Bar Association presented Phyllis Thornton, Executive Director of the Mississippi Volunteer Lawyers Project, with a check for \$9,300, the proceeds from the May 2001 Golf Tournament chaired by Jody Varner. The Mississippi Volunteer Lawyers Project provides free civil legal service to low-income citizens utilizing private attorneys who donate their time.



Pictured with Ms. Thornton (right) are Patricia Bennett, HCBA President and Golf Tournament Committee Members: Kenny Griffiths, John Proctor and Stuart Kruger.

LITIGATION ASSOCIATES

American Legal Search, LLC is actively seeking litigation associates with 0-5 years experience for two great opportunities. Both are excellent law firms offering very attractive compensation and partnership track.

1. Leading Jackson defense firm needs litigation associates with 1-5 years of experience. This is one of the best firms in the South.
2. Mid-sized, prominent Alabama defense firm needs litigation associates who are licensed in Mississippi. The firm is interested in Judicial Law Clerks as well as practicing attorneys with up to 5 years of litigation experience. Alabama license is NOT required.

All inquiries are strictly confidential.

For information, go to www.AmericanLegalSearch.com, or contact Richard G. Brock, Esq. at 205-930-9128. Email: richard@americanlegalsearch.com.

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Sophisticated business and transactions law practice. Established client base. No book of business required. Partnership. Compensation among the highest levels in the South. All in a friendly, smaller town atmosphere in North Mississippi. The firm is looking for an outstanding lawyer with 10-20 years of experience in corporate and transactions law.

All inquiries are strictly confidential.

For information, go to www.AmericanLegalSearch.com, or contact Richard G. Brock, Esq. at 205-930-9128. Email: richard@americanlegalsearch.com.

The Hinds County Bar Association and The Jackson Young Lawyers Association

invite you to join us for an

Evening Honoring the Judiciary

*Thursday, May 9, 2002
at The Old Capitol Inn
226 North State Street*

*Reception at 6:30 p.m.
Dinner at 7:30 p.m.*

*Special Guests:
Hinds, Madison and
Rankin County
State and Federal Judges*

Book Notes

by Linda Thompson

Books on tape have helped me pass many an otherwise boring hour of driving about this state. The long trek from Jackson to Tupelo has been enlivened by novels and Agatha Christie mysteries and autobiographies. On the round trip between Jackson and Pascagoula, I've laughed and cried while listening to *Angela's Ashes* and *A River Runs Through It* and other books. *Midnight in the Garden of Good and Evil* made the time fly by on a trip from Jackson to Natchez.

If you haven't tried books on tape (and now there are books on CD as well), I recommend you do so before your next solitary driving trip out of town. It's safer than talking on the cell phone, and you can pack the precious minutes with reading for which you otherwise could not find the time.

There are numerous sources for taped books. My favorite is the Eudora Welty Public Library on North State Street (for Hinds County residents). The selection is good, and there is no charge for checking out audiotapes or CD's for two weeks at a time. I'm sure other libraries have a similar policy.

The subjects are varied. There are tapes of humorous books, short stories, success advice, language studies, old radio shows, biographies, as well as novels and mysteries -- all manner of fiction and nonfiction, classic and not so classic.

At the Welty Library, there is a special Mississippi section, with selections by William Faulkner, Eudora Welty, Shelby Foote, John Grisham, Richard

Wright, Ellen Gilchrist, and others. Some of the Faulkner and Welty stories are tapes of readings by the authors themselves.

Other audiotapes are divided into fiction and nonfiction. In the nonfiction section, I've enjoyed such books as *America's Queen* (a compelling biography of Jackie Kennedy) by Sarah Bradford and *Me*, Katherine Hepburn's autobiography.

One of my all-time favorites is *Angela's Ashes* written and read by Frank McCourt. If you saw the movie and thought it too depressing, you are right, but the book, especially as read by the author, is not. His lilting Irish brogue gives life to the words of the Irish folk (mostly his family) in the book, and his singing of the childhood songs is wonderful, so much more meaningful than just reading the words without music. I could listen to it again and again.

The sequel, *Tis*, also read by Frank McCourt, is also quite good but not nearly so fascinating as *Angela's Ashes*. *Tis* is about McCourt's life in the United States, from teenage years to the present; *Angela's Ashes*, about his family and amazing childhood in Ireland, before he came to America.

You can find Shakespeare's plays on tape. These works lend themselves quite well to the taped version -- hearing the words spoken can be so much more meaningful than reading the quaint words.

If you haven't read one of the classics of American or English literature in

a while, how about Kipling's *The Jungle Book* or Hemingway's *For Whom the Bell Tolls?* Scott Fitzgerald's *The Great Gatsby* and *Tender is the Night*. Or perhaps you prefer Jane Austen and *Pride and Prejudice* or *Emma*.

On the lighter side, there are westerns by Louis L'Amour, the Mitford books about Father Tim -- Jan Karon's *A New Song* and others in the series -- and the Margaret Truman mysteries set in the nation's capital. There are novels by Tom Clancy, Mary Higgins Clark, Elizabeth George, Jack Higgins, Tony Hillerman, Stephen King, Anne Rice, and others.

And even lighter, Lilian Jackson Braun's series of mysteries starring Jim Qwillerin and his Siamese cats, *KoKo* and *YumYum*, all entitled *The Cat Who* are a clever read. In a similar vein, Dorothy Gilman's mysteries stories about Mrs. Pollifax are fun: *Mrs. Pollifax and the Lion Killer*, *Mrs. Pollifax and the Whirling Dervish*, etc.

Some of the actors and actresses who provide the audio for the books on tape are incredibly talented and must work very hard at their craft. Most of the taped books feature one person reading the entire book, and that means the person speaking must do credible dialogue for both men and women characters. Barbara Rosenblat, who reads the Mrs. Pollifax stories, and George Guidall, who does the Lilian Jackson Braun mysteries, are exceptionally

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The Consequences of a Loss in Confidence

by Captain Equity

One of the defining characteristics of the American experience has always been the feeling that tomorrow will be better than today. Old fashioned notions of individual initiative, self-reliance and hard work have transformed the American Dream into the American Reality for countless millions of native born and immigrant Americans and in the process has made this country the envy of the world. Despite the amplified voice of Anti-American sentiment frequently heard around the globe, why does everybody seem to want to come to the United States to partake of its many benefits? Can the same be said of any other nation on the face of the earth?

While all would acknowledge that America's institutions, which guarantee personal, political, religious and economic freedom, provide the environment for the realization of individual accomplishment, the true fuel of achievement has always been much more intangible in nature. It is a combination of optimism, hope and trust that nothing is impossible and that fair play will prevail.

At the end of the day, America's ongoing success story is the result of a collective sense of confidence held by its citizens. This includes confidence not only in self, but also of institutions and leaders. It is a psychological state of mind that says that the rules are fair and playing by them will pay off.

This uniquely American outlook extends to those we have entrusted with positions of leadership. It is an unwritten compact that these leaders will not betray the trust and confidence of the electorate.

Indeed, this broadly held sense of confidence is at the very heart our legal system. It is the core element of the rule of law that sets America apart from countries where official corruption is allowed to smother merit. Where greed and avarice trump initiative and ability. Where troops and police are oppressors rather than protectors.

While this sense of American confidence is exceedingly powerful, it is also decidedly fragile. When our col-

lective optimism, hope and trust in our institutions and leaders is betrayed, confidence erodes and is sometimes destroyed. Mistrust and cynicism tend to fill the void. The resulting consequences are almost always negative and are often lasting. Unfortunately, too many innocent people of good will are painted with an undeserved stereotypical brush. Inevitably, society suffers.

Consider history to illustrate the point. The Watergate break-in and cover-up not only brought down President Nixon, it also paralyzed the country and created unprecedented distrust in government institutions. Indeed, starting with the dubious conclusions of the Warren Commission Report in the aftermath of the Kennedy assassination and culminating with the Clinton impeachment, American confidence in government has been betrayed too many times by the arrogance of governmental officials, both elected and unelected. Ironically, the governmental response to 9-11 has restored much of that trust.

And lest you think I am just gang-ing up only against high government officials, consider the recent U.S. Immigration and Naturalization Service grant of visas for Mohamed Atta and Marwan Al Shehhi to enable them to take flight training in this country. This action by the INS came exactly six months to the day after these same two foreign nationals high jacked commercial jet liners and flew them into the World Trade Center in New York. It is difficult to ask Americans to sacrifice in the name of Homeland Security when governmental officials are so soundly asleep at the switch and/or are so grossly indifferent to the fundamental security issues facing the United States.

But betrayal and loss of confidence of institutions need not only be the result of governmental misconduct. The Catholic Church's policy of ignoring and later protecting ordained, collar-wearing serial child molesters has squandered much of the Church's moral authority to weigh in against the wages of sin. This stunning level of

criminal indifference toward young parishioners has unwittingly stained the image of many hard working clergy while making sure that potential priests turn elsewhere to do God's work.

It used to be that the term Certified Public Accountant was a synonym for squeaky clean. But thanks to Arthur Andersen's criminal indictment stemming from alleged systematic obstruction of justice in the Enron affair, that is no longer the case. In fact, the Enron fiasco has caused severe and lasting damage to big business, the financial markets and almost anyone with an MBA and a red tie.

Closer to home here in Mississippi, many of the same types of questions are being asked about the legal profession. I am not just talking about the standard lawyer jokes that come with the territory. My concern relates to the latest call for Tort Reform and the debate over judicial selection and performance.

Every lawyer knows that "Tort Reform" is a loaded term aimed at curbing plaintiff's rights, just as "Judicial Activism" is a euphemism for extending plaintiff's rights. Neither term has anything to do with the merits of the issues.

Every lawyer also knows that there is no such thing as an easy answer to such complex matters and that anything but a comprehensive approach runs the danger of creating more problems than solutions. With that said, there are indeed legitimate issues at stake that profoundly affect our state and its citizens. Failure of the bar to take a leading role in the debate has and will most likely continue to erode public confidence in the legal profession. The alternative to addressing legitimate issues from the inside out is to have others do it for us. In fact, there is already a bill in Congress that would federalize all lawsuits involving two million dollars or more.

Rather than see this debate played out in full-page newspaper ads and the letters to the editor section of the state's newspapers, would it not be a good idea

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Book Review by John Land McDavid

The Bermuda Indenture

by Strudwick Marvin Rogers (Court Street Press, Montgomery, Alabama; The Bermudian Co., Ltd., Bermuda, \$18.95, 286 Pages)

Strudwick Marvin Rogers, University of Alabama Phi Beta Kappa and General Counsel of the Alabama Oil and Gas Board, has drawn on his travels to Bermuda, New Orleans and other places, his life growing up in Butler, Alabama, familiarity with oil and gas exploration, and his legal experience to create a fast-moving, historically accurate novel which any Mississippi lawyer will find a fun read.

Rogers' story begins in 1860 in Bermuda with a ship sailing for Wilmington through the Yankee blockade carrying an important document destined for recordation in Alabama. It ends in 1995 in Choctaw County, Alabama, with a descendant of a New Orleans quadroon winning a verdict, the value of which in oil and gas royalties would make Mississippi's more successful trial lawyers respectful, if not envious.

In between these bracketing events, the characters move through times and places familiar to many HCBA members -- including catching a train in Meridian, dinner at Galatoire's,

strolling in the French Quarter, cotton futures, and oil and gas exploration in the piney woods of Alabama.

The book reads like a John Grisham novel, but there is a difference. In many of Grisham's novels, the hero is a struggling, young plaintiff's lawyer trying to do the right thing. In *The Bermuda Indenture*, the main character is a World War II veteran and over-the-hill county seat real estate lawyer trying to do the right thing.

The Bermuda Indenture received excellent reviews in Bermuda, with the *Mid-Ocean News* (Hamilton) saying, "Humorous, poignant, dramatic and always interesting, this is a hugely enjoyable book." The book frequently has been on the *Birmingham News* best seller lists.

In addition to book signings in Bermuda, Alabama and New Orleans, Rogers has held signings in Cleveland, Greenwood, Delta State University, Square Books in Oxford and Lemuria in Jackson. *The Bermuda Indenture* is on sale at Lemuria.

GOLF OUTING JUST FOR LAWYERS

(All Lawyers and Judges in Hinds, Rankin & Madison Counties are eligible.)

10th Annual



HINDS COUNTY BAR ASSOCIATION and JACKSON YOUNG LAWYERS

GOLF TOURNAMENT

Thursday, May 23, 2002

Shotgun Tee Off: 1:00 p.m.

Hamburger/Chicken Buffet 12:00 noon

Annandale Golf Course (Soft Spikes Required)

All proceeds from the tournament will go to the

MISSISSIPPI VOLUNTEER LAWYERS PROJECT

4 Person Scramble*

Limit 116 Persons

COST ONLY \$125 Per Player includes Lunch and Post-Tournament Cocktail Party

**REGISTRATION FORM
DEADLINE, MAY 7, 2002**

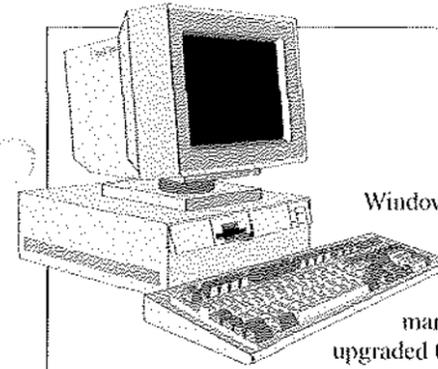
Name _____ Your Handicap _____

Address _____ Team Members _____ Handicap _____

Phone _____

*Each competing "4" must have a combined handicap of at least 40 or more with only 1 member having a handicap of 10 or less.

Must send check with registration, and checks should be payable to: Hinds County Bar Association, c/o Debra Allen, 812 N. President Street, Jackson, MS 39202. For more information call, Debra at 353-0001.



On Computing

by Joel Howell

Windows XP has now been out long enough for the first service release, and this is an opportunity for the many of you who have not upgraded to determine if it might be appropriate.

It almost universally appears that the best time to upgrade is when buying a nice shiny new desktop or laptop computer. The next best option is a clean installation from scratch, which will require backing up all your data, reformatting your hard drive, and restoring all the programs. While the latter might be daunting, the former is a good time to upgrade to a newer, faster machine. Keep the old one and network it in; with a good tech, you can then transfer needed programs and data to the old machine.

Following the NT/Windows 2000 Professional tradition, XP is a very stable product and very difficult indeed to crash. The Windows 95/98/ME family required periodic reboots to stop memory leaks and low resource problems, something XP generally does not require.

XP is also more intuitive. The interface generally gives you a set of choices that are appropriate exactly when you need them. For example, putting a CD-ROM in the drive gives you a sensible set of choices. Hardware installation is also smoother, but note that there are any number of applications that require XP-tuned versions to function properly.

XP also offers built-in applications for remote function, memory management, faxing, general utilities, and version restore, none of which were previously included in the operating system.

All in all, for new computers, XP (preferably XP Professional as opposed to XP Home) is the best way to go.

For upgrades, if you are a Windows 98 Second or ME user, your benefits will be of a lesser degree, but still worth the upgrade in many cases.

If you have not yet added a firewall to your office or home computer, it is now absolutely essential to do so if you have a DSL or cable modem connection, which is always on.

While there are a number of effective products, Zone Alarm remains the freeware of choice, although the Professional 3.0 version does have a number of benefits. (By the way, the freeware version of 3.0 will be available later in April).

Zone Alarm Pro provides everything in the freeware version, plus ad blocking, cookie management, and Alert Advisor, all of which are decidedly worth having.

Either version of Zone Alarm, depending upon its set-up, will alert you to potential intrusions and ask whether the program wishing to access your PC or wanting to access the Internet is authorized. The Zone Alarm Pro Advisor goes further and actually displays the geographic location of a hacker. Cookie manager prevents third party sites from transmitting personal information, but allows it from sites you authorize. The ad blocking component can be very handy for eradicating all the pop-up ads that appear any time you access a number of common sites. Zone Alarm Pro also monitors more than thirty email file attachments and quarantines them so you can examine them later with a good virus killer. In that regard, Norton Anti-Virus 2002 or McAfee are good choices.

Questions or comments? Send email to webmaster@hindsbar.com.

Captain Equity *continued from page 5*

for the leadership of the bar to establish an institutionalized forum comprised of trial and defense lawyers to debate issues of concern to the bar and the public?

A possible model is the Virginia Bar's Boyd-Graves Conference comprised of the top members of the plaintiff and defense bars. They meet annually to discuss issues of interest to the legal profession and the public. The Conference drafts and publishes position papers, suggests legislation and sometimes even agree on reform measures. In so doing they do the State of Virginia a true professional service while ensuring against the loss of public confidence in the bar.

Why not try it in Mississippi? I'm sure the state's two law schools would be eager to offer their facilities and resources to raise the level of discourse from the current bumper sticker mentality to a reasoned and informed discourse that could serve as a basis for the creation of sound public policy. There is much to gain and very little to lose.

[Editor's note: The viewpoints expressed in this column are solely those of Captain Equity and are not to be attributed to the Hinds County Bar Association, its officers and directors or its editorial board.]

Book Notes *continued from page 4*

good at using a different voice for each different character.

If you are going to be in the car for any length of time, I suggest you look for the unabridged versions of the books. Especially for the true literary selections, like Fitzgerald's work. Otherwise, you miss the beauty and power of the language that made the books great in the first place.

There are other places besides a library to check out books on tape. Blockbuster and Video Library have a good selection of audiotapes. Video Library is where I found Carl Sagan's *Contact*, a great listen, along with many fairly current novels. Video Library has all the Harry Potter books. A friend found *Bridget Jones' Diary* at one of these places and thought it a hilarious read.

Blockbuster at Maywood Mart charges about \$4.50 for a full week's rental. Video Library at Deville Plaza charges \$3.49 a week for each audiotape.

Cracker Barrel Restaurants have a limited selection of audiotapes, for about \$3.00 a day. You buy the tape at full price, then get money back when you turn it in - at any Cracker Barrel anywhere. Of course, you can buy books on tape at any book store.

Highway Eats

by the Road Lawyer

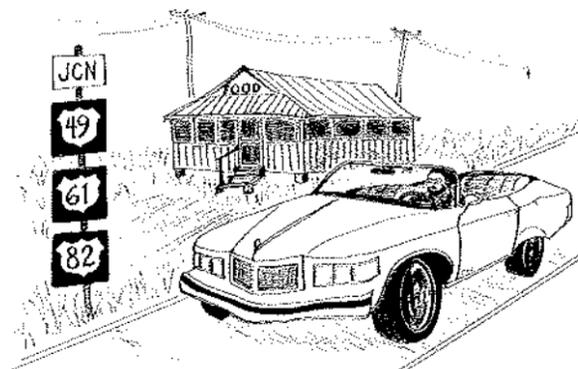
Have you noticed that sushi restaurants are popping up all over the place these days? Obviously the success of Little Tokyo has been the inspiration for other Japanese restaurants. There are several new places in Jackson, and the competition is stiff. I've tried Haru Sushi and Grill on Ridgewood Road, just north of Adkins Boulevard, and Nagoya, which is in the shopping center at I-55 and County Line Road, between PetsMart and Target.

All these restaurants are small. Haru is a very quiet, brightly lit place, as yet relatively undiscovered. The staff are very attentive and courteous. There is a long sushi menu with some delicious and different rolls. The Haru Roll is exceptionally good, a big roll of several fish and avocado and then fried. I tried the Rock-N-Roll, another fat roll of tempura shrimp, snow crab, avocado and something crunchy. Both of these are served with complex, complimentary sauces. The salad dressing can't compare to Little Tokyo's light green confection. But all in all the food is very good.

Nagoya is a little more swinging place, with a full bar that also has a selection of wine other than plain white or pink. The bar has a television. There is also a sushi bar, a section with booths, and another section with tables for four. When I was there in the evening, the staff were quite accommodating, and the lights were pleasantly low. The menu has a Louisiana flair - I was told the owners are from New Orleans. I drooled over one item in particular, fried oysters, but was disappointed that they were out of oysters that evening. The sushi came in generous portions, and everything but the octopus was quite good. No one serves tender octopus like Little Tokyo.

The competition among the sushi bars has been good for the consumers. Sunday lunch is now a standard among all the Japanese restaurants. Haru and Nagoya are open every day.

Gulfport has had a sushi restaurant for a long time: Sho Ya on Highway



49 at Pass Road, and I've enjoyed many a lunch there. Now Hattiesburg and even Tupelo have sushi places.

In Tupelo, it's the Ichiban Japanese Grill on North Gloster (between Main Street and McCullough Boulevard) that serves sushi and other Japanese dishes for lunch and dinner every day. Look for a small ice blue building with a very blue roof. There's no sushi bar at Ichiban, just booths and tables, and CNN on the television. I had a good sushi lunch there one day, with a sweet seaweed salad and a fine cup of tea.

Sakura is the "Fine Japanese Dining" establishment on the east frontage road of Highway 49 (just north of Hardy Street) in Hattiesburg. Open every day for lunch, including Sunday, it's a fairly large place. I thought the salad dressing too garlicky and the food not up to Little Tokyo's standards. I'll try it again, though. Little Tokyo is just the gold standard that others will have a hard time meeting or beating.

Back to more typical Mississippi fare - on a recent trip to Scott County, I stopped in for lunch at the Santa Fe

Steak House & Grill in Forest, just south of Exit 88 off I-20. Turns out the Santa Fe is the same as when it was Penn's Fish House; as a matter of fact, it's "Penn's Santa Fe." The parking lot was full of pickup trucks, my idea of a good advertisement for the food, and the restaurant was full of folks that looked like they should have been at Weight Watchers instead. I knew why after I surveyed the all-you-can-eat buffet. For \$6.99, you can

have fried chicken, fried catfish fillets, lima beans, green beans, macaroni and cheese, a salad from the loaded salad bar, homemade corn muffins, store-bought rolls, and peach cobbler. This place is contributing heavily to the obesity problem in this state (pun intended).

I ordered from the menu to get a whole fried catfish - it's always best cooked on the bone. The catfish was perfectly fried in peanut oil (cholesterol friendly) and was not greasy. The cole slaw was chunky and very lightly dressed, not sweet or mayonnaisey. The fries were good, and the hush puppies had hunks of sweet onion inside.

The Santa Fe menu also offers hickory smoked barbecue, mesquite-wood-grilled steaks, various burgers and poboyos, chicken on a stick, long-neck beer, and coffee by the thermos. I know why the parking lot was full.

Any comments or recommendations? Please contact The Road Lawyer in care of the webmaster@hindsbar.com.

Stuart Kruger Attends ABA Leadership Institute

Stuart Kruger, Secretary-Treasurer of the Hinds County Bar Association, joined some 250 other emerging leaders of lawyer organizations from across the country at the American Bar Association's Leadership Institute, March 7-9, 2002.

The Leadership Institute is held annually in Chicago for incoming officials of local and state bars and special constituency lawyer organizations. The seminar provides the opportunity to confer with ABA officials, bar leader colleagues, executive staff, and other experts on the operation of such groups.

Various ABA entities briefed the participants on resources available from the ABA. Sessions were held on bar organization and management, justice system issues and communication techniques.

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HCBA Committee Preference Survey

Committees are vital to the programs and activities of the HCBA. Committee effectiveness depends on the selection of interested, experienced, and capable members. Bar committee work is an excellent way to do your part in promoting the profession. Committees meet regularly and a free lunch is provided. Please assist us by completing the questionnaire and returning it by May 1, 2002.

William R. Wright
President-Elect

1. I am interested in serving on the following committees (indicated in order of preference):

- | | |
|---|---|
| <input type="checkbox"/> Bench & Bar Relations | <input type="checkbox"/> Newsletter Editorial Board |
| <input type="checkbox"/> Black Lawyer Involvement | <input type="checkbox"/> Small Firm Practice |
| <input type="checkbox"/> Budget & Finance | <input type="checkbox"/> Social |
| <input type="checkbox"/> Community Service | <input type="checkbox"/> Women in the Profession |
| <input type="checkbox"/> Continuing Legal Education | <input type="checkbox"/> Suggested New Committees: |
| <input type="checkbox"/> Golf Tournament | _____ |
| <input type="checkbox"/> Law Related Education | _____ |
| <input type="checkbox"/> Membership | |

2. I am willing to chair the following committees: _____

3. I offer these suggestions to make the HCBA more effective: _____

Name _____

Firm/Agency _____

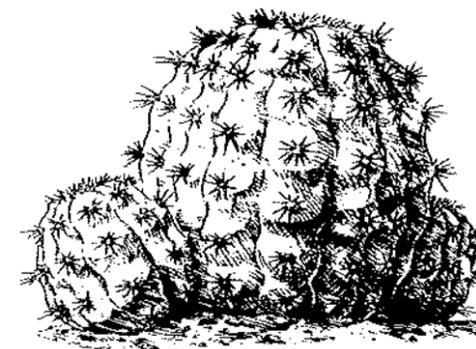
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City _____ State _____ Zip _____

Telephone (Business) _____ Residence _____

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Mail to: Patricia Evans, HCBA Executive Director, 151 E. Griffith Street, Jackson, MS 30201, or Email: pevans@mc.edu



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Saturday	9:00 am - 9:00 pm
Sunday	noon - midnight

EXAMS

Friday, April 26, through Wednesday, May 8, 2002

Monday-Friday	7:30 am - midnight
Saturday	9:00 am - midnight
Sunday	noon - midnight
Thursday, May 9	7:30 am - 6:00 pm
Friday, May 10	7:30 am - 6:00 pm
Saturday & Sunday, May 11 & 12	CLOSED

For more information please call 925-7120.
Subject to change without prior notice.

HCBA ELECTION RESULTS

Congratulations to our new officer and directors!

Secretary-Treasurer - Ruma Haque

Director-Post 3 - John C. Henegan

Director-Post 4 - Rhonda C. Cooper



HINDS COUNTY BAR ASSOCIATION

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Correspondence regarding the newsletter should be directed to: HCBA Newsletter Editor, 151 E. Griffith Street, Jackson, MS 39201. Letters to the editor must be signed, but the writer's name will be withheld upon request. Telephone inquiries should be made to the Executive Director at 969-6097. The web site address is hindsbat.com.

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12:00 Noon, April 16



HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

AUGUST 2002



President's Column

by William R. Wright

Taylor & Ruma

Since our last newsletter we lost two young Hinds County lawyers. Taylor Simmons died of Lou Gehrig's Disease after a lengthy illness. Ruma Haque died suddenly in an automobile accident. Taylor was in private practice while Ruma was in government service. Taylor was married and the father of three children. Ruma was single and survived by her loving mother and many other relatives.

While they were different in many ways, Taylor and Ruma were very much alike in that they were admired by so many. Most of us did not realize until after they were gone the extent to which they were both loved by thousands of people from all walks of life, in this community and beyond. On reflection, I recall that whenever I would see either Taylor or Ruma heading my way, I knew I would be greeted warmly and sincerely -- Taylor with an affectionate handshake and Ruma with her "patented"

hug. Both were valued friends of mine and many others and are sorely missed in the Hinds County Bar and in the community.

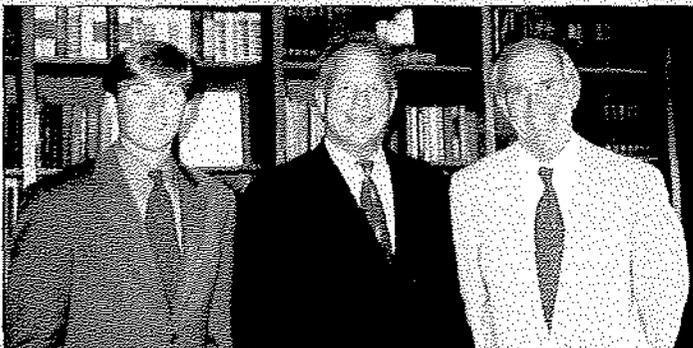
Special Election

Ruma's absence at the July meeting of the HCBA Board of Directors Meeting was painful to us all. She faithfully and energetically served on our board for several years and was our Secretary-Treasurer, a position that put her in line to be HCBA President in 2004. She would have been terrific in that office.

Our by-laws require that we have a special election to fill Ruma's office of Secretary-Treasurer. A nominating committee of five has been appointed and will meet on August 1 to select two nominees to be placed on the ballot. All of you will be

continued on page 2

JUNE MEMBERSHIP MEETING



Dickie Scruggs (right) was the speaker at the Hinds County Bar Membership Meeting in June. He is welcomed by his son Zach Scruggs, a member of the HCBA, and William R. Wright, Hinds County Bar Association President.

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HCBA LUNCHEON MEETING

Tuesday, August 20, 2002 Capital Club 11:45 a.m. \$20.00 for CLE (Ethics Hour) & Lunch

No Advance Registration

CLE Program Presented by: Pat Scanlon, Scott Welch, Richard Bennett & Reuben Anderson

HCBA CALENDAR OF EVENTS

August 20, 2002
**HCBA Membership Meeting
& One Hour CLE Ethics**
11:45. Capital Club

October 15, 2002
HCBA Membership Meeting
Noon. Capital Club

December 5, 2002
HCBA Christmas Social
5:30-7:00 p.m.
Place to be Announced

February 18, 2003
HCBA Membership Meeting
Noon. Capital Club

April 15, 2003
HCBA Membership Meeting
Noon. Capital Club

May 8, 2003
**HCBA/JYL Evening Honoring
the Judiciary**
6:30 p.m. Old Capitol Inn

CLE CALENDAR OF EVENTS

September 10
**Mechanics' Lien Law &
Strategies in MS**
NBI 800-930-6182

September 10
Nursing Home Litigation
Lorman Business Center
715-833-3904

September 12
**Home Equity
Lending/Home
Construction Lending**
Lorman Business Center
715-833-3904

September 13
**Taking & Defending
Effective Depositions**
Lorman Business Center
715-833-3940

September 13
**Covenants Not To
Compete**
Lorman Business Center
715-833-3940

September 17
**How To Litigate Your
First Civil Trial in MS**
NBI 800-930-6182

September 23 & 24
**Business Entities
Taxation**
MS Association of
Public Accountants

October 4
**Conducting An Effective
Cross-Examination**
Lorman Business Center
715-833-3940

President's Column *continued from page 1*

given ample notice of the scheduling of the election. The committee members are Pat Bennett, Bob Grenfell, La'Verne Edney, Stuart Kruger, Vicki Stringfellow and this writer.

Bench-Bar Relations

Judge Swan Yerger, Hinds County Senior Circuit Court Judge, has expressed an interest in opening a dialogue between his court and the Bench-Bar Relations Committee of the HCBA. David Maron is chairman of that committee and will follow up on Judge Yerger's suggestion. The object is to make the circuit court aware of any problems local lawyers may have with court rules, procedures or policies. Further, this will provide an opportunity for lawyers to offer constructive

suggestions to the court that may help with the overall operation of the circuit court. If any of you would like to participate with the committee in this project or offer suggestions, please call or e-mail David at 601-351-2477/dmaron@BDRC.com.

Future Programs

Customarily, the HCBA offers at our August membership meeting one hour of CLE in the ethics area as an accommodation to our members who need that elusive additional hour of CLE for the current year. This year, we invited all of the former presidents of The Mississippi Bar from Hinds County to speak briefly on ethics. Invited were Joe Daniel, Sherwood Wise, Erskine Wells, Pat Scanlon, Alex

Alston, Scott Welch, Reuben Anderson and Dick Bennett. Unfortunately, four of that group will not be able to make the meeting, but we will have Pat, Scott, Reuben and Dick present to give us their thoughts about the most significant ethical problems facing the bar today. Each will speak about 10 minutes which will leave a few minutes for questions. It will be a great program presented by four outstanding attorneys with vast knowledge and experience.

Our speaker for October 25 will be Haley Barbour of Yazoo City and Washington, D. C. He will need little introduction and will, as always, thoroughly entertain the crowd. Come early because there will be a full room.

Goodbye, Ruma

NOVEMBER 30, 1962 - JUNE 20, 2002

On June 20, 2002, the Hinds County Bar Association lost one of its most beloved members. Ruma Haque, at the young age of 39, was killed as the result of an automobile accident on her way to Memphis. Beloved is not a term usually associated with an article about the passage of one of our members no matter how accomplished or well thought of. However, in this case it certainly fits. Ruma was loved by all who knew her.

Her accomplishments as a lawyer are amazing for one so young. Since 1989, she had served as Attorney for the Hinds County Board of Supervisors. Her peers recognized her outstanding accomplishments in that role by electing her as Chairman of the Government Law Section of The Mississippi Bar and later as President of the National Association of County Civil Attorneys. Ruma also served in many leadership roles in both the Jackson Young Lawyers Association and the HCBA. At her death she was the Secretary-Treasurer of the HCBA, which meant she would have been our President in two years.

Ruma was actively involved in all aspects of Jackson's civic and social life. Formally, she was President of Encore!, a division of the Arts Alliance, Vice-President of the Mississippi Sports Hall of Fame and Museum, Vice-President of the Crossroads Film Society, on the Boards of Directors of the Arts Alliance and Jubilee! Jam, and a member of the Hearts Against Aids Commission and the Junior League of Jackson. Informally, she was THE social director and arts promoter for the City of Jackson. Her e-mail list was famous and she was always letting you know which local artist was performing at Hal & Mal's, or when her beloved Ice Bandits were going to be in town.

No HCBA or JYL meeting or social activity was complete without Ruma's presence, and it will be a long time before we will be able to overcome our sense of lost at her absence from future such meetings. I will particularly miss her presence at the annual HCBA/JYL golf tournament. Although she didn't play golf, Ruma volunteered to drive the refreshment cart for all ten years of the tournament. She was an integral part of the tournaments' success over those years.

Goodbye, dear Ruma.

Ben J. Piazza, Jr.



What Has Happened to the American Dream?

by Captain Equity

To say that the last 365 days haven't exactly been the best of times for the USA would strain the concept of understatement. Starting with September 11 and working through the meltdown of almost every pillar of the American establishment from the stock market right down to the Catholic Church, one wonders what happened to get us in this fix. Did corporate officers, priests, CPAs, charities, airport security screeners and yes, lawyers, (we always seem to make the list) among many others, all meet under a full moon late last summer to make a pact with the Devil to see if the American Dream could be turned into a nightmare within a year's time? On a particularly depressing news day, it certainly seems that way. But on closer inspection, there are more rational explanations that should surprise no one. Like walks in the wild and participation in historic events, one seldom appreciates the full significance of the experience until it's over. The same can be said of the danger signals that should have told us that 2001-2002 was almost certain to arrive.

Actually, the current excesses are rooted in good, old-fashioned American ambition. While achievement has always been an engine that drives the American dream, it seems to have intensified in the past decade. Thanks to a competitive culture that glorifies winners and disdains losers and a cable-heavy broadcast media that makes overnight folk heroes out of millionaire entrepreneurs, athletes, recording artists, actors and models, unreal expectations exist for young people today as never before. In the brave new world of go go, materialistic America, impatience is equated with ambition and instant gratification has become an entitlement. "Succeed Now! Succeed Big Time!" is the cultural command screamed at us daily with the annoying decibel level of Chris Matthews on "Hardball" after three Starbuck's double espressos. Success in 2002 is defined as a combination of glamour, power, money and sex appeal where the ends justify the means and shortcuts are the order of

the day. Talk of ethics predictably receives its proper level of politically correct mention, but decisions are to be made on the basis of pragmatism. Form over substance is the new organizing principle of the global economy.

This was the attitude that took hold during the optimism of Bill Clinton's early days in Washington and subsequently went on to fuel the 90s. Even most skeptics eventually bought into the idea of a "New Economy" at some level fearing they would miss the unprecedented stock market run up. For all the indignant and outraged investors today, not many were asking questions back when the only direction was up and everyone was suddenly an investment genius.

So how did this happen? One answer has to do with decades of federal government fiascos. By the 90s, the public had largely lost confidence in government to be truthful and/or to effectively solve problems. A new breed of politicians led by Ross Perot and our own Kirk Fordice preached the new sacred mantra, "Let's Run Government Like A Business." Remember?

A quick survey of the past forty years provides apt and numerous illustrations of why trust in government had fallen to an all time low. In the 1960s, President Johnson sent Americans to die in Vietnam knowing all the while the war could not be won. In the 70s, President Nixon gave us Watergate. A decade later President Reagan gave us the Iran Contra scandal. And, of course in the 90's, President Clinton gave us all a textbook lesson in deceit, or as he would probably prefer to define it, "truth avoidance." This led to his impeachment and a corresponding boost in the American cynicism quotient. Each one of these little Executive Branch escapades, not to mention countless Congressional failings, eroded our collective sense of trust while giving a tacit nod to others in positions of power (read CEOs, CFOs, CPAs, and Stock Analysts) that maybe "truth avoidance" isn't so bad, especially

when the ends justify the means. For LBJ the justification was ego; Nixon, paranoia; Reagan, personal conviction and pragmatism, albeit illegal; and Clinton, personal and political preservation. For the corporate truth avoiders, "aggressive accounting" is all about maintaining their fast track careers, lifestyles and personal fortunes.

To the average investor, the run up of the stock market and the sudden and unexpected era of government surplus was seen as a triumph of the market economy. The new celebrity status of NASDAQ, the Dot Com boom and the phenomenon of instant paper millionaires created by IPOs fostered irrational exuberance. Instead of crediting government policy, celebrity entrepreneurs like Bernie Ebbers and more traditional captains of industry like GE's Jack Welch got the credit and became stars with the considerable help of CNBC and other financial media cheerleaders.

Even when the bubble began to burst, nobody wanted to believe it was anything more than a temporary correction. The market would be back. How did we know? Business wouldn't let us down like government had. They were different. They could be trusted. Unfortunately, the mindset of instant gratification brought about by a form over substance approach to everything from accounting to stock analysis had firmly taken root in the corporate world by March 2000. With the demise of confidence in government and a movement to deregulate broad sectors of the economy, this new breed of corporate player had become the self-appointed gatekeeper of the American Dream. Based on the soaring value of America's 401K accounts, we came to trust them implicitly and blindly. Only recently have we uncovered the breathtaking scope of betrayal of that trust and as Zig Ziglar would say, we have developed a bad collective case of "hardening of the attitude."

So how can the excesses be corrected? The obvious steps are already

continued on page 12

Tri-County Lawyers Honored at Destin

The hard work on the part of metro-area lawyers to improve the bar and provide legal services was recognized at the Annual Meeting of The Mississippi Bar in Destin in July.

Phelps Dunbar partner and former Mississippi Supreme Court Presiding Justice Fred L. Banks, Jr. was one of the recipients of the "Chief Justice Award" presented by Chief Justice Edwin Lloyd Pittman. The "Curtis E. Coker Access to Justice Award" went to J. Angelo Damico, a Richland lawyer.

Susan L. Rumlens, a member of the Heidelberg & Woodliff law firm, was a co-recipient of the "Distinguished Service Award" for her work in producing the Legal Heritage Committee's videotapes.

Immediate Hinds County Bar President and MC law professor Patricia Bennett was recognized with the "Susie Blue Buchanan Award" at the Price-Prather Luncheon.

Those area lawyers recognized for fifty years of membership in The Mississippi Bar are: Lester Alvis, Jr., Milton F. Anton, Louis G. Baine, John A. Bellan, Jr., Cary Egbert Bulkin, K. Hayes Callieutt, William F. Coleman, Albert H. Dickens, Jr., Lundy R. Gunn, Barbara F. Hederman, Shirley Norwood Jones, B.B. McClendon, Jr., Curtis W. McKewen, Cecil M. Mitchell, James Houston Neal, John Hillman Rogers, Howard C. Ross, Jr., Lee A. Stricklin, Jr., Quentin Stringer, and Thomas M. Tann, Sr.



Tesalyn Melton congratulates Pat Bennett for receiving the "Susie Blue Buchanan Award."



Sue Damico congratulates her husband Angelo who was recognized with the "Curtis E. Coker Access to Justice Award."



Pamela and Fred Banks, Jr. accept congratulations for his recognition with the "Chief Justice Award."



Susan Rumlens and her husband John show the "Distinguished Service Award" that was presented to her for her work in producing the Legal Heritage Committee's videotapes.



Mary Libby Payne, LaVerne Edney, Patricia Bennett, J.R. Hudson, Tesalyn Melton following a very successful Price-Prather Luncheon



Mary Libby Payne, Judge Bobby Delaughter, Ginny and Richard Roberts, and Justice Bill Waller, Jr. following the annual Prayer Breakfast

Highway Eats

by the Road Lawyer

Of all the county seats around the state, Hattiesburg has about the most pleasant downtown around-the-courthouse area. Obviously, there has been a worthy effort to revive the historic part of town, and I hope the preservation work endures.

The Forrest County Courthouse is a fine Neoclassical Revival structure dating from 1908, a more modern Chancery annex is across Main Street.

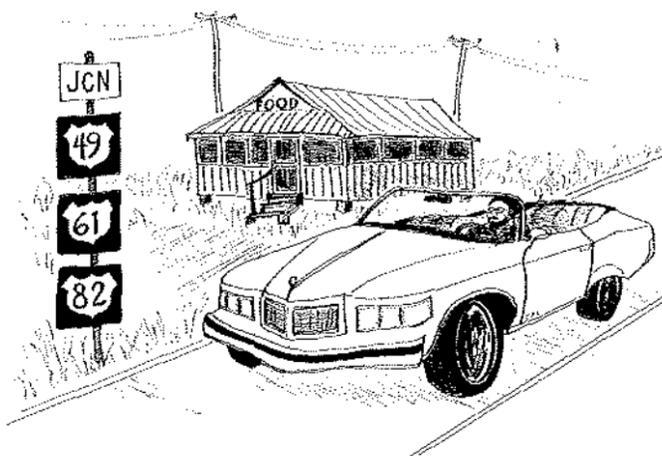
Both court buildings offer comfortable accommodations for legal business.

Just across the street from the Courthouse, at 631 North Main Street, is Shelby's Coffee Company. You can walk to Shelby's from the court buildings, or you can park in reserved spaces in a lot about half a block away, over toward the Tax Services Building.

From 8:00 a.m. until 2:30 p.m., Monday through Friday, Shelby's coffee and sandwich shop offers uncomplicated fare. The ambience is reminiscent of an old-fashioned ice cream parlor - round oak tables and chairs and a vintage safe and other antique decorations. There are ceiling fans, one wall is exposed brick, and the floors are scored and stained concrete.

Shelby's serves breakfast of biscuits and ham and eggs, with tomato gravy and grits. They have a selection of fresh donuts for the sugar addicts, and there is good coffee. Lunch offerings include loaded potatoes, soup, salads, hamburgers, BLT's, and a variety of other sandwiches. I had the ubiquitous grilled chicken on a salad that was not bad. I liked the choice of balsamic vinegar dressing which was good. All the lunch items were about \$6.00.

If you need to pick up a gift or



adornment for the house, walk down to 409 Main, at the corner of Main and Front Streets, while digesting your lunch. McKenzie's on Main is a shop specializing in "Antiques and Eclecticibles." The proprietor was charming and gregarious, and she had the little space packed with handsome antique furniture and all manner of old and new objects for the home. If you only like to pick through junk-tiques, this is not that kind of place.

Speaking of antiques, collectibles and junk, I've found some good buys lately at the Antique Mall in Meridian. It's just south of I-20 - you can see the building and sign from the highway. You take the Valley Road Exit and go south, then turn right at the Stockyards. The shopkeepers at the Mall welcome browsers, and you can get lost in the building among all the stalls of stuff. The quality of merchandise runs the gamut of what a seasoned collector wants to poke around in. Most of it requires a little imagination.

Meridian has a good lunch spot - D. T. Grinders Restaurant & Pub which is in an old house (circa 1910) on a big corner lot at 1600 24th Avenue. This is not right downtown near the court buildings, so plan to get your car and drive there.

The decor of Grinders is colorful, and the house has retained many original components - light fixtures,

elaborate woodwork, and wood floors. There are original, contemporary artworks hanging in each room. If the day is nice, you may want to try a table on the veranda.

Grinders' menu features seafood, and one house specialty is crawfish etouffe that comes in cup or bowl sizes. My lunch companion had the seafood lasagna and thought the flavor was wonderful, and I had a fine smoked chicken sandwich, grilled with bacon

and herbed mayonnaise on cracked wheat bread. The bread offerings sounded as if they had been supplied by the Broad Street Baking Company, and the bread on my sandwich was flavorful and appropriately textured.

My only complaint about Grinders is that the service was very slow. It didn't matter that day because I was having a leisurely conversation with a friend and wasn't bothered by the long wait between etouffe and sandwich, but you would not want to try for a quick bite here. The wait staff was young and energetic, so I expect the trouble was in the kitchen. Perhaps it was just an off day.

A Meridian lawyer friend recommended another place which is just a few steps from both the county and federal courthouses. That's Café Latte, a good place for a sandwich and coffee. I'll try it next time.

Barry Powell asked me where to eat in Laurel, but I don't know of a place there. I tried to grab a bite at a Chinese restaurant buffet, but I immediately regretted my choice. I won't mention any names. Perhaps you can make a recommendation? Let me hear from you. Write the Road Lawyer, c/o Pat Evans, 151 E. Griffith Street, Jackson, MS 39201, or e-mail me c/o webmaster@hindsbar.com.

New Faculty

University of Mississippi School of Law

Ole Miss Dean Samuel M. Davis announces five new teachers at the Law School this Fall.

Mercer Bullard will be teaching in the fields of Banking Law and Securities Law. He is founder and CEO of Fund Democracy, LLC. He worked at the SEC from 1996 to 2000, where he was an Assistant Chief Counsel in the SEC's Division of Investment Management. From 1991 to 1996, he was in the investment management practice of Wilmer, Cutler & Pickering, a Washington DC law firm. He joined Wilmer, Cutler after clerking for Judge Will Garwood, U.S. Court of Appeals, Fifth Circuit.

Mr. Bullard has a J.D. from the University of Virginia School of Law, where he was an Articles Editor of the Virginia Law Review. He is also a member of the Order of the Coif. Mr. Bullard has an M.A. from Georgetown University and a B.A. from Yale College.

Joining the faculty to teach Labor Law and Employment Discrimination is **Paul M. Secunda**, who took his undergraduate degree at Harvard College and his J.D. from Georgetown University.

Following law school, Mr. Secunda clerked for Judge Murray M. Schwartz of the U.S. District Court for the District of Delaware. He comes to Ole Miss from the Philadelphia PA law firm of Morgan, Lewis & Bockius; he has also worked for the Philadelphia firm of Montgomery, McCracken, Walker & Rhoads.

C. Jackson Williams, former director of the Mississippi Office of Capital Post-Conviction Counsel, is the new Director of Legal Writing and Research. Mr. Williams has B.B.A. from the University of Texas at Austin and a J.D. from Ole Miss. He has experience in private practice in both Jackson and Oxford.

continued on page 9

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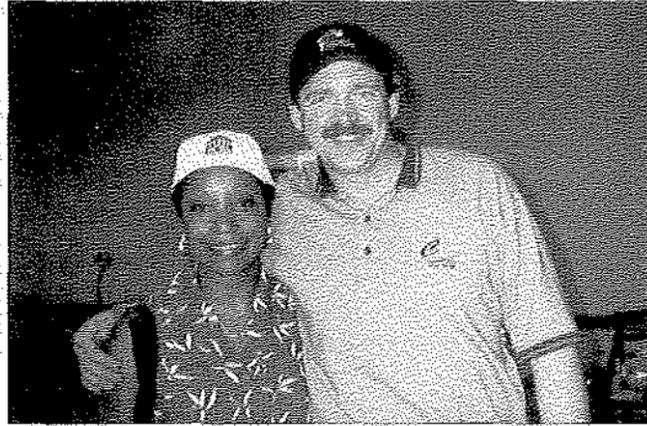
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2002 HCBA/JYL Golf Tournament

The Hinds County Bar Association and the Jackson Young Lawyers sponsored their 10th Annual Golf Tournament on May 23 at Annandale Golf Club. The event, which benefitted the Mississippi Volunteer Lawyers

Project, was chaired by Keith Obert. Serving as committee members were: Debra Allen, Harris Collier, Rob Dodson, Bob Grenfell, Kenny Griffis, Stuart Kruger, Ben Piazza, John Proctor, Paul Miller, Jody Varner, and Pat Bennett.



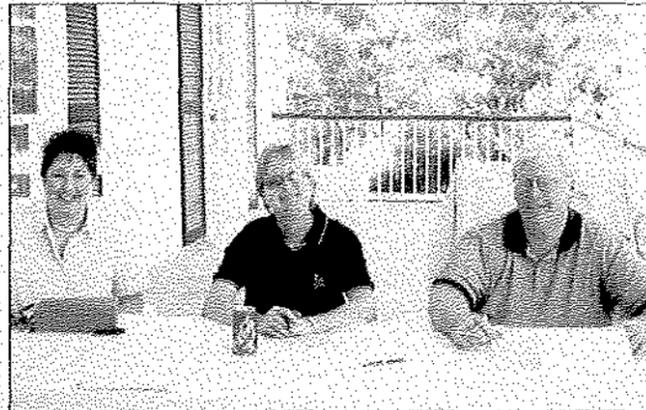
Pat Bennett, 2001-2002 HCBA President, and Keith Obert, Tournament Chairman



Paul Miller and Pat Bennett, Committee Members



Runa Haque, HCBA Secretary-Treasurer; Pat Bennett; Phyllis Thornton, Executive Director of the Mississippi Volunteer Lawyers Project; and Ben Piazza, Committee Member and Past HCBA President



Tina Ginn with Trustmark; Debbie Allen, Committee Member; and Harris Collier, Committee Member and Past HCBA President



Kenny Griffis, Committee Member; and Stuart Kruger, Committee Member and HCBA Vice-President/President Elect



Ben Piazza and John Proctor, Committee Members

New Faculty *continued from page 7*

The National Center for Justice and the Rule of Law welcomes two new teaching staff members.

Phillip W. Broadhead is clinical director of the program providing students with "hands on" experience in criminal appeals. Mr. Broadhead has most recently been an assistant Public Defender for Hinds County and has also served a Public

Defender of Marion County. He has a B.A. from Mississippi State University and a J.D. from Mississippi College School of Law.

Coming to Ole Miss from Tulane's Criminal Clinic, **Hans P. Sinha** also has experience as a prosecutor. He has a B.A. from the University of Pennsylvania, a J.D. and L.L.M. from Tulane.

Mississippi College School of Law

Two new professors will be joining the faculty of the Mississippi College School of Law.

In the Fall, **Wesley "Wes" Shinn** will teach first year Property and Secured Transactions. Mr. Shinn has been teaching at Appalachian School of Law and also has law teaching experience at Tulane. He has been a partner with the New Orleans firm of Stone, Pigman, Walther, Wittmann & Hutchinson. He has B.S. from McNeese State University, a J.D. from

Tulane University, and an L.L.M. from Harvard.

Gordon Christy comes to MC from the Deputy General Counsel's office of Ford Motor Company. He has been a partner in the Dallas TX law firms of Strasburger & Price and Johnson & Gibbs. Mr. Christy will be teaching Debtor/Creditor and first year Contracts in the Fall. He has both his B.A. and J.D. from the University of Texas at Austin.

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Golf Tournament Sponsors

The Hinds County Bar and the Jackson Young Lawyers want to thank the following sponsors for their support in making the 2002 Golf Tournament such a success.

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Butler, Snow, O'Mara, Stevens & Cannada	MLI Press
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Chinn & Associates	Attorney General Mike Moore
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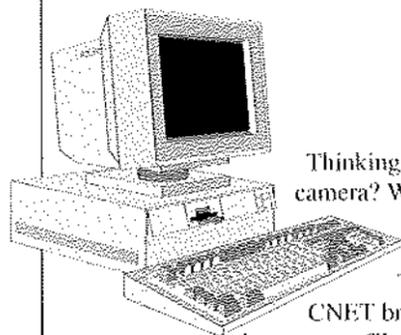
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On Computing

by Joel Howell

Thinking about buying a digital camera? With prices going down and functionality going up, this is a good time.

To aid in decision-making, CNET breaks it down into the following user profiles:

The first is the Home User, to take snapshots of family moments. You'll need a camera that is durable but simple to use. Portability may not be your greatest need, but you will want such extras as video, rapid-succession for action shots, and a zoom for close-ups. Most of the editing can be done on your PC. The recommended minimum specifications are a resolution of 2.1 megapixels (1,600 by 1,200 pixels), minimum storage of 8MB, and a zoom of 3X. CNET recommends the Canon PowerShot A2 and the Olympus C-2040 Zoom.

The next user profile is the Traveler, who needs extended battery life, good shots on the fly, durability with a compact shell, and sufficient memory. The recommended minimum specifications are a resolution of 2 megapixels (1,280 by 960 pixels), and a minimum storage of 8MB. CNET recommends the Kodak DC4800 Zoom or the Sony DSC P1.

The last profile is that of the Business User, for field documentation for any number of purposes. Sharp images, portability, and battery life are the most important features as well as fast file downloads when sending from a remote location to the office. Extras that aid in field documentation, such as a built-in microphone or video, can be quite useful. The recommended minimum specifications are a resolution of 3.1 megapixels (2,048 by 1,536 pixels), and a minimum storage of 8MB. CNET recommends the Nikon Coolpix 990 and the HP Photostat c912.

If you have not signed up at lexisone.com, it is an excellent free resource site with lots of helpful reference material and links. It also picks sites of the month. The July sections in part have sites that are well worth visiting. These are:

1010 Wall Street - Business News
<http://www.1010wallstreet.com>

BAR/BRI - Bar Review Companies
<http://www.barbri.com>

The Dollar Stretcher - Personal Finance
<http://www.stretcher.com>

Emerging Markets Companion - Global Investing
<http://www.emgmks.com>

Futures Magazine - Options and Futures
<http://www.futuresmag.com>

InRealty - Real Estate
<http://www.inrealty.com>

InvestMove Document Solutions - Business Directories
<http://www.investmove.com>

Law Commerce CLE Center - CLE & Training
<http://www.lawcommerce.com/cle>

National Bar Association - Bar Associations
<http://www.nationalbar.org>

Roth IRA Web Site - Personal Finance
<http://www.rothira.com>

Questions or comments? Send email to webmaster@hindsbar.com.

Captain Equity *continued from page 4*

being taken. Increased scrutiny, elimination of conflicts of interest, outlawing sweetheart loans, standardized accounting practices, and requiring more independent directors on corporate boards comes quickly to mind. We will all ultimately be better for it, but that doesn't do much for the old stock portfolio today, does it?

However, don't think basic business reform is anywhere close to the whole answer. The long run prospect for America is much more complex and problematic. Consider two rather unbelievable yet true items having to do with American higher education. First, how can anybody with a straight face allow 94% of all Harvard seniors to graduate with honors? Second, how

can the University of Arkansas tolerate a basketball program with an African American graduation rate of zero over the span of a decade? The college presidents of Harvard and Arkansas must have been spending way too much time looking at Enron and World Com annual reports rather than displaying a little academic backbone.

These two alarming vignettes are indeed the tip of the iceberg when it comes to the education of tomorrow's business and government leaders. Unfortunately, like the criminal justice system, education at every level is increasingly becoming systematized. Put another way, the seeds are being sown for future meltdowns. If you don't believe it, watch the "Jaywalking" seg-

ment some night on the Tonight Show where Jay Leno asks college students basic questions that junior high students ought to know. It's scary.

But for the present, the question remains, is the American Dream dead or dying? The quick answer is no. Like other areas of reform, when reality finally comes to resemble fiction and enough people are genuinely outraged, there will be positive change. That change is already happening in big business.

And what should the average investor do now? As with the stock market and the rest of life, live and learn knowing that the most painful mistakes are the ones that won't be repeated any time soon.



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Saturday 9:00 a.m. - 9:00 p.m.
Sunday noon - midnight

EXCEPTIONS

Monday, September 2 9:00 a.m. - 5:00 p.m.

THANKSGIVING HOURS (November 27-29)

Wednesday 7:30 a.m. - noon
Thursday & Friday CLOSED

EXAM SCHEDULE (December 6 -18)

Monday - Friday 7:30 a.m. - midnight
Saturday 9:00 a.m. - midnight
Sunday noon - midnight

HOLIDAY HOURS

December 19, 20 7:30 a.m. - 6:00 p.m.
December 21 - 30 CLOSED
December 31 7:30 a.m. - 6:00 p.m.
January 1 CLOSED
January 2, 3 7:30 a.m. - 6:00 p.m.
January 4 & 5 CLOSED
January 6 - 10 7:30 a.m. - 6:00 p.m.
January 11 & 12 CLOSED



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Correspondence regarding the newsletter should be directed to: HCBA Newsletter Editor, 151 E. Griffith Street, Jackson, MS 39201. Letters to the editor must be signed, but the writer's name will be withheld upon request. Telephone inquiries should be made to the Executive Director at 969-6097. The web site address is hindsbar.com.

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HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

DECEMBER 2002



President's Column

by William R. Wright

BITS & PIECES

Our New Editor

In the September issue of this newsletter we "begged" for someone to volunteer to become the new editor of this publication after Linda Thompson decided to step down after 10 plus years on the job. Lo and behold, "veteran" Jackson lawyer Luke Dove stood up and threw his hat in the ring. He told me he was qualified to serve because his brother, Joe Dove, is a well respected journalist for the *Clarion Ledger*. After checking the ring and finding no other hats and being satisfied that his qualification was more than adequate, I exercised executive privilege and dubbed Dove our new editor. Actually, we are thrilled to have him on board. Luke's contract calls for a 12 year term, so this rag may be "edited" via tele-commute from St. Catherine's Village before he's through. Thank you, Luke!

Jackpot Justice?

In the "surreal to real" department, we learned recently that two Jefferson County citizens who served on juries rendering \$150 million verdicts in two separate cases have sued CBS for slander based on comments by a Fayette florist on *60 Minutes*. The florist claimed the jurors got a cut of the money in the Redux case. The program focused on Jefferson County being a haven for "jackpot justice." The amount sued for? A cool \$597 million in actual damages and a stunning \$5.9 billion in punitive.

After reading about this lawsuit, I started taxing my feeble brain wondering how in the world the plaintiffs' lawyer arrived at those figures. Why only \$597 million instead of a round \$600 million? Why not \$601 million, an amount that would allow the plaintiffs to perhaps give a million or so to charity? I would love to see the ledger sheets where all of those damages were compiled. The pages would probably fill up about 10 gigs of storage. Anyway you look at it, that is lot of money for damage to one's reputation. But I've always heard that one's reputation is priceless.

This lawsuit offers a golden - I mean timely - opportunity for all involved to show there is no such thing as "jackpot justice" in Jefferson County. The jury need only render a verdict for the plaintiffs for a mere one quarter of what those guys want. That will send a loud and clear message to the

world that there is no such thing as "jackpot justice" in Jefferson County. And the defense lawyers could proudly exhort how they saved "billions" for the defendants.

Judges: Appointed or Elected?

While Chief Justice Ed Pittman is crusading for the appointment of appellate judges, the method of selecting trial court judges is also a hot topic. Personally, after having tried cases in about 30 counties in this State, I have found that we have excellent trial court judges - highly competent men and women put in office by voters. However, I have never heard one say he or she wanted to raise money and stand for re-election.

The argument for the appointment of judges really hits home in chancery courts where the chancellor is both the trier of fact and law. There is particular pressure on the chancellors in municipal annexation cases and domestic cases. The electorate expects the chancellor to preside over annexation cases involving his or her district. So when the chancellor recuses himself or herself, the voters become angered, complaining that the judge is not doing what he or she was elected to do, i.e. represent his or her constituency. On the other hand, when the chancellor refuses to step down, there is a hue and cry from the side representing citizens who do not vote in the chancellor's district. If the decision does not please the voters who put the chancellor in office, there is extreme voter dissatisfaction which carries over to the voting booth. There is unpleasant pressure on the chancellors no matter what they do. *continued on page 4*

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May there be peace on earth and good will toward all people.

Happy New Year!

HCBA Calendar of Events

February 18, 2003
HCBA Membership Meeting
 Noon. Capital Club

April 1, 2003
HCBA Membership Meeting
 Noon. Capital Club

May 8, 2003
HCBA/JYL Evening Honoring the Judiciary
 6:30 p.m. Old Capitol Inn

May 22, 2003
HCBA/JYL Golf Tournament
 Noon. Annandale Golf Club

June 17, 2003
HCBA Membership Meeting
 Noon. Capital Club

CLE Calendar of Events

January 16, 2003
Workers' Comp Hearings in MS: Techniques & Strategies
 NBI. 800-930-6182

January 16, 2003
Proving the Workers' Comp Claim in Mississippi
 Lorman Business Center.
 715-833-3940

January 16, 2003
Healthcare Fraud: Enforcement & Compliance Update
 ABA CLE. 312-988-6208

January 21, 2003
Emerging Issues in MS Insurance Coverage Law
 NBI. 800-930-6182

January 22, 2003
School Law in Mississippi
 NBI. 800-930-6182

January 23, 2003
Winter MMA CLE Seminar
 UM-CLE. 662-915-7282

January 28, 2003
Construction Management/Design-Building
 Lorman Business Center. 715-833-3940

January 28, 2003
Negotiating Settlements of Employment Disputes
 ABA CLE. 312-988-6208

January 28, 2003
Medicaid Medicare & Medical Assistance in MS
 Lorman Business Center.
 715-833-3940

January 29, 2003
Effective Discovery Procedures in Mississippi
 NBI. 800-930-6182

February 11, 2003
Recent Developments in Employment Law
 Sterling Education Services, Inc.
 715-855-0495

February 12, 2003
School Violence Issues: Protecting our Schools
 Lorman Business Center
 715-833-3940

February 18, 2003
Major Land Use Laws in MS
 NBI. 800-930-6182

February 20, 2003
Medicaid & Elder Law Issues in Mississippi
 Lorman Business Center.
 715-833-3940

Fall Social

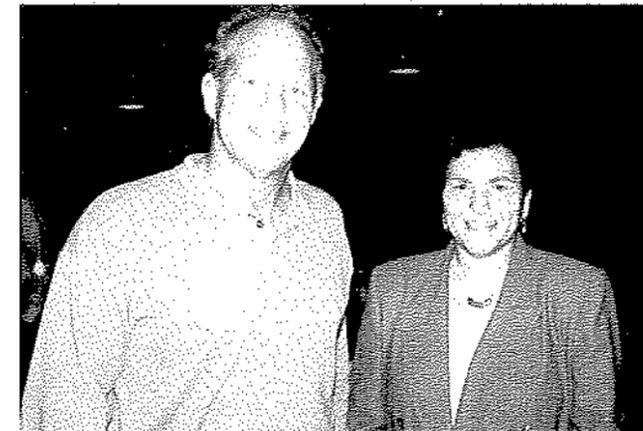
The Hinds County Bar, Jackson Young Lawyers and Magnolia Bar co-hosted a Fall Social at Hal & Mal's on October 17. The party was sponsored in part by American National Lawyers Insurance Reciprocal and Fox-Everett.



Justice James Graves, Phyllis Thornton, and HCBA President William Wright



Mark Power, Robbie Hayes, and David Rozier



William Wright and Judge Denise Owens



Bridgett Clayton, Brandon Dorsey, and HCBA Director Rhonda Cooper



Spence Flatgard and JYL President-Elect Will Manuel



William Coleman, Bob Owens, and Judge Henry Wingate

HCBA Officer Candidates Announced

The nominations committee is pleased to announce the following HCBA members who have graciously agreed to run for office for the year 2003 - 2004. The nominees for the three positions to be filled are:

Secretary - Treasurer	Alveno Castilla Leyser Morris-Hayes
Director - Post 1	Zenora Joiner DeAnne Mosley
Director - Post 2	David Kaufman Paul Miller

The Association's bylaws provide that any other member of the HCBA may be nominated by petition signed by not fewer than twenty HCBA members in good standing and filed with the Secretary - Treasurer on or before January 15.

A ballot and biographical sketch of each nominee will be mailed to each member in good standing during the month of February. For further information, please call HCBA Executive Director Pat Evans at 969-6097.

PICTORIAL DIRECTORIES AVAILABLE

Extra copies of the 2001 Hinds County Bar Association Pictorial Directory are available. You can purchase a directory by sending a \$60 check to the HCBA Office, 151 E. Griffith Street, Jackson, MS 39201, and one will be mailed to you.

What If . . .

by Captain Equity

I just finished reading *April 1865* by Jay Wink. It is a fascinating book, which advances the proposition that the particular month recounted in the title was the single most influential thirty days in American History. Top among the many propitious events recounted by the author was the end of the Civil War with Lee's surrender to Grant at Appomattox, Virginia. The ripples of that fateful meeting are still being felt even today.

This prompted me to pose the favorite question of all first semester law students, what if? What if it had been the Union that had surrendered to the Confederate States of America rather than the other way around? How would American life and society be altered had the Civil War been decided differently? Being well aware that numerous historians have grappled with this uniquely American hypothetical proposition, I feel strongly that the book of historic destiny cannot be closed on this issue until Captain Equity's voice can be heard.

Yes, yes, I know that all the usual scoffers are lurking in law offices throughout metro Jackson questioning my credentials and methodology to undertake such a serious scholarly task. To them I freely admit that I am not a Ph.D. (popu-

larly referred to as Pile it Higher and Deeper) nor am I a history major (aka pre-law, pre-business or in the worst case, pre-under employed). And no, I am not even an M.D. (Master of all Decisions large and small). I did however have an excellent eighth grade American History course at Bailey Junior High School taught by Mr. Joe K. Moore. Thanks to his knowledge and passion, I learned much of what I know about American History. To augment this solid foundation, I subscribe to the History Channel on Time Warner Cable. I might proudly add that I am also a lawyer, which means that I have nearly as many answers to unasked questions as physicians or for that fact, Ph.Ds.

As for methodology, I will be utilizing two important tools employed by serious history scholars. The first is called "Historic Extrapolation," which is more popularly known to the lay community as "Guessing." "Empirical Projection" also sometimes known as "Just Making Stuff Up" will supplement as a first alternate to Historic Extrapolation and if for any reason Historic Extrapolation is unable to develop a Working Hypothesis, it will be ready to accept full responsibility for the weighty task ahead.

continued on page 8

President's Column *continued from page 1*

A significant percentage of domestic cases in our chancery courts involves one contestant with strong family ties to the venue county while the other contestant has none. And in many post-divorce cases, such as contempt and modification, one of the parties has moved to another county or state following a divorce, but must return to the divorce court to litigate. Thus, there arises a circumstance of constituents vs non-constituents.

Our chancellors do a marvelous job with the emotional issues of divorce, and they consistently render fair and equitable decisions regardless of who votes where. However, the perception from the "out-of-venue" party is that the judge must please the party that votes in the district. The appointment of chancellors would ease the concerns of the parties and would take the pressure off of the judge from the voters when the decision is an unpopular one.

While I have only mentioned the chancery judges, there are valid arguments to be voiced that all other trial judges in this state should be appointed. The reasons go well beyond the court-

room and into the election process itself — fund raising, advertising and the other unpleasant necessities of running for judicial office.

Former HCBA Presidents

Best wishes and congratulations are due last year's HCBA president, Pat Bennett, on her November wedding in Jamaica! The lucky guy is Claude Brown, a Jackson Contractor. They will be living in Madison.

Richard Roberts, HCBA president in 1994-95, is currently president-elect of the Mississippi Bar Association. He will ascend to the top post next July, at which time we will not see him again for about 12 months.

Ben Piazza underwent heart bypass surgery during the first week of December, and we are happy to report that he is doing very well. Ben was our president in 1993-94 and has continued to be active with the HCBA by faithfully serving on the golf committee for several years. We are praying for his speedy return to good health.

HCBA Christmas Party

If you did not make it to the HCBA

Christmas Party on December 3, you missed probably our best holiday party yet. After having the party at the Mississippi Bar Center for several years, we decided to change to the Malouf family's Old Capitol Inn. It was a good move. Not only was the ambiance at the new location a great improvement, but the variety and quality of the food — including a sushi spread — served by Chef Bruce Cain was superb. And the attendance picked up considerably as a result of the move. Thanks, Mike.

Community Grant Committee

As reported in this column earlier, we created a Community Grant Committee to formulate a policy for making a significant contribution to a worthy and needy group in the tri-county area. Roy Campbell is chairing that committee and has done a magnificent job of getting this project off the ground. The committee has met three times and has narrowed the scope of what is a surprisingly difficult job — giving away money. A decision will be made in March and the award will be made on May 8, 2003 at our dinner honoring the judiciary.

I Conclude I Must Conclude with Conclude

by John Land McDavid

While surfing recently in *The Merriam-Webster Dictionary of English Usage*, I came upon "conclude", a word which is used by lawyers probably more than any other group. Although I have instinctively used the word, I have never paused to reflect upon its dual meanings. "Conclude" is used to mean both "to end" and "to decide", two unrelated meanings. *Merriam-Webster* indicates there is a difference of opinion about the usage of both meanings by those who think about such things. It reports:

Conclude has been subject to the separate criticism of its two meanings for quite a while now, and since both of them still surface in usage books from time to time, we will give each brief mention. The use of *conclude* in its sense meaning "decide" appears to have been first attacked by Fitzedward Hall in his 1872 *Recent Exemplifications of False Philology*. Hall's attack is listed in Bardeen 1883 with Bardeen's conclusion that the use was legitimate though carped at. MacCracken & Sandison 1917 also noted that the use was legitimate though opposed. But it is labeled a misuse in G.M. Hyde's *Handbook for Newspaper Workers* (1926) and in Jensen 1935 and Partridge 1942. Evans 1957 calls the sense standard. Copperud 1980 omits mention of the sense but calls the construction in which *conclude* is followed by *to* and an infinitive (the most common construction for the "decide" sense) "unidiomatic."

A slightly less frequently treated subject has been the sense "to bring or come to an end; close." Vizetelly 1906 seems to have decided that something was wrong with the use; he held that *conclude* is a mental process while *close* is a physical process. He did not further elaborate this dictum, so its basis is unclear. A 1923 book entitled *Editing the Day's News*, George C. Bastian et al., which reached its fourth edition in 1956, simply repeated Vizetelly. In Bremner 1980 the Vizetelly dictum has become a

suggestion to avoid the meaning "end" in newspaper stories of interviews and speeches, lest, presumably, it be mistaken for the meaning "draw a conclusion." Confusion is actually unlikely because the "draw a conclusion" sense is typically followed by a clause, and the "end" sense, when transitive, by a noun.

The origin of the "to end" meaning of "conclude" is explained in *Word Origins and their Romantic Stories*: *Claudio* is a Latin word that means "close" or "shut." It appears in the following words in the forms *claus*, *clud*, *chus*, *clois*. When a concert concludes with a song everything further is "shut" off. (*con* "with", and *clud* "shut").

Hoping to resolve this matter, I consulted Fowler's *Modern English Usage*. To my surprise Fowler did not include "conclude." What does this mean? What should I conclude? Incidentally, Fowler has a humorous and learned treatment of the "split infinite" in which he divides the "English-speaking world" into five groups. Read it and learn in which group you fit.

Although Fowler inexplicably has nothing, *The Oxford English Dictionary* has a three column full page on "conclude" with fourteen definitions under four subheadings: (i) To shut up, enclose, include; (ii) To include, comprehend, compromise, sum up; (iii) To come to a conclusion, infer, prove; and (iv) To bring or come to a decision, settle, decide, determine. Among a number of quotations as examples of usage was a quotation from Chaucer's *Knight's Tale* (1386), "And shortly to concluden al his wo, So moche sorwe had never creature." Boy, that Chaucer really had a way with words!

In conclusion, I conclude: (i) "conclude" may be used to mean "to end" but should not be used to mean "decide", and (ii) because short and simple words are more effective, "end" is preferred to "conclude." In other words, let's conclude to conclude with "conclude."

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Highway Eats by the Road Lawyer

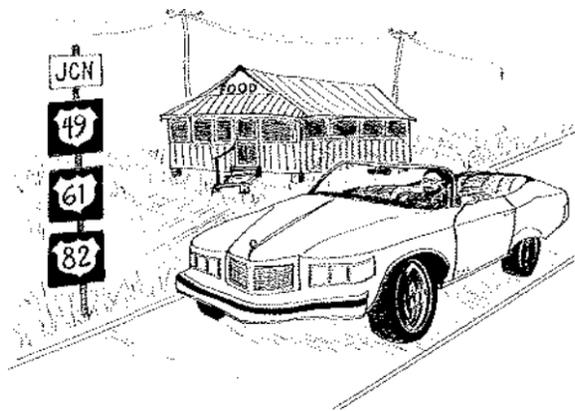
Lately it seems I've spent more time on Highway 49 South than I have at home in Jackson. That invariably means hanging around the Hub City and eating at the Farmers Market All You Can Eat Buffet. You've passed it – the greeny-yellow rambling structure with the red roof up on the hill on the west side of 49 just south of the I-59 overpass and the Hattiesburg Convention Center. The sloping parking lot is always full of an equal number of cars, pickups, and work vans.

At the Farmers Market, the quantity is overwhelming. The quality is uneven, but some of the buffet offerings are really fine. There are five food stations loaded to overflowing. I skipped the wilted iceberg lettuce and other unappetizing items on the salad bar – as well as the unappealing desserts on the other side (too much food coloring and hydrogenated palm oil). How can you mess up banana pudding?

The meats were exceptional, however. There was a large kiosk for carved-to-order smoked meats like ham, roast beef, and ribs. Another table was loaded with fried chicken, livers and gizzards, fried catfish fillets, french fries, hush-puppies, and smoked chicken falling off the bone. The fried food was excellent, and the smoked meat, tender and delicious. A bounty of beans, greens, and peas were set out on one serving station, and the last table was the heart attack special: macaroni and cheese, sweet potato casserole with marshmallows, fried okra, sweetened corn muffins, and melt-in-your-mouth yeast rolls.

Leaving aside the forgettable desserts and salads, this is real country cooking. All for only \$7.50, including a great big glass of tea and more for the asking. A sign said "no checks," but they take cash and credit cards. The Farmers Market Buffet is open every day of the week beginning at 11:00 a.m., and open until 8:30 or 9:30 at night, except Monday when they close at 3:00 p.m.

I'd like to see the Friday and Saturday night seafood buffet for \$13.95. They advertise boiled and fried shrimp, gumbo, fried oysters, crawfish, fried catfish (fillets and whole), fried quail, fried alligator, smoked ribs,



smoked brisket, smoked prime rib, barbecue ribs, baked ham, and smoked sausage. Also, salad and dessert bar.

The atmosphere at the Farmers Market Buffet is somewhere between folksy and tacky. It's just a great big room with walls of board and batten and large fireplaces at each end. Football photos, posters, and just miscellany hang on the walls, and there are randomly placed dead animals strewn about the place – the stuffed variety, I mean. Deer (whole and also just heads), raccoons, squirrels, and one rather bedraggled turkey. The majority of the patrons wore caps. Plenty of Golden Eagle fans and some work hats with double names like Owens Illinois, Exxon Mobil, and Bell South. In conclusion, this is a place worth visiting.

On the Gulf Coast, I recently tried a new place, Drew's Restaurant in Long Beach. It's a very casual bar and grill at 502 S. Cleveland Avenue, a few blocks north of Highway 90, in the artsy and business part of town.

As a matter of fact, on first glance at the interior, Drew's looks like a real redneck joint. But further inspection reveals a good funky element to the decor. I was there in the evening, and the menu is more elaborate than what you would expect. You learn that Drew is a genuine chef with credentials from Le Cirque and Commander's Palace.

Seafood was the order of the day at Drew's, although one of our crowd said the burger was really great. It was pig out time for raw oysters on the half-shell and Oysters Hemingway – a divine platter of steamed oysters on the half shell sauced with spicy herbed lemon and butter. Then there were large serv-

ings of fried shrimp and fish and soft-shell crabs and fine fries. Everything was quite good, but the soft-shells were not as well prepared as at the Mayflower here in Jackson – there was something too heavy about them. The side green salad was excellent – crisp and fresh with a well-proportioned vinaigrette dressing.

I definitely recommend Drew's, with one caveat. The service was slow, so go when you are with someone you want

to talk to for a couple of hours while unwinding over good food and a pitcher of beer or tea. I don't know how it goes at lunch.

Back in Jackson, I've enjoyed Julep Restaurant and Bar for lunch a couple of times. That's the restaurant in Highland Village that recently took the corner spot occupied for so long by the Olde Tyme Deli and later the New Deli Grill. The interior has been re-refurbished, and it's crisp and clean and attractive with artwork by local artists. Happily, the old Northside Drive doorway has been reopened as an entrance as it was in its Olde Tyme Deli days.

The menu at Julep is self-consciously characterized by Southern items like (the trendy) shrimp and grits – familiar dishes with a clever twist. There's a catfish taco and a smoked duck salad. Salad dressings contain such ingredients as pepper jelly. One of my favorites on the menu is an appetizer of fried eggplant strips with Maytag blue cheese dressing. The portions are generous, and the food is fresh and well prepared. The tasty mint tea is a pleasant accompaniment.

Julep is open for breakfast, lunch, and dinner seven days a week. The owners, a husband and wife team of serious restaurateurs, are obviously willing to put in very long hours. I need to try breakfast and dinner soon. Let me know how you like it.

I can't keep up with all the new places, and I need your recommendations. Write the Road Lawyer in care of Pat Evans, HCBA Executive Director, at 151 E. Griffith Street, Jackson, MS 39201, or e-mail me in care of webmaster@hindsbar.com.

Book Notes

A Review by Kevin Humphreys

The Little Friend By Donna Tartt

I will readily confess that I find author Donna Tartt as interesting, if not more so, than her literary output. Judging by all the hoopla surrounding her new novel and the speculation over where she's been keeping herself for the last 10 years, I'd say that I'm far from alone in that regard. For those of you not in the know, Miss Tartt is a Grenada native who published her first novel, *The Secret History*, to widespread acclaim and massive sales in 1992, when she herself was only 28. It probably didn't hurt that she was considered a protégé of Willie Morris and Barry Hannah.

The Secret History was set in New England and focused in large part on murder and attempts to cover up that unpleasant pastime amongst a group of young college-age Greek scholars. If that sounds like a poor description, I plead guilty, primarily because I never read the book. Millions of other people did, however, including huge numbers of Europeans; Miss Tartt is hugely popular there too. Following publication of *The Secret History*, the world waited breathlessly for her sophomore effort – and waited – and waited. Donna Tartt granted few interviews, published little, and became renowned for revealing next to nothing about her private life.

Well, after 10 long years, the wait is over. *The Little Friend* is here. Unlike some of you, I have nothing in the Tartt literary canon to compare it to, but I can tell you that it stands quite well on its own two feet, thank you. The book is wonderful, even if it is 555 pages long (yes, I found that a little daunting at first).

The Little Friend is set in the 1970s, in the little Mississippi town of Alexandria. The central characters are Harriet Dufresnes, a 12-year old girl, and her best friend Hely. When Harriet was only an infant, her older brother Robin was found dead, hanging from a tree in the yard. Not surprisingly, this horrific event nearly ruins the Dufresnes family. Her father spends most of his time in Nashville, while her mother has been medicated off and on since Robin's death.

The murder has remained unsolved for 12 years, until Harriet decides that Danny Ratliff, a local ne'er-do-well, committed the heinous crime, and she sets out to bring him to justice. The Ratliffs are an impressively eclectic and scraggly bunch, featuring several family members who manufacture methamphetamine while another brother is a hell and brimstone preacher.

It takes around 150 pages for Harriet to fixate on Danny Ratliff as the murderer, yet I never felt like I'd been wasting my time up to that point. Miss Tartt may not live in our fair state anymore but her ear for Southern dialogue remains razor-sharp. She also reveals an uncanny ability to show how a 12-year old thinks. (Is it mere coincidence that the author was the same age as her heroine in the mid-70s? Methinks not).

Tartt's ability to set a scene is impressive, almost humorous at times:

Though the Pool Hall's mildewy, depraved atmosphere appealed to Hely's sense of desperation, he did not know how to play pool, and he was scared to loiter near the tables and watch. But he felt invigorated just to stand by the door, unnoticed, munching his barbecued potato chips and breathing the same perilous ozone of corruption.

The Little Friend never hurries its reader through a scene or a character's mind, and I felt like I really knew and understood these people by the time I was done with the book. And yes, that knowledge even applied to the Ratliffs, Harriet's crazy aunts, and Hely's college dropout brother. Miss Tartt's eye for detail is impeccable and her knowledge of small-town Mississippi and its residents is flawlessly rendered. I just hope she doesn't make us wait another 10 years for her next effort.



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Captain Equity *continued from page 4*

Working Hypothesis

My Working Hypothesis (as distinguished from my Vacationing Hypothesis) is as follows: (1) Had the South won the war, Northerners rather than Southerners would have been the ones carrying a grudge around in a bucket all the years since 1865. (2) Primarily as a result of being in a better mood, less defensive Southerners would have soon realized that slavery in particular and racial discrimination in general was morally wrong long before having to be told by the likes of Harriet Beecher Stowe, the NAACP, the United States Supreme Court, et al. This revelation combined with the fact that there would have been a lot more money floating around the South, especially after the North anted up tons of cash to become part of the Confederate States of America, (hey, nobody wants to be on the outside looking in except maybe Southerners) all CSA citizens, black and white would have likely taken advantage of liberal War Reparations Scholarships to attend Ag schools like Mississippi State, Auburn, and Texas A&M for a combined Ag/MBA. Armed with knowledge of farming and business, they would have surely pioneered the highly efficient albeit soulless model of corporate agribusiness decades before the phenomenon actually took hold. The success of mid-nineteenth century corporate farming ventures in the South would have been made possible by importing cheap foreign labor from Iowa, Illinois, Ohio, Indiana and other so called "Corn on the Cob" Republics. This in effect would have meant that Farm Aid Concerts would have debuted in the 1870s and that Willie Nelson's career wouldn't have been nearly as big as it has been.

There would have been significant advances as well:

Fast Food

Had the South won the Civil War, almost all serious scholars agree that the Krystal and not McDonald's would be the most ubiquitous fast food chain in the world. To the eternal chagrin of all, Mom and Pop Grocery Stores selling bologna sandwiches on white bread would have trumped the concept of the delicatessen in northeastern cities. And finally, Penn's Chicken on a Stick would by now surely be a Fortune 100 Company had the South won the Civil War.

Higher Education

There is a consensus that Washington & Lee University in Lexington, Virginia would today be named Lee & Washington. Given the heightened interest in cuisine and cooking, especially sauces, it might even be named Lee & Perrin's University.

While the University of Mississippi would still be located in the City of Oxford (population 235,000 as of the 2000 Census) it would probably not be called Ole Miss. Its nickname would certainly not be the Rebels, but rather "The Establishment." The university mascot, Colonel Rebel, would likely be called Secretary of State Establishment or perhaps Elder Statesman Establishment. Their football team would, however, still lose to Alabama on a consistent basis.

National Symbols

Had the South triumphed, Southern Baptists rather than Episcopians and Quakers would have exerted far greater influence on the national culture. It seems clear that our national symbols would be far different. For instance, the "American Bald Eagle" would have now surely been replaced by the "Casserole." The coined word "Fixin" would have made the verb form "To Prepare" obsolete by 1900. Probably the most positive influence of a more pronounced Southern Baptist national presence would be the fact that "Sweet Tea" would be the national drink and that we would this year be celebrating the 137th anniversary of Prohibition, over a double bourbon, of course.

As far as flag controversies, states like New York and Massachusetts would be holding referendums on the advisability of placing miniature stars and stripe patterns into the Confederate Stars and Bars. As a result, lots of Republican Governors would get beat by Democrats trying to raise the issue for political gain.

Technology

Air Conditioning would have been invented in about 1868 as a result of a humidity-fighting crusade the equal of the Manhattan Project. All the auto plants in the South would have long ago left for places like Detroit and Osaka that offered a cheaper labor supply. Given the increased and sustained importance of Ag Schools as mentioned earlier, cowbell manufacturing would continue to flourish today and the ban against the product at SEC football games would have never materialized.

Geography and Demographics

The 49th and 50th states would be Cuba and Bermuda respectively. Alaska would be Russia's idea of Baja California and Hawaii would be a giant Japanese Chub Med. California would be exactly the same.

Closer to home, the population of Jackson would stand at 3.2 million people. The Convention Center, Farish Street Redevelopment and the renovation of the King Edward Hotel would still be in the planning stage. County Line Road would be exactly the same, especially during the holidays.

Captain Equity

Oh yes, and from a personal perspective, had the South won the Civil War, I would not be Captain Equity, but rather Major General Equity or perhaps Admiral Equity.

Conclusion

Would all of this have really happened? The cautious answer is: without a doubt. However, on balance it is probably better that the South lost. Otherwise, people would be fleeing the hot, crowded cities of the South for waterfront homes in the underpopulated Great Lakes region. Deep Sea Ice Fishing and being a member of the Polar Bear Club just doesn't have that snap true Southerners require. Sometimes things just have a way of working out.

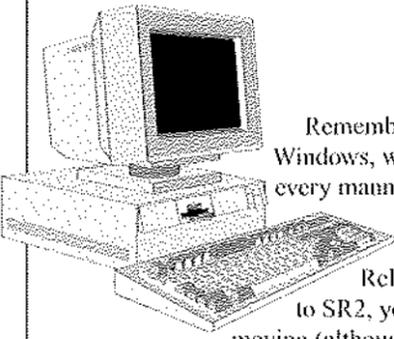


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On Computing

by Joel Howell

Remember the early days of Windows, when you (probably) used every manner of third-party software to tweak your system? With Windows XP past Service Release 1 and well on its way to SR2, you should be thinking about moving (although Windows 2000 is not a bad alternative) if you haven't already.

Though you still may consider third-party products, XP comes with a decent set of built-in tools, including system management utilities, disk management, firewall, and backup software.

In earlier versions, CTRL+ALT+DEL was simply a way to kill an aberrant process or reboot. Now, Task Manager gives you five choices via tab: Applications, Processes, Performance, Networking, and Users.

Assuming you're using XP, try the Performance Tab to graph memory and CPU usage. It can also help spot programs hogging or leaking memory. This now combines the old System Monitor with Performance Logs and Alerts (to get there, go to Control Panel, then double-click Administrative Tools and Performance). For debugging a specific desktop or even a server, you get OS capabilities that didn't exist before.

Windows Disk Defragmenter (accessed through Start, Accessories, System Tools) is more robust, but very resource intensive. Set this to run when you go to lunch, or, better yet, schedule it to run when you're asleep.

The incorporated firewall is a new addition, though more valuable for a workstation or laptop than enterprise use. Just turn it on and leave it on.

If you're a user in a network, you may not have to concern yourself with Backup. That doesn't mean, however, that

backing up your workstation is unimportant. Lose everything after a crash and you'll never let it happen again. Accessed through Tools, Backup, a wizard will let you select files or folders to be saved. For word processing or spreadsheets, you could even use a floppy to save small amounts of data, but any type of media files will require the size of a Zip drive and up.

XP Professional (recommended over the Home version) includes Windows Media Player for CD and DVD playback, analog and digital television, music disk creation, and Internet radio. CD burner can be used to drag and drop files to a CD for backup or to send to a colleague or client.

What XP doesn't include, however, is virus protection. If you're without that, the days of your intact files are strictly numbered. Norton and McAfee are good choices, but the virus signature files should be updated at least weekly; the scan engine also needs periodic updating, but not as frequently.

Tired of spam? (And not the stuff you used to eat when you were a Boy Scout?) Many internet service providers offer filtering options. Earthlink, which hosts your Hinds County Bar website, along with a number of large ISP's, subscribes to Brightmail. It monitors dummy email accounts and forwards profiles of the latest scams so the ISP's can filter them out before they ever get to you.

If your ISP doesn't provide this service (it should) and/or you want additional protection, go to download.com, which has a couple of hundred spam blockers available to try.

Spam Assassin and Mailwasher (both freeware) bounce spam as undeliverable, trying to fool spammers into thinking they have a bad email address. I hate Spam (not free) works with Outlook and Outlook Express, reporting spam to program users for blocking.

MC Law Review Sponsors Tort Reform Symposium

On November 15, the Mississippi College Law Review sponsored a day-long symposium on Tort Reform at the Department of Education Auditorium in downtown Jackson. The event featured presentations by several nationally known scholars together with panels comprised of members of the Mississippi Bar, the Mississippi Economic Council, Mississippi Physicians, and the MC Law Faculty. The panels were devoted to General Civil Justice Reform, Medical Malpractice and Possible Constitutional Challenges To Legislation emanating from

the current special session of the Legislature.

Featured speakers included Professor Jeffrey O'Connell from the University of Virginia Law School, who is probably best known as the Father of No Fault Insurance. Professor O'Connell presented a paper entitled "Balanced Medical Malpractice Reform: Fair to Both Doctors and Patients" in which he proposed an innovative plan to control excessive plaintiff verdicts while ensuring that economic loss occasioned by malpractice was fairly compensated. Professor Neil Vidmar of

Duke University Law School and Professor Marc Galanter of the University of Wisconsin School of Law made presentations focusing on the accuracy of public perception as to the existence and extent of a national liability crisis.

The proceedings of the symposium will be published in a future edition of the Mississippi College Law Review and will be available for purchase by the bar and the general public. If you are interested, please contact the Mississippi College Law Review offices at 925-7167.

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Saturday	9:00 a.m. - 9:00 p.m.
Sunday	noon - midnight

EXCEPTIONS

MARTIN LUTHER KING, JR. DAY

Monday, January 20 9:00 a.m. - 5:00 p.m.

SPRING BREAK

Friday, March 7	7:30 a.m. - 5:00 p.m.
Saturday, March 8	9:00 a.m. - 5:00 p.m.
Sunday, March 9	1:00 p.m. - 5:00 p.m.
Mon. - Thurs., Mar. 10-13:	7:30 a.m. - 5:00 p.m.
Fri., Sat., Mar. 14, 15:	9:00 a.m. - 5:00 p.m.

EASTER

Friday, April 18 9:00 a.m. - 5:00 p.m.

Hours are subject to change without notice.



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Correspondence regarding the newsletter should be directed to: HCBA Newsletter Editor, 151 E. Griffith Street, Jackson, MS 39201. Letters to the editor must be signed, but the writer's name will be withheld upon request. Telephone inquiries should be made to the Executive Director at 969-6097. The web site address is hindsbar.com.

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HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

FEBRUARY 2002



President's Column

by Patricia W. Bennett

This is the first month of the year, and the HCBA Board of Directors and committees already have planned exciting activities and events for the spring. You will want to mark your calendar and plan to attend. We seek and depend on your support and participation for a successful year. Also – if you are not receiving an e-mail reminder about activities, we need your address.

The HCBA Spring Social will be April 4 at Freedom's Bar and Groove. The Magnolia Bar and Jackson Young Lawyers are cosponsors.

The Evening Honoring the Judiciary will be May 9 at the Old Capitol Inn. We pushed the event back a week to avoid a conflict with the Fifth Circuit Judicial Conference and the Magnolia Bar Annual Meeting. The Bench & Bar Committee, chaired by David Kaufman, is planning the event. We anticipate a dynamic speaker, to be announced later.

The Innovator Award and the Professionalism Award will be presented at the Evening Honoring the Judiciary. If you are interested in nominating a judge for the Innovator Award, contact Pat Evans, HCBA Executive Director. If you want to nominate a lawyer for the Professionalism Award, contact Bob Grenfell, HCBA Past President.

The Tenth Annual Golf Tournament will be May 24 at Annandale. We will start with lunch at 12:00 noon and have a 1:00 p.m. "tee time." Keith Obert and his committee members are finalizing plans. There will be great prizes. Make your golf plans early because space is limited. Remember that your participation supports a good cause. This tournament makes it possible for the HCBA to donate money to the Mississippi Volunteer Lawyer's Project ("MVLP"). Last year the HCBA gave more than \$9,000 to the MVLP.

Other HCBA committees have also been busy. The Law Related Education Committee, chaired by Deanne Mosley, will present the winners of the essay contest at the April Membership Luncheon. Middle school students in the Jackson metropolitan area are participants in the contest. They are writing on the National Law Week Theme: Assuring Equal Justice for All.

I must thank and commend our Newsletter Editorial Board, with the leadership of Linda Thompson, for the hard work, dedication and pride shown in getting our newsletter published. Linda and her committee do a superb job publishing a professional newsletter.

The HCBA Pictorial Directory has been completed and should arrive from the printer any day now. If you were photographed, your reserved copy of the directory will be mailed soon. We also will have extra copies for sale.

The Membership Committee, chaired by my former student Meta Swain and assisted by HCBA Board Liaison Doug Levanway, has worked to set a new record for membership. We have 1,312 members. Meta continues to enroll new members every month.

I encourage you to participate in all HCBA activities and to get to know the new members. Considering the increased and diverse membership, many activities (some of which are just fun), and the substantial financial contribution to MVLP, I can state emphatically that the HCBA is accomplishing its mission of "making our case for a better community." And I look forward to seeing you at the upcoming events.

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HCBA LUNCHEON MEETING

Tuesday, February 19, 2002

Capital Club

12:00 Noon

\$12.00

The speaker will be Faye Peterson, Hinds County District Attorney

CLE Calendar of Events

February 19

Health Care Corporate Compliance Programs
Lorman Business Center
715-833-3959

February 21

The Thursday Thing: Leg. Update/ Supreme Court Update
UM-CLE. 662-915-7282

February 22

Real Estate Practice
UM-CLE. 662-915-7282

February 22

Mass Torts
MS Trial Lawyers Association
948-8631

March 7

Collection Law in MS
Lorman Business Center
715-833-3959

March 14

Guardian Ad Litem-Annual Certification & Training
UM-CLE. 662-915-7282

March 14

The Thursday Thing: Chancery Court Practice Update
UM-CLE. 662-915-7282

March 15

Summary of Recent MS Law
Abbott & Weems
661-234-6956

March 15

Discovery Skills for Legal Staff in MS
Lorman Business Center
715-833-3940

March 20

Nursing Home Malpractice in MS/Successful Case Management
NBI. 800-930-6182

March 20

MS Estate Planning
Lorman Business Center
715-833-3940

March 21

Copyright & Trademark Law for Nonspecialist
PLI. 212-824-5811

March 22

The Essentials of MS Appellate Practice
NBI. 800-930-6182

April 3

MS Foreclosure & Repossession
NBI. 800-930-6182

April 5

Employment Discrimination Update in MS
NBI. 800-930-6182

April 9

Bad Faith Litigation in MS
NBI. 800-930-6182

April 18

Annual Spring Employee Benefits Law & Practice Update
ALI-ABA Video/MC School of Law. 800-253-6397

HCBA Calendar of Events

February 19, 2002

HCBA Membership Meeting
Noon. Capital Club

April 16, 2002

HCBA Membership Meeting
Noon. Capital Club

May 9, 2002

HCBA/JYL Evening Honoring the Judiciary
6:30 p.m. Old Capitol Inn

May 23, 2002

HCBA/JYL Golf Tournament
Noon. Annandale Golf Club

June 18, 2002

HCBA Membership Meeting
Noon. Capital Club

INNOVATOR AWARD NOMINEES

For the past three years the HCBA has given an Innovator Award to a judge who has begun various innovative ways to improve the administration of justice, such as an approach to speed up the docket, to better communicate with the public, to advance technology in the courtroom, and many others.

Past recipients of the Innovator Award include Judge James E. Graves and the Mississippi Supreme Court (for two years). The 2002 Innovator Award will be presented at the Evening Honoring the Judiciary on May 9, 2002.

The HCBA encourages your nominations for this Award. Please send nominations by March 8, 2002, to Pat Evans, HCBA Executive Director, 151 E. Griffith Street, Jackson, MS 39201.

Christmas Social

HCBA members and guests enjoyed the Christmas Social at the Mississippi Bar Center on December 6, 2001. The event was co-sponsored by American National Lawyers Insurance Reciprocal and Fox-Everett.



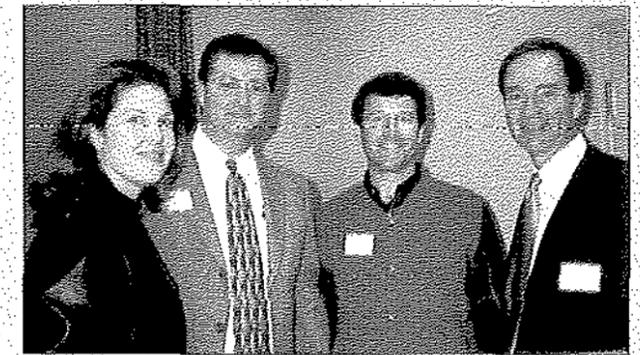
Dan and Betty Hise; J. Larry Lee, MC Law School Interim Dean; Patricia W. Bennett, HCBA President; Keith Foreman.



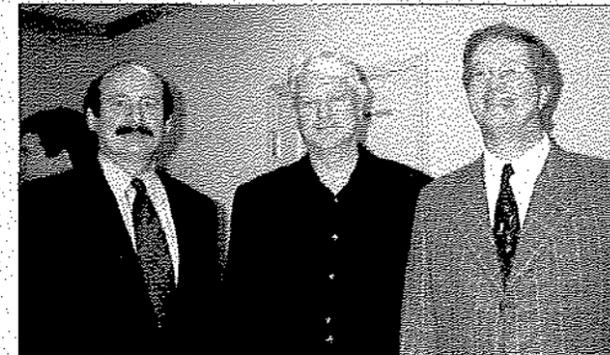
Jimmy Robertson, HCBA Editorial Board Member, and Linda Thompson Robertson, HCBA Newsletter Editor, and Kay Kay and Ben Barrett Smith, Chairman of the Mississippi Workers' Compensation Commission.



George Evans; Judge Bill Coleman; Jimmy Young.



Kathryn and Heber Simmons; Stuart Kruger, HCBA Secretary-Treasurer; Larry Bourne, Fox-Everett.



David Kaufman; Bob Grenfell, HCBA Past President; Armin Moeller.



Josh Wiener; Carter Thompson; Cliff Johnson; and Keith Overt, HCBA/JYL Golf Tournament Chairman.



Tiffany Davis and Martha Ashley, Fox-Everett.



DeAnn and William Wright, HCBA President-Elect.

Enron: Yet Another Wake Up Call for Political and Financial Reform

by Captain Equity

For the past half-year, we have all been consumed with the events of 9-11 and the external threat to American security that became so apparent that morning in New York, Washington and Western Pennsylvania.

History teaches that such horrendous acts have the effect of mobilizing our resources and monopolizing our focus. By Tuesday afternoon on last September 11, it was as if all our other national problems were reduced to the status of a mere transitory annoyance. Because of four unthinkable, simultaneous airline hijackings by suicide zealots, our collective public perception was suddenly revised into clear-cut, easily identifiable spheres.

Partisanship vanished just as national unity was achieved. Within the fifty states, them and us became us. By mid September, our collective national perception was that with few exceptions all Americans were essentially virtuous and patriotic, that crime was probably overstated and that good-will flowed in abundance throughout America the beautiful.

And then came Enron to remind us that the stark divide between good, as personified by high-minded Americans, versus evil, as portrayed by Osama Bin Laden's army of terror, is what is truly transitory.

Ongoing congressional hearings, newspaper accounts and the inevitable lawsuits that are sure to follow will certainly document the facts of America's largest corporate bankruptcy better than I can in a few short sentences. For that reason I will restate just a few fundamental facts that no one has yet disputed, along with some of the obvious questions they raise.

- Highflying Houston-based energy giant Enron Corporation filed for bankruptcy on December 2, 2001, with the stock trading at 26 cents a share. Less than a year earlier on February 20, 2001, the same day a Fortune Magazine article called Enron a "largely impenetrable that is piling on debt while keeping Wall Street in the dark," the stock closed at \$75.09. Notwithstanding such early alerts, Wall Street analysts continued to recommend the stock to their clients. Does this raise any concerns about what your stockbroker recommended today?

- It has subsequently come to light that Enron had overstated its income by \$586 million since 1997 due to "accounting errors," while concealing losses in excess of \$600 million by techniques that included questionable "off the books" partnerships, many of which have been traced to the Cayman Islands. Does this sound vaguely like a plot point in a John Grisham novel?

- In 2001 Enron paid Big Five accounting giant Arthur Andersen \$25 million for auditing services and \$27 million for consulting services. On October 12, Arthur Andersen, upon advice of counsel, started to systematically shred all but the most essential Enron documents. Might there be the appearance of conflict of interest here?

- In August 2001, Enron CEO Kenneth Lay told Enron employees in a memo that he had "never felt better about the prospects of the company. Our growth has never been more certain." He actively encouraged Enron employees to buy company stock. Shortly thereafter, Mr. Lay, and other top Enron executives were selling company stock on a wholesale basis. Does "do as I say, not as I do" ring a bell?

- Only a few months later, 4500 employees had lost their jobs. Many had also lost their life savings as a result of funding their 401(k) plans with Enron stock as the company had urged. Sound like Whitewater with real victims?

- The following persons have recused themselves from any association with ongoing investigations: United States Attorney General John Ashcroft, Texas Attorney General John Cornyn and the entire office of the U.S. Attorney in Houston, Texas. The question arises: who's left to investigate?

- Enron was one of President Bush's largest campaign contributors. Other beneficiaries, Republican and Democrat alike, read like a Who's Who of big government. They included about everyone who is anyone from Missouri Senator Ashcroft's 2000 re-election campaign to Hillary Rodham Clinton who sought an open seat in New York. Coincidentally, Lay met extensively with Vice President Cheney and other members of the Bush Administration over the past year. Last time I checked, I couldn't get past the switchboard if I needed an audience with a top ranking administration official. You think a big contribution would help stock my Rolodex?

- Oh, yes, and Enron's name graces the Houston Astros' new downtown baseball stadium. I wonder if Smith-Wills Stadium would be interested in naming their diamond, "Equity Field?"

To be fair, while the foregoing doesn't paint a pretty picture, especially when it comes to many loyal employees who did the unthinkable and trusted their leaders, all lawyers know there are explanations and circumstances which have yet to emerge. I'll leave that to the investigators.

My concern goes to the appearance of impropriety and the hazy divide between the regulators and the regulated. I am troubled that once again public and private interests have converged.

And finally, I am downright alarmed that too many cornerstones of American capitalism have been eroded by greed and influence peddling. All lawyers know well the legal devices that protect us from corruption and

continued on page 6

Dr. Stephen Gorove Remembered

by Carol West

Last August, I read with sadness the obituary of my Criminal Law professor, Dr. Stephen Gorove. He was a good teacher, but, aside from a few basic facts, students did not know much about him or his scholarly interests. Out of curiosity one day, I did a LEXIS search and discovered that his obituaries in the *New York Times* and the *Los Angeles Times* were far longer and more substantial than the one in the *Clarion Ledger*.

Thinking that many of you would also like to know more about the life of Dr. Gorove, I contacted his daughter Katherine Gorove, a lawyer who works for the U.S. Department of State, and asked her to write a piece for the newsletter about her father. With the cooperation of her sister Colleen Dreyhaupt, she produced this very nice memoir to her father.

STEPHEN GOROVE, 83, SPACE LAW PIONEER

Stephen Gorove, professor emeritus of law at the University of Mississippi, died August 21, 2001, in Oxford, MS, at the age of 83. Professor Gorove joined the Ole Miss law faculty in 1965 and during his 23-year tenure there trained thousands of Mississippi lawyers. In 1974 he founded the *Journal of Space Law*, the only publication in the world devoted exclusively to the study of legal issues arising from human activities in outer space.

Professor Gorove was a prime mover behind the development of space law as a major field of study and was an internationally recognized authority in the field. In 2000, his years of trying to establish a central entity to analyze legal issues arising from the exploration of space culminated in the locating of the NASA-funded National Remote Sensing and Space Law Center of Excellence at the Oxford campus of the University of Mississippi.

His dedication to his work brought enduring credit to himself, the Law Center, and the state's legal community. Three years ago, the Ole Miss Law

School changed the name of the Lamar Society of International Law to the Stephen Gorove Society of International Law in his honor.

Professor Gorove was born in 1917 in the ethnic Hungarian region of sub-Carpathian Transylvania under the rule of the Austro-Hungarian Empire at a time of world war. After the war, the winners dramatically downsized Hungary, one of the losers. Transylvania became part of Romania, so his family moved west into the newly shaped Hungary, initially to the town of Debrecen and eventually to Budapest.

In Budapest, he earned his law degree from the Peter Pazmany University, today known as Eötvös Lorand University, receiving it shortly before the beginning of World War II. The War -- the heavy bombing, the Nazis, and then the Soviets -- was something of which he seldom spoke. He did reveal, however, that during the War his parents had hidden the family silver from the various combatants in a secret room. Years later, this was the context behind the occasional reminder to his children that "the only things they can never take away from you are your education and silver." For the most part, like many who have experienced the horrible grandeur of war in the first person and later became successful, he found the harder he worked the more distance there seemed to be between then and now.

He escaped into Austria in 1948, leaving Hungary to the Soviets. Unlike Hungarians who left in 1956 as a result of the failed uprising against the Soviets, he and others who left as soon after the War as possible were stripped of their Hungarian citizenship by government decree. For many years after, therefore, despite professional and personal opportunities to do so, he adamantly refused to return to Hungary.

It was not until 1976 that he risked returning, with his family, so that the family he left behind might meet his wife and four children. To characterize as tense that hour spent in the border

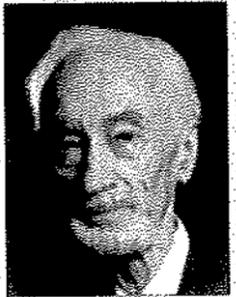
station with the National Police while they processed his and his family's passports would be an understatement. He was unsure of what the police might do.

Upon leaving Hungary after the War, he pursued studies at Oxford University in England. His objective, however, was to get to America, and through a combination of determination and luck, he achieved it. He signed up to work as a waiter at an international law conference attended by several law professors from America. He managed to join their conversation on international law and impressed them enough that, after subsequent correspondence, he eventually managed to secure an invitation to study at Yale University.

Crossing the Atlantic by boat, he arrived penniless at Ellis Island, where immigration officials detained him until a law professor from Yale came to vouch for him. At Yale, he received a J.S.D. in law and a Ph.D. in political science.

Professor Gorove taught, in chronological order, at the New York Law School, the University of Akron and the University of Denver. He also taught briefly at Manhattanville College in New York, which was fortuitous because that was where he met Margaret Beasley. They were married in 1958 and began the rest of their lives together. Margaret died in 2000 after 42 years of marriage to Professor Gorove and a successful career as an artist and longtime Chair of the Department of Art at Ole Miss.

While at the University of Denver, he took a hiatus to work at the International Atomic Energy Agency in Vienna, Austria. It was here, in 1964, that he was able to visit with his mother for the first time in the more



Dr. Stephen Gorove

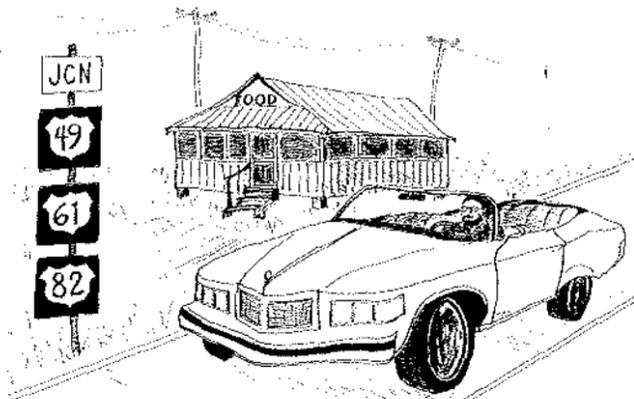
continued on page 8

Highway Eats by the Road Lawyer

It is with deep regret that I announce the passing of a truly great eating establishment in Mississippi. I recently passed up all the various food offerings in Hattiesburg and drove on up Highway 49 toward Jackson and hungry as all get out turned down Highway 13 at Mendenhall to visit the Mendenhall Hotel and feast at its famous revolving tables.

The sight that confronted me when I crossed the railroad track and pulled up to the parking space at the front of the porch brought tears to my eyes and pangs to my heart as well as my stomach. The tables that have been revolving since 1915 stopped on December 31, 2001. No one told me. A piece of Americana has vanished.

I pulled out my well-worn copy of Jane and Michael Stern's *Roadfood*, a volume that has shown me the way to some fine eateries throughout various travels to distant parts, and reread the description and history of the



Mendenhall Hotel revolving tables. It seems that in 1915 the hotel was owned by Mrs. Annie Heil and it was called the Heil Hotel. Mrs. Heil came up with the big tables with built-in lazy susans as the second tier to serve travelers "a vista of vittles" quickly so they could get back to their journeys. At the time, Mendenhall was a stop on the rail line between Hattiesburg and Jackson.

A meal at the revolving tables was always a congenial affair focused on the variety of dishes like chicken pot

pie and rice casserole and fried chicken and cornbread dressing that were just a turn of the table away and invariably ending with sticky peach cobbler and another glass of tea. Business people and blue collar workers and little old ladies and tourists alike sitting together at the mammoth tables, smiling at one another and eating till they groaned with pleasure. One of the last times I was there, who should come in but the legendary Coach Johnny

Vaught, in the company of some Ole Miss folks headed to a golf tournament. Lots of sports talk that day.

Perhaps some young proprietors will start the business up again. But, in the meantime: round tables – gone but not forgotten.

Do you have any revolving table stories to share? Write the Road Lawyer c/o Pat Evans, HCBA Executive Director, 151 E. Griffith Street, Jackson, MS 39201, or email me c/o webmaster@hindsbar.com.

Captain Equity *continued from page 4*

ensure our unprecedented economic success. They include: "fiduciary obligation," "rules against conflict of interest," "avoidance of undue influence," and "criminal and civil liability for fraud." Based on the initial facts, they seem to be missing in action in the Enron affair.

From the standpoint of governmental integrity and public confidence, Enron is merely the latest installment in an ongoing white-collar horror story that seems to repeat itself with the regularity of a Nightmare on Elm Street sequel. Consider President Bill Clinton's Pardongate, the Savings and Loan disaster of the mid-1980s, and Drexel Burnham Lambert and the insider trading scandal of the late 80s et al. They all share the elements of big money, governmental regulators who were either asleep at the switch or who were reigned in from above; a

culture of questionable legal, accounting and financial practices; and above all, easy access to sympathetic Senators, Congressmen and Administration officials bought and paid for by corporate campaign contributions.

The next time a national politician postures about "Serving the Public Interest" and "Helping the Average Working American" you should remember Enron. This April when you send your hard earned tax dollars to Washington so these stewards of our national destiny can continue to make decisions which affect us all with one eye on the popularity polls and the other on the checkbooks of Corporate America, you should remember Enron. The next time you talk to Senator Thad Cochran, tell him to keep pressing for legislation to end the current system of

federal campaign financing. The next time you talk to Senator Trent Lott, you should ask him why he hasn't signed on. And you should also ask them and other members of Mississippi's Congressional delegation to put some real teeth into those familiar terms: "fiduciary obligation," "rules against conflict of interest," "avoidance of undue influence," and "criminal and civil liability for fraud." If Congress really wants to serve the national interest, they will finally muster the courage and selflessness to act before another Enron appears on the scene.

[Editor's note: The viewpoints expressed in this column are solely those of Captain Equity and are not to be attributed to the Hinds County Bar Association, its officers and directors, or its editorial board.]

Mediation Suggestions

by Harold D. Miller, Jr.*

The following are submitted for your consideration in preparing for mediation and for conducting your presentation during the mediation session.

1. Attitude.

Be prepared to make a good faith effort to find a solution to the controversy. Any other attitude will impede the process.

2. Mediation is facilitated negotiation.

Please come prepared to negotiate. The function of the mediator is to assist in negotiations, not determine who is "right" or "wrong." Be candid with the mediator in your private discussions.

3. Your plan.

Effective mediation participation requires a game plan. Although you and your client should remain fluid so that you may respond to matters occurring during the mediation session, you should carefully consider your high and low valuations and have thought through your negotiation ranges. You should realistically consider the strengths and weaknesses of your position and the position of all other parties.

4. Client participation.

Please explain the mediation process to your client and have him prepared to participate if he or you should desire. Lawyers are prone to speak for their clients. In many instances, however, allowing the client to have his or her say greatly facilitates negotiation. Everyone wants to be heard, and being heard may be a prerequisite to your client being willing to negotiate a reasonable settlement.

5. Exchange of information.

It is unrealistic to expect the other side to agree that your settlement offer or demand is reasonable unless you disclose all information which supports the reasonableness of your position. Evasiveness and lack of candor in information exchange impedes negotiation.

6. Authority to settle.

Having parties with sufficient authority to settle present at the mediation session is a prerequisite to effective mediation. If the person present does not have sufficient authority, arrangement should be made to have someone with that authority immediately available by telephone. Even so, this is a poor second best.

7. Mediation is voluntary.

Your agreement to mediate does not constitute an agreement to settle. The mediation process can be stopped at any time by any party, or upon the suggestion of the mediator. Nonetheless, one should approach mediation with the attitude of exerting every reasonable effort to reach a settlement.

8. Presentation.

Litigation and mediation are significantly different, and the presentations should be different. Litigation is adversarial. Mediation is not. The adverse party and its attorney will make the ultimate decision. Opening remarks will be directed to them as well as to the mediator. It is the other side, not the mediator, you are attempting to convince. Jury presentation is to an impartial panel whose function is to determine which of two positions is correct. Mediation presentation is to an adverse party who disagrees with your position. Reasonableness and politeness are the hallmarks of an effective mediation style.

9. Written agreements.

If settlement is reached during the mediation session, the parties should attempt to reduce the agreement to written and signed form before adjourning, even though a more detailed and formal agreement may have to be prepared. Accordingly, one should be prepared to outline the essential elements of a settlement.

*Mediator, Arbitrator, Adjunct Professor, Mississippi College School of Law (teaching ADR).

Dr. Gorove Remembered *continued from page 5*

than fifteen years since he had left Hungary. She was only permitted to leave Hungary for the too brief visit because the communists knew she would return because of what they would do to her remaining family if she didn't.

Professor Gorove was provided the opportunity to come to the University of Mississippi Law School in 1965. His professor/mentor at Yale, Myers McDougall, was a native of Mississippi who encouraged his former students to take teaching positions down south at Ole Miss. While a number of McDougall's former students came to Ole Miss, Stephen Gorove was the only one to remain.

Very early on in his teaching career, Professor Gorove was already beginning to develop a professional fascination with the law of space. For most of the last half century, Professor Gorove approached the nascent field of space law with entrepreneurial zeal. In 1958, barely a year after the Soviets launched Sputnik, he participated in the first Space Law Colloquium at The Hague. He thus began his copious contributions to this new body of law by addressing the "problems of the upward extent of sovereignty," an issue that is just as relevant today as it was then. In 1969, after the United States landed the first men on the moon, Professor Gorove organized the National Conference on the Legal Implications of Man's Landing on the Moon at Ole Miss.

In 1977, the World Congress of the International Astronautical Federation honored him for his singular contributions to the development of space law. For many years, he was a representative before the United Nations Committee on the Peaceful Uses of Outer Space.

A lecturer at and consultant to leading academic institutions around the world, Gorove chaired several committees of the American Bar Association, the Inter-American Bar Association, the American Society of International Law, the International

Law Association and the Association of American Law Schools. He was a past vice-president of the International Institute of Space Law.

Professor Gorove developed the first law school curriculum for the teaching of space law and helped develop international treaties and regimes for the establishment of jurisdictional boundaries and limits of liability applicable to the exploitation of outer space. He participated in the development of discretionary rules concerning the ability of NASA to pay compensation for property damage caused by de-orbiting space debris, for example.

Additionally, Professor Gorove was the author or editor of more than 20 books, including: *U.S. Space Law; Developments in Space Law; Cases on Space Law; The Teaching of Space Law Around the World; Space Law: Its Challenges and Prospects; The Space Shuttle and the Law; and Law and Politics of the Danube*. He also served as a law editor at the Grolier Corp., publishers of the *Encyclopedia Americana* and the *Encyclopedia International*. He contributed more than 200 articles to numerous publications. He continued to serve as chairman of the *Journal's* editorial board and advisors until his death.

In 1996, for the first time since

emigrating, he returned to the house that had been the family home during WWII. Almost 50 years later, it was still riddled with bullet holes from the battle between the Germans and Soviets for control of Budapest. For the first time he spoke of the war, of being forced by the Nazis into the crossfire with the Soviets to retrieve their dead and dying; of being forced by the Soviets, once the tide of battle had turned, into the crossfire to 'retrieve their dead and dying; and, of trading a wristwatch to a Soviet soldier in exchange for the life of his brother.

Professor Gorove loved being able to teach, write, and play tennis daily. He loved the warm weather and complained the moment the temperature dropped below 50. His one professional regret was that he had never found it feasible to serve his adopted country in the Foreign Service of the U.S. Department of State. In addition to speaking English and Hungarian, he spoke French, German, Russian, and Italian.

His daughters, Katherine Marie Gorove and Colleen Gorove Dreyhaupt, his sons, Stephen James Gorove and Michael Alexander Gorove, and two grandsons survive him.

HCBA Members Elected Mississippi Bar Leaders

Richard C. Roberts III, a past president of the Hinds County Bar Association, has been elected the 2002-2003 President-Elect of the Mississippi Bar. Richard will be installed at the 2002 Annual Meeting of the Mississippi Bar and will become President at the 2003 Annual Meeting.

John Proctor, III, was elected to the Board of Commissioners of the Mississippi Bar, representing the Seventh Circuit District. Lisa Williams was elected Secretary of the Young Lawyers Division of the Bar. Elected to the Board of Directors of the Young Lawyers Division were Crystal Martin, Joe Nosef, and Davis Frye.

Congratulations to all of you!



Richard C. Roberts, III

HCBA Professionalism Award

At the HCBA Dinner Honoring the Judiciary on May 9, 2002, the HCBA will present its fourth annual Professionalism Award. The recipient of the award will receive a plaque bearing his or her name, the year the award was presented, and the criteria for the award. In addition, the recipient's name will appear on a trophy on permanent display at the Mississippi Bar Center.

Nominations are being sought for this award. The recipient will be chosen by a selection committee comprised of the Senior Hinds County Chancery, Circuit and County Court Judges, the Senior United States District Court Judge from the Jackson Division, and three HCBA members.

The criteria for the award are that the nominated member must have

Consistently demonstrated adherence to professional standards of practice, ethics, integrity, civility and courtesy; have encouraged respect for, and avoided abuse of, the law and its procedures, participants, and processes; have shown commitment to the practice as a learned profession, to the vigorous representation of clients, and to the attainment of the highest levels of knowledge and skill in the law; and have significantly contributed time and resources to public service.

HCBA members are encouraged to submit the names and addresses of suitable candidates to Robert C. Grenfell, Chairman of the Professionalism Award Selection Committee, at P. O. Box 1640, Jackson, MS 39215-1640, or to Pat Evans, HCBA, 151 E. Griffith St., Jackson, MS 39201. A brief statement as to why the nominee is deserving of the award may be included with the submission of his or her name. ***A deadline of March 8, 2002, has been set for receipt of nominations.***

Book Notes

by Nonie Joiner

Dixie: A Personal Odyssey Through Events That Shaped the Modern South, by Curtis Wilkie, is absolutely the best explanation of Mississippi that I have ever read. This is a history book.

It is not the reminiscences of someone who left the state, made good, and eventually came back and wrote some sort of condescending and/or rose colored remembrance of things past. It's true that Curtis Wilkie left Mississippi and he certainly succeeded, becoming a superstar reporter for the Boston Globe. He traveled the world, covering politics and wars, and inevitably made his way home again. However, this man is an historian.

Although he has structured the book as an autobiography, calling it a personal odyssey, and although he does tell us about himself and his involvement in certain events, he always educates us about those events. He gives us the history, the facts that set the stage for the event, and he gives us an analysis of those facts, and then he tells us what happened as he saw it.

His journalistic background is a great benefit to a work like this. He makes it all seem immediate. It's exciting to read. He brings events to life in a way that few academic historians can match.

And for those of you who grew up in Mississippi, it will be a treat to read this as it will remind you of so many things and so many people that you haven't thought of for a while. Also, I can almost promise that you will personally know some of the people he writes about and/or will have been involved in some of the events. I'm telling you all this because I want you to read the book. Understand, I don't know Curtis Wilkie; I've never met him. I just like his book.

Born in Greenville in 1940 (I think), Wilkie grew up in Summit. His story of growing up in small town Mississippi rang very true to me and I suspect will to most of you. Even in regard to this, he gives you the background. Where his people, as we say, came from. How he got to where he was.

He began his journalistic career in the sixth grade as a sportswriter for Mary Cain's *Summit Sun*. There. When's the last time you thought of Mary Cain? You young ones, have you ever heard of Mary Cain? Wilkie's first venture into the world of politics was in 1951, when he distributed campaign literature for Mary Cain, the first woman to run for governor of Mississippi.

During the course of his career, Wilkie has managed to be present at an astonishing number of notable events. He was a senior journalism major at Ole Miss in the fall of 1962. He attended the Ole Miss-Kentucky football game/Ross Barnett pep rally in Jackson on a Saturday and drove back to Oxford the next day in time to observe the influx of people "coming to help," and to be present in the Circle in front of the Lyceum when federal marshals fired tear gas into the crowd. He stayed on the scene until the arrival of soldiers equipped with bayonets convinced him that removal to the SAE house was in order. He then wrote a 10-page letter to his parents, presumably the source of this very vivid account.

After graduation, Wilkie began work for the *Clarksdale Press Register*. His description of life in the Delta, and of the summer of 1964, seems dead-on to me. Of course, there has always been a sort of *Rashoman*-like quality to a discussion by white Mississippians of the 1950's and 1960's civil rights era. Sometimes I doubt my own memories when confronted by friends who were right where I was, seeing the same things, and remembering something else entirely. Curtis Wilkie saw what I saw.

He covered that tension-filled summer, which was followed over the next few years by the bombing of black churches, the struggle over integration of public schools, the establishment of the academics, bombings of homes of civil rights activists, and the Goldwater-Johnson campaign. In January of 1966, Vernon Dahmer was killed by night riders. Later that year,

James Meredith began a march from Memphis to Jackson, getting as far as Hernando before being hit by a shotgun blast. That brought civil rights activists from across the country to Mississippi, accompanied by a few Hollywood celebrities, to complete the march. The War on Poverty picked up, and the wars for federal monies between competing "nonprofit" groups was underway.

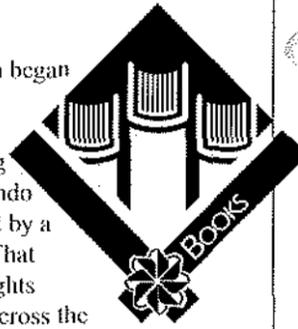
I saw Bobby Kennedy speak at Ole Miss in 1966, where several standing ovations by students were described by NBC News as "a polite but restrained reception." Kennedy came back to tour the Delta in 1967, and Wilkie covered that tour.

He also covered the 1967 governor's race, in which the candidates included Ross Barnett, John Bell Williams, William Winter, Bill Waller, and the "White Power" candidate, Jimmy Swan. Quite a lineup. Martin Luther King, Jr. came to the Delta in the spring of 1968, and Wilkie interviewed him just two weeks before he was shot and killed in Memphis.

In August, Wilkie became a Loyalist Democrat delegate to the notorious 1968 Democratic convention. The Loyalist Democrats group itself separated into feuding factions, much as did the entire convention. Wilkie not only covered the convention from the floor, but also participated in a demonstration by antiwar delegates in support of the antiwar demonstrators who had been attacked by Richard Daley's police force. Again, he was on the receiving end of tear gas.

Returning to Mississippi, he joined Hodding Carter III and others, including at least one current member of the HCBA - buy the book to find out who - in attacks against the State Sovereignty Commission through publication of the *Mississippi Freelance*. Wilkie, in this book, covers all of the above events in depth. He provides the

continued on page 14



GOLF OUTING JUST FOR LAWYERS

(All Lawyers and Judges in Hinds, Rankin & Madison Counties are eligible.)

10th Annual



**HINDS COUNTY BAR ASSOCIATION and
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TOURNAMENT**

Thursday, May 23, 2002

Shotgun Tee Off: 1:00 p.m.

Hamburger/Chicken Buffet 12:00 noon

Annandale Golf Course (Soft Spikes Required)

All proceeds from the tournament will go to the

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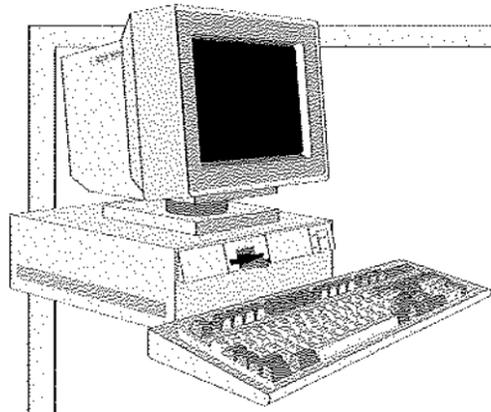
Name _____ Your Handicap _____

Address _____ Team Members _____ Handicap _____

Phone _____

*Each competing "4" must have a combined handicap of at least 40 or more with only 1 member having a handicap of 10 or less.

Must send check with registration, and checks should be payable to: Hinds County Bar Association, c/o Debra Allen, 812 N. President Street, Jackson, MS 39202. For more information call, Debra at 353-0001.



On Computing

by Joel Howell

receive reports every two weeks, with e-mails linking to full text articles and documents on the Internet. Other resources include access to articles dating to 1998.

Legalethics.com www.legalethics.com

This site is dedicated to helping legal professionals understand the difficult legal and ethical issues surrounding the Internet. This site tracks and publishes state and local ethics rulings related to the Internet. In addition, it provides information on each state's ethics agency and conduct rules and links to many ethics-related articles.

A Good Lawyer www.agood-lawyer.com

This free online book by Stephen W. Comiskey of McLean, Va. provides a folksier view of legal ethics. This book, loaded with interesting insights, can be downloaded or read online.

American Judicature Society www.ajs.org

This site is dedicated to promoting judicial-ethics education as well as a fair and effective system of judicial discipline. Among its resources are a national directory of judicial conduct organizations, a service for data concerning judicial discipline, and descriptions of courses available through a National College on Judicial Conduct and Ethics.

The Law Office Hornbook www.hornbook.com/index.htm

This online periodical focuses on several areas, including malpractice avoidance, professional liability and firm management. Articles, which

are expanded from the hard copy quarterly edition of the journal, cover a significant range of ethics and professionalism topics.

Association of Professional Responsibility Lawyers www.aprl.net

This association includes professors, bar counsel, legal malpractice litigators, and in-house law firm ethics counsel. This site contains many useful links to state ethics codes, ethics opinions, bar associations, and other related sites.

Legal Ethics Opinions Summaries www.mcguirewoods.com/services/leo

Thomas E. Span, a Virginia lawyer in the office of McGuire Woods, has compiled and categorized more than 1,500 ethics opinions from Virginia and the ABA and made them available to the public. Legal Ethics in Virginia members.aol.com/jmccauesq/ethics This site is run by James McCauley of Richmond, who is a lawyer and ethics counsel for the Virginia State Bar. This site contains several of his articles concerning legal ethics.

National Association of Bar Counsel www.nabc.org

This site includes a semi-annual compilation of ethics cases. Summaries from 1996-2001 are available with each summary's digests organized by topic. In addition, a complete staff roster of every state ethics agency and a collection of useful links to various ethics sites is available.

Questions or comments? Send email to webmaster@hindsbar.com.

Ethics on line? Sure enough. Thanks to Law Technology News and Web Watch, here's more than you probably want to know.

American Legal Ethics Library www.secure.law.cornell.edu/ethics

This useful site contains links to the professional-conduct codes of most U.S. states, as well as the ABA's model code. Additional features include narratives from major law firms on professional-conduct law in their respective states. This site is easily searchable and materials are organized by both state and topic.

ABA Center for Professional Responsibility www.abanet.org/cpr/home.html

This site contains excellent sections on multidisciplinary practice and multi-jurisdictional practice, as well as the full text of the Model Rules of Professional Conduct, as well as summaries of recent opinions of the ABA's Standing Committee on Ethics and Professional Responsibility. Another added tool is ETHICSearch, which allows lawyers to e-mail questions regarding ethics and receive citations to authorities that should help them discover the answers.

ABA/BNA Lawyer's Manual on Professional Conduct www.bna.com/products/lit/mopc.htm

This resource requires a paid subscription, but the BNA offers a free two-week trial. Subscribers



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**The Hinds County Bar Association and
The Jackson Young Lawyers Association**

invite you to join us for an

Evening Honoring the Judiciary

on Thursday, May 9, 2002

*at The Old Capitol Inn
226 North State Street*

Reception at 6:30 p.m.

Dinner at 7:30 p.m.

Special Guests:

Hinds, Madison and Rankin County State and Federal Judges

Book Notes *continued from page 10*

background; he names names. His is the best effort I have read at providing an understanding of a thoroughly chaotic period.

However, by this time, Wilkie had had enough, and, like many of us then, was ready to get out of the state for a while. He received a Congressional Fellowship from the American Political Science Association and, with his wife and young son, moved to Washington, where he initially worked for Walter Mondale. In 1971, he took a job with the Wilmington, Delaware *News-Journal*, for which he covered the 1971 presidential campaign.

He also covered the disruptions caused by court-ordered busing intended to integrate Roxbury and South Boston schools, and in 1975 took a job with the Boston *Globe*. As he said, "Thirteen years after the Ole Miss riot, I had made my way to the promised land of Boston and found another race war."

Later assigned to cover the Carter campaign because he too was a southerner, Wilkie also covered the Carter presidency. The *Globe* sent him to the Middle East in 1982 and again in 1983 after the bombing of the Marine barracks. During this time he felt the call of home, and eventually convinced the *Globe* that inasmuch as he was a national reporter, it would be perfectly all right for him to work from New Orleans. His portrayal of the south he found after moving back is as honest and accurate as his portrayal of the one he left.

For those too young to remember the events described, this is a great tool to an understanding of the complexity of it all. For those of us who do remember, it guides us to a better understanding. And it's a lot of fun to read.

**Hinds County Bar Association
Jackson Young Lawyers Association
Magnolia Bar Association**

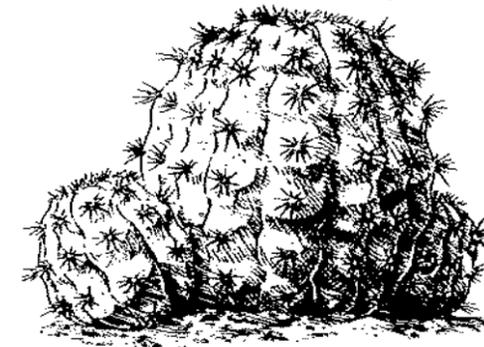
**Spring
Social**

Thursday, April 4, 2002

5:00 to 7:30 p.m.

**Freelon's Bar & Groove
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REGULAR LIBRARY HOURS

Monday - Thursday	7:30 am - midnight
Friday	7:30 am - 9:00 pm
Saturday	9:00 am - 9:00 pm
Sunday	noon - midnight

SPRING BREAK

Friday, March 8, through Saturday, March 16, 2002

Monday - Friday	7:30 am - 5:00 pm
Saturday	9:00 am - 5:00pm
Sunday	1:00 pm - 5:00 pm

EASTER HOLIDAY

Good Friday, March 29	9:00 am - 5:00 pm
Saturday, March 30	9:00 am - 5:00 pm
Sunday, March 31	5:00pm - midnight

EXAMS

Friday, April 26, through Wednesday, May 8, 2002

Monday-Friday	7:30 am - midnight
Saturday	9:00 am - midnight
Sunday	noon - midnight
Thursday, May 9	7:30 am - 6:00 pm
Friday, May 10	7:30 am - 6:00 pm
Saturday & Sunday, May 11 & 12	CLOSED

For more information please call 925-7120.
Subject to change without prior notice.



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HCBA Luncheon Meeting
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HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

JUNE 2002



President's Column

by William R. Wright

It is an honor indeed to begin service as President of the Hinds County Bar Association. The HCBA's origin dates back to the depression days of 1932 and survives today after seventy years of able leadership and membership participation. Under Pat Bennett's able guidance, our membership maintained record numbers and our fiscal condition remained healthy.

Speaking of Pat Bennett, I can attest that she led the group with grace, authority, patience, intelligence and sound judgment. Undoubtedly, the HCBA is a much sounder and more effective organization as a result of her leadership as president in 2001-02. Thank you, Pat.

While leadership is always critical to the viability of an association, there has to be someone who is "hands on" year in and year out. In our case, we have had Pat Evans guiding us through peaks and valleys - mostly peaks - as our executive director for more than thirteen years. She is the critical link connecting volunteer efforts to the smooth operation of the association. We could not be where we are without her splendid work and management. Thank you, Pat.

Community Grant Committee

As my tenure as president approached, I was searching for new ideas to implement during my term in office. I realized that since the "train" has been on track for many years without my help, I should do nothing to derail it. But the financial success of the HCBA over the past several years

made it obvious to me that we should capitalize on that success and do something worthwhile with the substantial retained earnings we have been carrying on the books.

I believe we should spend some money in our community where it will do some good.

Therefore, I have asked Roy Campbell to chair the Community Grant Committee. The goal of the committee will be to develop and implement a plan to identify a needy group in the Jackson Metropolitan Area and to make a significant cash contribution to that group. While the obvious recipient would be a non-profit organization, the committee could locate a group with no such status that is nevertheless in need of a donation. We do not know how this will shake out at this point, but Roy's committee and the HCBA board of directors will develop the plan, and we will go from there.

In the meantime, if any of you have any helpful ideas for the project, please write to Pat Evans, whose address is on page 12, and share your thoughts. We are excited about this project and look forward to getting it off the ground.

The Truth and Nothing but the Truth...

When recited with hand raised, those words take a witness to a higher level of consciousness before testifying. That elevated level is supposed to ensure that the testimony is in fact true so that the issues before the court will be resolved on the truth rather than on lies. But the oath should not be a necessary ingredient in the formula for truth,

continued on page 2

APRIL MEMBERSHIP MEETING

Speaking at the April HCBA Membership Meeting was Dunn Lampton, United States Attorney for the Southern District of Mississippi. Lampton is welcomed by Patricia W. Bennett, HCBA President.



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HCBA LUNCHEON MEETING

Tuesday, June 18, 2002 Capital Club 12:00 Noon \$12.00 Speaker: Dickie Scruggs

AUGUST MEETING (CLE)

August 20, 2002 One Hour CLE Credit

OCTOBER MEETING

October 15, 2002 Speaker: Haley Barbour

CLE CALENDAR OF EVENTS

June 18, 2002
Boundary Law in Mississippi.
 NBI. 800-930-6182

June 19, 2002
Basic Bankruptcy.
 Sterling Education Services, Inc.
 715-855-0495

June 20, 2002
Adv Construction Law in Mississippi.
 NBI. 800-930-6182

June 21, 2002
17th Annual Federal Practice & Procedure. UM-CLE. 662-915-7282

June 26, 2002
MCCA Annual Ethics Seminar.
 MS Corporate Counsel Association.
 755-1702

July 16, 2002
Mississippi Zoning, Land Use & Eminent Domain. Lorman Business Center. 715-833-3940

July 16, 2002
Construction Payment Rights.
 Lorman Business Center. 715-833-3940

July 17, 2002
Employment Law Update.
 Sterling Education Services, Inc.
 715-855-0495

July 17, 2002
Preparing for the Workers' Comp Hearing in Mississippi.
 Lorman Business Center.
 715-833-3940

July 19, 2002
MVLP Annual CLE Seminar.
 MS Volunteer Lawyers Project.
 960-9577

July 29, 2002
Mississippi Nursing Law Update.
 NBI. 800-930-6182

July 19, 2002
A Day on Discovery
Featuring James W. McElhanev.
 UM-CLE. 662-915-7282

July 23, 2002
Commercial Insurance Coverage & Business Interruption Issues.
 NBI. 800-930-6182

July 25, 2002
MS Evidence Workshop. PESI.
 800-826-7155

July 25 & 26, 2002
CLE by the Hour.
 UM-CLE. 662-915-7282

July 25, 2002
Fundamental Issues in Mississippi Human Resource Law.
 NBI. 800-930-6182

July 26, 2002
MS Bar YLD 4th Annual Video Conference CLE Seminar.
 MS Bar. 800-682-6423

July 26, 2002
Fundamentals of Bankruptcy Law & Procedure in Mississippi.
 NBI. 800-930-6182

July 29, 2002
Probate Process from Start to Finish in Mississippi. NBI. 800-930-6182

July 31, 2002
LLC'S & LLP'S in MS.
 NBI. 800-930-6182

HCBA CALENDAR OF EVENTS

June 18, 2002
HCBA Membership Meeting.
 Noon. Capital Club

August 20, 2002
HCBA Membership Meeting & One Hour CLE Ethics.
 11:45 a.m. Capital Club

October 15, 2002
HCBA Membership Meeting.
 Noon. Capital Club

December 5, 2002
HCBA Christmas Social.
 5:30-7:00 p.m.
 Place to be Announced

February 18, 2003
HCBA Membership Meeting.
 Noon. Capital Club

April 15, 2003
HCBA Membership Meeting.
 Noon. Capital Club

May 8, 2003
HCBA/JYL Evening Honoring the Judiciary.
 6:30 p.m. Old Capitol Inn.

President's Column *continued from page 1*

especially for us lawyers in our daily practices.

This topic recently came to mind while listening to my pastor, Dr. Ligon Duncan, preach on the Ninth Commandment in early May. The point Dr. Duncan was making was that lying affects the entire "community," often in a disastrous way.

We know that lies ended the Nixon Presidency and sullied the Clinton Presidency. We have seen Congressmen forced from office because of lies, and we know of judges, both state and federal, who have served time for lying. All of these damaged our national and state communities. More recently, the fallout from the Enron disaster has caused financial havoc and destruction not only in Houston but nationwide. Lies, no doubt, will surface from that tragedy.

Dr. Duncan, in his sermon, cited the case of the Georgia Tech football coach who last year accepted an offer for his dream job-head football coach at Notre Dame. There was a fly in the ointment, however. He had lied about his credentials on a resume created more than 20 years ago that was carried from job to job and never corrected. When Notre Dame officials discovered the coach did not have the academic degree and athletic experience shown on his resume, the coach was dismissed-before he even broke a sweat. The fallout personally was obvious-the coach lost his dream job. The fallout publically in the Georgia Tech and Notre Dame "communities" was devastating.

Closer to home and more to the point, when we read of disbarments and suspensions of our colleagues in the Mississippi Lawyer, we learn the facts supporting these actions virtually always involve lying by a lawyer. I would suggest that lies by lawyers are the principal reason our profession has been vilified so in recent years by our fellow citizens.

Now, I do not believe anybody reading (or writing) this column can say he or she has never lied. In fact, lying may be one of our most common transgressions. Revisiting the topic from time to time could do no harm.

In narrowing the topic, I think lawyers could avoid the vast majority of malpractice claims by telling the complete truth from the very moment they meet the client. How many times have you known a lawyer to do one or more of the following?

- Tell a client that he has tried to call counsel opposite about settlement, but the lawyer "won't return my calls" when no calls have been made.
- Represent to the client that she wrote a letter to opposing counsel when it did not happen.
- Represent to a client that the client's settlement money is in a trust account when it is not.
- Tell a client that a court date had been changed because the "judge did it" when it was really the lawyer.
- Inflate the chances of success to a client when success is improbable.
- Tell a client that the judgment has been entered when it has not.
- Misrepresent to a client that the settlement was forced by the judge in chambers when it was not.
- Provide the client with the wrong hearing date, so the client will not be present to discover all that has gone wrong when the judge admonishes the lawyer.
- Tell a client that "the letter was written" and must have gotten lost in the mail when no letter was written.
- Finally, preparing a fee statement showing inflated work on the case.

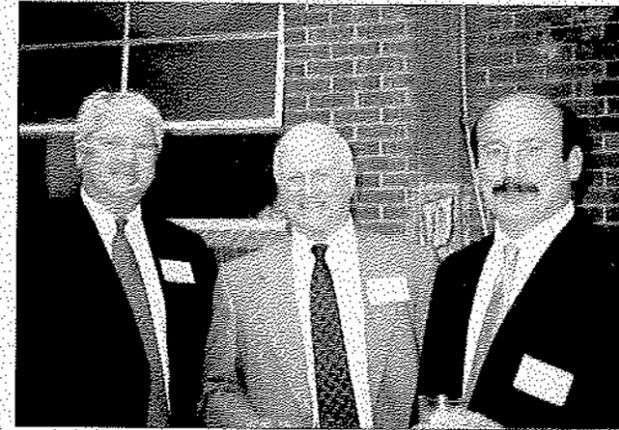
The list is virtually endless. Any one of these lies is wrong and will most likely lead to adverse effects to the lawyer, the client and the "community." It is really not too difficult to tell the truth to the client. It is he or she who is paying for the truth and deserves to hear it. In most cases, if a letter has not gone out or we have neglected to do a task, the worst thing that could happen after we admit it is that we lose the client. But after the first lie to a client, it seems that more must follow as a cover-up. Then, the consequences may be far worse than the loss of the client.

We just all need to be mindful of telling the truth. A wave of honesty in the bar might just reduce malpractice to a minimum and help restore public confidence in the judiciary system and in the legal profession.

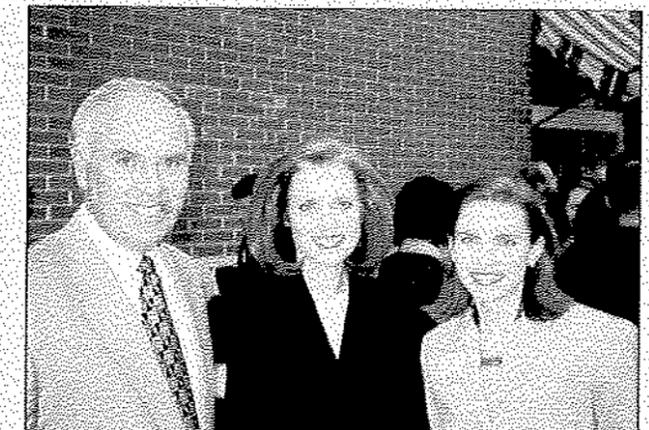
A final thought. If spouses quit lying to each other, my family law practice would quickly dry up. Now that would be a great reason to retire.

An Evening Honoring the Judiciary

The ninth annual Evening Honoring the Judiciary, co-sponsored by the Hinds County Bar Association and the Jackson Young Lawyers, was held on Thursday, May 9, at the Old Capitol Inn. David Kaufman served as chairman of the event, and Fred Banks was the speaker.



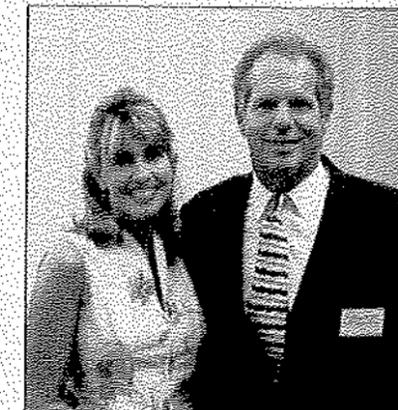
Bob Grenfell, Past HCBA President; Judge Stuart Robinson, and David Kaufman, Evening Honoring the Judiciary Chairman



Justice and Mrs. James Smith, and Elizabeth Lee Maron



Patricia Evans, HCBA Executive Director; Patricia Bennett, and Phyllis Thornton, Executive Director Volunteer Lawyers Project



DeAnn and William Wright, 2002-2003 HCBA President



Patricia Bennett, HCBA President, and Judge Winston Kidd



Judge Bobby DeLaughter and Mike Martz

For their participation in the Evening Honoring the Judiciary, the HCBA and the JYL want to thank the following:

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Jackson: The Very Very Best of the New South

by Captain Equity

What is it that separates the good from the great; the ordinary from the extraordinary? Put another way, why is it that certain organizations, companies, teams and even cities are universally regarded for their quality and excellence while so many others seem to be mired in a mundane rut of ordinary, mediocre or worse yet, chronically inferior. Is it money? Partly, yet one need only look at the Los Angeles Dodgers over the past decade or so to know that the greenback is not necessarily a guarantee of success. Is it leadership? Vision? Commitment? Luck? Yes, it is all of these things, yet it is none of them. Given the atmospheric, image conscious world in which we live, I am convinced that the key to true excellence lies in coming up with just the right slogan that will encapsulate and convey the intangible and unquantifiable essence that defines the invisible contours of greatness.

Take cities for instance. When I was a "Leave It To Beaver" era elementary school baby boomer, Jackson was known as The Crossroads Of The South. This unofficial slogan was presumably chosen because of the city's favorable geographical location at the confluence of three federal highways: 49, 51 and 80. Back then, Jacksonians always heard about the city's potential as a major distribution center kind of like we hear about a new hockey arena now. Unfortunately for Jackson's ad agency, Fred Smith and Federal Express effectively played the southeastern distribution card a couple of hundred miles north in Memphis. This also explains why Jackson adopted a new slogan right around the time Fed Ex jets started hubbing out of the "Bluff City" (a Latin term meaning cargo distribution involving jets flying over Graceland on a nightly basis).

The Bold New City was chosen during the Dale Danks administration back in the 1970s. There were only two tiny things wrong with the slogan - nothing much in Jackson was either bold or new. To fix those minor inaccuracies, new mayor Kane Ditto tasked some snappy ad man on the order of a khaki slacks wearing Darren Stevens or Larry Tate from television's

Bewitched to come up with a 90s friendly slogan for Jackson. The result: Jackson, The Bold New City - *There's No Stopping Us Now*. This slogan provides a complete and rational explanation for Harvey Johnson's new image moniker, Jackson: The Best of the New South. As we lawyers often like to say - *Res Ipsa Loquitur*, (a Latin term meaning "Anybody can do better than that.")

While I think the mayor is on to something, there is still room for improvement. How about Jackson: The Very Best of the New South? Pretty good, huh? Except, of course, for a few critics out there who are saying "The Very Best of What In The New South?" See, I knew this would happen. There are always a few people out there trying to mess things up by demanding that the proven success formula of "form over substance" that has worked so well for so long in government and is now being adapted to business, accounting and organized religion, be altered. No fun, these people. No fun at all. But, I have an answer that would make any business school professor sit up and take notice. I'm talking "niche marketing." Here is how it would work.

Take the recent controversy over the lawn-parking ordinance. Granted, parking your car behind a white picket fence isn't particularly great for attracting or even retaining a residential tax base of anybody wealthy enough to afford a U Haul Truck. But think about it, why fight a losing battle. Concede the up scale and mid scale homeowner market to Madison and Rankin Counties and even Clinton and Byram. Hey, with old Buicks on the Bermuda grass there is no way to support the niche slogan, Jackson: *The Very Best (Homes) of the New South*. But . . . and here is the genius of niche marketing. . . we could take a perceived weakness and turn it into a strength. Instead of just parking cars on lawns, why not put some real meaning into the niche slogan Jackson: The Very Best (Heavy Duty Open Air Storage) of the New South. Just think of the possibilities. Debris from demolished office buildings and

offshore drilling platforms, derailed rail cars, obsolete passenger aircraft, war surplus tanks, decommissioned Minuteman missiles, even unwanted nuclear and medical waste could be stacked to the sky. Jackson could foster an economic bonanza by stockpiling every dense and unwanted physical object in the world on the lawns of our fair city. And since the zoning board would be doing the enforcement, present standards would continue to apply. Meanwhile Jacksonians would create a new source of tax revenue to pay for those little extras like police, water, schools, etc. The new open-air warehouse version of Jackson could become the Silicon Valley of Unwanted Physical Objects virtually overnight.

While the outdoor storage niche is a good idea, it is not the only idea. For instance, why not actively recruit out of work and/or out of favor politicians to town to support the slogan, *Jackson: The Very Best (Borderline Political Figures) of the New South*. I know Gary Condit has a lot of time on his hands as does recently convicted Ohio Congressman James Traficant. Given that the 30th anniversary of Watergate is upon us, we could make a pitch for the disgraced survivors to come to Jackson in much the same way Memphis and Tunica's casinos lured boxing's consummate unreasonable man, Mike Tyson to town for the heavyweight championship Las Vegas didn't want. Whether it be Washington D.C., Modesto, California or Youngstown, Ohio, if your voters don't want you, *The Very Best (Borderline Political Figures) of the New South* does. Come to think of it, there is a lot of homegrown talent right here in Mississippi that might find the political atmosphere to its liking as well.

Well, Jackson, what do you think? Uh oh! Hold the phone...I have yet another idea worthy of a three martini lunch on Madison Avenue. As Ross Perot would say, "here it is." Why stop at *The Very Best of The New South*. Why not Jackson. *The Very Very Best Of The New South?*

Hmmm. Why did I waste my time with law school?

Outstanding Service and Pro Bono Awards

At this year's Evening Honoring the Judiciary Dinner, HCBA President Patricia W. Bennett (2001-2002) and JYL President David E. Maron (2001-2002) presented their respective associations' awards for Outstanding Service and Pro Bono Contributions. Also, Judge Breland Hilburn was recognized with the Judicial Innovator Award.



Patricia Bennett, 2001-2002 HCBA President, and Linda A. Thompson, HCBA Outstanding Service Award Winner.



Patricia Bennett and Alex A. Alston, HCBA Pro Bono Award Winner.



David Maron and Debra Brown, JYL Outstanding Service Award Winner.



David Kaufman, Evening Honoring the Judiciary Chairman; Patricia Bennett; Judicial Innovator Award Winner, Judge Breland Hilburn; and David Maron.



Doug Minor; Fred Banks, Speaker; Patricia Bennett; and David Maron.



David Maron, 2001-2002 JYL President; Sheldon Alston, JYL Pro Bono Award Winner; and Doug Minor, 2002-2003 JYL President.

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George P. Hewes Receives 2002 Professionalism Award

The fourth Hinds County Bar Association Professionalism Award was presented to George P. Hewes, III, during the annual Evening Honoring the Judiciary Dinner on May 9, 2002.

Professionalism was established four years ago as one of the principal themes of the Hinds County Bar Association, and at that time the Bar decided to present a Professionalism Award each year. Hewes received an individual award, and a permanent award listing his name as this year's winner is on display at The Mississippi Bar Center.

The Professionalism Award Selection Committee, chaired by Robert C. Grenfell, was composed of the four senior judges from the Federal, Circuit, Chancery and County Courts, along with three attorneys.

The Professionalism Award is presented each year to the Hinds County Bar Association attorney who has:

Consistently demonstrated adherence to professional standards of practice, ethics, integrity, civility and courtesy; has encouraged respect for, and avoided abuse of, the law and its procedures, participants, and processes; has shown commitment to the practice as a learned profession, to the vigorous representation of clients, and to the attainment of the highest levels of knowledge and skill in the law; and has significantly contributed time and resources to public service.

A native of Jackson, Hewes is a 1950 graduate of the University of Mississippi Business School. After two years in the Marine Corps, he returned to the campus and graduated from the Law School in 1954.

He recently retired from the law firm of Brunini, Grantham, Grower & Hewes where he was engaged in civil trial practice. During his legal career, Hewes was President of the Young Lawyers Section of the The Mississippi Bar and The Mississippi Bar Foundation; was elected a Fellow of the American College of Trial Lawyers and served as Regent of that organization from 1984 to 1988; and for 12 years, was a Mississippi Commissioner to the National Conference of Commissioners on Uniform State Laws.

His community activities include being the president of: Magnolia Speech School, New Stage Theatre, Mississippi Symphony Orchestra, the Metropolitan YMCA, and the



George Hewes (second from right) received the Hinds County Bar Association Professionalism Award at the Evening Honoring the Judiciary. He is pictured with David Kaufman, Dinner Chairman; Patricia Bennett, HCBA President; and David Maron, JYL President.

Jackson Country Club, and Campaign Chairman of United Way. He has also served as Vestryman and Warden of St. Andrews Episcopal Church and for 18 years was the Chancellor (legal advisor to the Bishop) of the Episcopal Diocese of Mississippi. Hewes recently retired as a member of the Board of Directors of Trustmark National Bank.

Active in alumni affairs at Ole Miss, he has been President of the Law Chapter of the Alumni Association, the University of Mississippi Foundation, and the Parent Alumni Association. He received the Distinguished American Award of the Ole Miss Chapter of the National Football Foundation and was Co-Chairman of the Commitment to Excellence Campaign at the University which raised in excess of \$525,000,000.

Hewes was married to the late Helen Morrison of Vicksburg. Their three children are Jimmy Hewes and Russell Hewes of Jackson and Laura Hewes Bell of Dahlonega, Georgia. Hewes is now married to the former Joan Jordan of Collins.

Whatever Happened to Horsewhipping?

by John Land McDavid

A recent national television news program dealt with the free-prescription-drugs-for-the-elderly issue during which it interviewed a gray-haired woman who, no doubt, was the network's idea of a typical grandmother. She had a nice smile, was well dressed and articulate. She said sweetly, "After I buy my prescription drugs, I can't afford food."

As I thought of that poor grandmother without food and hungry, I became angry. While I pondered her plight, a solution occurred to me like

a vision. If she is starving, and I have no reason to doubt her, then:

(a) Her children and grandchildren should be horsewhipped; or

(b) If she has no children or grandchildren, the members of her church, synagogue or mosque should be horsewhipped; or

(c) If she does not attend a church, synagogue or mosque, her friends, neighbors and acquaintances should be horsewhipped; or

(d) If she has no friends, neighbors or acquaintances, her local charities should be horsewhipped.

If the above program of horsewhipping is carried out with enthusiasm and a sense of purpose, that dear, sweet grandmother will never go hungry again.

EDITOR'S DISCLAIMER: The opinions expressed in this article are those of the writer and not the HCBA, which has a long-standing policy against horsewhipping.

HCBA Essay Contest

In celebration of Law Day 2002, the Hinds County Bar Association sponsored an essay contest for seventh and eighth students in the metro-Jackson area. The theme for the essays was "Assuring Equal Justice for All." Over 40 students participated, and each received a certificate from HCBA President Patricia Bennett.

The winners, all eighth graders, of the top three essays received cash prizes. They were recognized with their teacher and parents at the HCBA April Membership Meeting. The winning essay by Erika Sanders from Byram Middle School is published in this newsletter. Receiving second place was Anna Donnell from Saint Joseph Catholic School; and third place was Deanna Robertson from Byram Middle School.

Spearheading this project was the Law Related Education Committee, chaired by Deanne Mosley. Committee members were: Jack Pannier, Christy Carroll, Tammra Cascio, Gaye Nell Currie, Cheri Gatlin, Maurine Mattson, Crystal Martin, Elizabeth Maron, Bo Gregg, Leyser Morris-Hayes, and LaVerne Edney.



Tammra Cascio, Committee Member; Deanne Mosley, Committee Chairman; Deanna Robertson, 3rd Place Winner; Anna Donnell, 2nd Place Winner; Erika Sander, 1st Place Winner; Patricia Bennett, HCBA President; Bo Gregg, Committee Member.

Winning Essay by Erika Sanders, 8th Grader at Byram Middle School

Assuring Equal Justice for All

Equality and justice are two words that are closely related. Together they ignite a flame to create strength. With this strength, we can all work toward a goal that will provide us with peace, tranquility, serenity, and brotherly love. That goal is assuring equal justice for all, for which we must do three things. Those things are treating people of all races and ethnicities with the fairness and respect they deserve, keeping the dream alive that equal justice will one day be served, and letting loose our inner strength and courage to gain it.

The word all is a very open word. All does not specify one thing or person but all things and persons. This includes minorities such as African Americans, Hispanics and Chinese. Whether we accept it or not, we all came from the same flesh and should be treated as such. One group or race should not overpower the other. We are all one.

Martin Luther King, Jr., had a dream that justice would be served and people would be treated fairly no matter what ethnicity, race, or color they were. His dream began a revolution that is, in some cases, still being fought today. Equal justice is something that is not bought or won but gained through respect and honor.

All of us have a great power inside of us. It was given to us by God, and no man may take it away. That power is strength, courage, and wisdom. When every people and race of the world combine that power, we have our very own army to fight for the equal justice we all deserve. We are not downtrodden, and through us, all justice is served.

In conclusion, if we all work as one, we form a great alliance of strength. In the center of that strength lie courage and wisdom. When we all congregate, we combine our power. That power is our equality and justice. As we live on and treat others with equality, respect and kindness, we keep the flame alive as we continue and strive to achieve equal justice for all.

HINDS COUNTY BAR ASSOCIATION BUDGET 2002/2003

Income	Budget	Expenses cont.	
ANLIR	\$3,000	In-Town Travel	450
CLE	500	Insurance	300
Grants (5,000 01/02)	5,000	Law Related Education	750
Interest Earned	3,500	Law Week Dinner	13,000
Law Week Dinner	13,000	Management Services	22,000
Membership Dues	75,000	Members Socials	4,500
Membership Luncheon Fees	3,500	Membership Luncheons	5,000
Miscellaneous	150	Miscellaneous	300
Newsletter Ads	1,800	Newsletter	14,000
Tournament - Golf	26,000	Postage	9,500
Total Income	\$131,450	Printing & Supplies	5,500
		Social - Christmas	6,000
		Special Project	5,000
Expenses		Storage	300
ABA Conference & Dues	\$5,000	Telephone	1,200
Board Luncheons	\$1,500	Tournament - Golf	21,000
CLE	200	Tourn. - Golf Charitable Contrib.	5,000
Committee Luncheons	2,000	To Retained Earnings	1,250
Computer/Website	2,500	Total Expenses	\$131,450
Grants	5,000		

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Highway Eats by the Road Lawyer

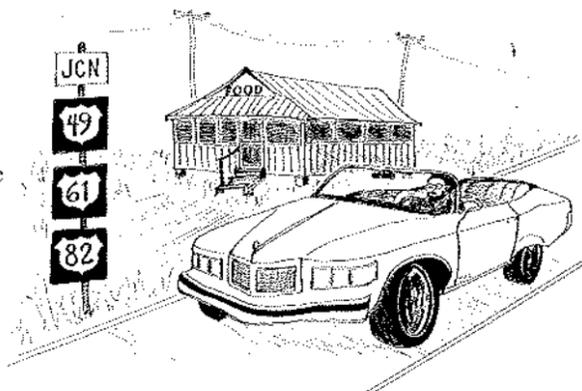
Recently I've had some fine lunches in the southern part of the state. Let me recommend Matthew's in Pascagoula and the Purple Parrot Café in Hattiesburg for a most civilized dining experience. Each of these establishments is open for lunch (as well as dinner) on weekdays.

Both offer pleasant decor -- the kind of place that has professionally laundered white cloth tablecloths and napkins and attractive (and matching) flatware. Original artwork, handsomely framed, adorns the walls. The "cook" is a "chef" who shows talent in the culinary aspect of the word "presentation."

The Purple Parrot Café is across town from the Forrest County Courthouse in Hattiesburg -- but worth the drive to the intersection of Hardy Street and 39th, west of Highway 49 (and the University) and east of the Bypass. I suppose I expected to see a colorful bird in a cage and tropically inspired interior design, but neither feather nor brilliant flower motif was in sight. As a matter of fact, the upholstery was a bit on the drab side, but the restaurant is handsomely paneled in polished wood, giving a club by ambience, and the paintings are large and bright and engaging.

The lunch menu at the Purple Parrot features numerous enticing and imaginative food choices. I thought about ordering paned crabcakes with creole remoulade slaw and fresh fruit, or fried green tomatoes with sauteed jumbo lump crabmeat, shiitake mushrooms, and a creole tomato butter sauce. How about eggplant Bayou Teche, a fried eggplant slice topped with lump crabmeat, jumbo Gulf shrimp, and a light Chardonnay and lemon butter sauce? Crabmeat Holleman is a combination of jumbo lump crabmeat in a light sherried cream sauce baked in a scallop shell with imported Brie and Camembert cheeses and served with fresh fruit.

Actually, I chose two of the specials of the day, starting with a bowl of artichoke and oyster bisque that was well seasoned and sinfully rich. The entry of choice was a pan-fried softshell crab on a fried eggplant slice and topped with a wine-butter sauce with pecans and a touch of sweetness. Spicy remoulade



slaw and sauteed julienne of summer vegetables were on the side. I could not resist the homemade yeast roll and the pineapple muffin in the bread basket.

Matthew's is on Cauty Street just south of Convent Street, across the road from the parking lot behind the new Jackson County Court Building in Pascagoula. Matthew's is housed in a blue cottage, complete with white gingerbread trim and a metal roof, that was designed by a noted local architect, Walter Gautier, circa 1882. The building has been lovingly restored and showcases handsome woodwork and original chandeliers that have been polished and modernized. Across the hall from the double parlor -- now dining rooms -- is a grand old dark mahogany bar.

A cheerful wait staff served the excellent food. I was there on a Tuesday and noted the specials of the day were chicken piccata on linguine, chicken salad croissant, shrimp or oyster po-boy, and sauteed speckled trout on cheese grits with snow peas. The burger of the day was pepperjack cheesburger, and the soup du jour was tomato-garlic-parmesan.

I ordered a regular item from the menu: caesar salad topped with cornmeal-dusted fried oysters (\$8.95), and a cup of tomato-garlic-parmesan soup (\$4.00). The salad was divine, topped with seven perfectly fried oysters, cucumber slices, and red-peppery fried onion rings. The artistic presentation was surpassed only by the flavorful oysters and other toppings.

Matthew's menu also includes pasta, fresh fish, and filet mignon. The dinner menu is an enlarged version of the mid-day offerings. I'd like to try the sauteed fresh fish of the day with basil risotto, asparagus, oven-roasted tomato, and

lump crabmeat, covered with an apple-smoked bacon meuniere.

On another visit to Pascagoula, I stopped at a more down-to-earth eatery on the west side of Highway 63 about ten miles north of Highway 90 and three miles north of I-10. This is a place with a parking lot packed with pickup trucks and a decorative scheme of fish, shells, sailboats, brick floors and old-fashioned pine paneling. All it lacks is a view. I'm talking about Seaman's

Cove, a seafood restaurant with a few other items like ribeye steak, hamburger, and chicken strips for the less imaginative.

Folks that looked like regular patrons were ordering shrimp burgers (fried shrimp on a bun), fried oysters and fried flounder fillets. I had a deep-fried softshell crab served with hush-puppies, lots of good, homemade, not greasy fries, cole slaw in a light and sweet dressing, and a good cocktail sauce assertively laced with horseradish. Skip the terrible tartar sauce, such as it is. A cup of gumbo loaded with tiny shrimp was quite a credible starter. Wish I had had room to order a crawfish pie appetizer. Next time. Seaman's Cove is closed on Monday.

While working on the Gulf Coast, I can't drive Highway 90 without dropping in McElroy's Harbor House, another restaurant specializing in seafood, this one with a fine view on the water in the Biloxi Small Craft Harbor. They're open every weekday.

I last visited McElroy's on a Friday and had the daily special of half an oyster po-boy and a cup of gumbo. The menu also touts broiled crabmeat-stuffed flounder, a fisherman's platter with some of everything, oysters on the half shell, you-peel-'em boiled shrimp, oyster stew, stuffed crabs, and lots of other traditional Gulf seafood dishes. Shrimp remoulade is a particular favorite of mine, and I like the Barq's rootbeer and the draft Bud. I guess I always feel most comfortable in a place with at least one neon beer sign.

Do you have a good seafood restaurant to recommend? How about writing the Road Lawyer, in care of webmaster@hindsbar.com.

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Book Notes

by Notic Joiner

One can no longer just sit down and read, it seems, without the proper accoutrements. Should you wish to accessorize your books, just look through some of the catalogues we all receive. There are library steps and library tables; reading lamps, reading tables, reading chairs, and reading glasses. There are bookcases, book shelves, bookmarks, bookplates, book covers, bookends, book lights, book stands, and book weights.

In the furniture category, the USAA catalogue offers a revolving bookcase, and the Smithsonian catalogue improves on that with a revolving bookcase with a built-in globe. Smithsonian also offers a Chinese-Chippendale-style dictionary stand with three shelves below for books and with sides which would be very hard to keep dusted. Levenger, a catalogue offering "Tools for Serious Readers," has "Reader's Table," an ungainly-looking contraption which is on a sort of vertical trestle base on casters, with both a tilt top and a separate stationary top. It will extend over a chair or bed, and hold a book up to 25 pounds. Assembly is, of course, required.

Still in the furniture category, the Thomas Jefferson Foundation publishes a catalogue, "Monticello," which offers

solid mahogany folding library steps that are 23" high and that look quite nice and utilitarian. It also offers a library stand, also mahogany, with a tilt top and sides less elaborate than the similar one offered by Smithsonian. Unfortunately, it has glass shelves, which don't seem to go well with books. Monticello's most interesting item is the revolving book stand, which is a reproduction of one made at Monticello and which was probably designed by Jefferson. It will hold five open books on adjustable rests that fold into a 12" cube. The same stand is available through T. Shiple.

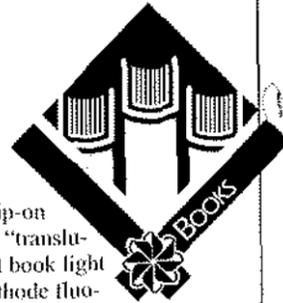
Reading lamps are a popular item, many of them having been designed by people who apparently don't read, as they require regular bulbs not exceeding 40 watts. Hammacher Schlemmer has a "Professional's Floor-Standing Magnifier Lamp" which is described as useful for reading small print, and which looks like something my grandmother used to do embroidery. This one has a fluorescent bulb circle tube around a lens which makes objects appear 75% larger than their actual size. The lens is five inches in diameter, which seems very small for reading. I wouldn't think that's big enough, but the lady in the picture seems

satisfied. The Sharper Image is one of many catalogues offering clip-on book lights. Their "translucent blue compact book light" features a cold cathode fluorescent bulb that lasts up to 10,000 hours that's an hour a day for 27 years!

Hammacher Schlemmer and T. Shiple offer a bookmark which is also an electronic dictionary, scheduler, alarm clock, and calculator. This might actually be useful.

Levenger, of course, has all sorts of things. There are "phosphorus bronze" page points, which are to be slipped over the corner of a page. There are "book bungee" bookmarks, which wrap around the outside of the book. How about a braided leather book weight, leaded at both ends to keep your book open? Then there are the Italian leather book covers, only \$59.95 for paperback size, that will make that thriller "assume the mantle of a classic."

Little did we know, when we first learned to read, how complicated it would become. All we thought then that we needed was a book and one of those little chairs to pull into the circle.



On Computing

by Joel Howell



Last column, the release of Service Pack 1 for Windows XP was on the way out, which means it's time to consider migration there.

What's next?

The next OS release, at least a couple of years out, is code-named Longhorn, followed whenever by a release named Blackcomb.

SP 1 includes many security fixes and upgrades already out, support for USB 2.0, and support for wireless and remote control technologies. It is also Justice Department-compliant by allowing you to remove such middle ware as Media Player and Messenger.

Longhorn and Blackcomb will feature digital originals, from music to photos to video, and, perhaps, handwriting recognition and voice recording. Stay tuned.

Tired of endless pop-up windows as move from site to site, or even within a site? One solution is Pop-Up Stopper from Panicware, Inc., available in free and priced versions. Once installed (a reasonably easy process), it puts a shortcut icon on your desktop which will either turn red and/or whistle when a pop-up window is prevented. Be careful about watching this, as there may occasionally be windows that you really do want to pop up.

The professional (meaning: not free) version of Zone Alarm contains a pop-up stopper as well as an excellent firewall. This pop-up stopper is considerably more sophisticated than Pop-Up Stopper. Then, again, if should with the price tag.

Are you backing up regularly? Iomega QuickSync will backup up data in the background to a ZIP drive while your working. Stomp BackUp MyPC will do master and incremental backups to a variety of media. CD-RW drives are a popular choice now, and much faster than tape. A serious option to consider is data-only backups, which may be a downright necessity if you have a lot of large files, such as photos and music.

The best current way to back up an entire system, the most reliable way to back up and restore is to clone it --- an exact copy of the drive's content. This can be done to a variety of media; here again, CD-RW drives are the best choice. PowerQuest's Drive Image and Symantec's Norton Ghost are good choices, though the former is more user-friendly.

Gibson Research, a site mentioned here previously, is well worth visiting for a couple of reasons. Go to www.grc.com and try LeakTest, which makes sure your system hasn't been invaded by spyware or a Trojan horse, which can send information out from inside a firewall. Shields-Up! can also probe your firewall to see if a hacker can get in.

Questions or comments? Send email to webmaster@hindsbar.com.

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Saturday noon - 5:00 pm
Sunday 2:00 pm - 6:00 pm

EXCEPTIONS

Thursday, July 4, 2002 CLOSED

AUGUST 9, 2002 - AUGUST 24, 2002

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Saturday & Sunday CLOSED

Fall hours begin Sunday, August 25, 2002.

For more information please call 925-7120.

Subject to change without prior notice.

HCBA ELECTION RESULTS

Congratulations to our new officer and directors!

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Correspondence regarding the newsletter should be directed to: HCBA Newsletter Editor, 151 E. Griffith Street, Jackson, MS 39201. Letters to the editor must be signed, but the writer's name will be withheld upon request. Telephone inquiries should be made to the Executive Director at 969-6097. The web site address is hindsbar.com.

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HCBA Luncheon Meeting

12:00 Noon, June 18



HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

OCTOBER 2002



President's Column

by William R. Wright

The recent commemorations of the September 11 atrocities did not go unnoticed. They stirred in us all gut-wrenching emotions and painful memories. Certainly, all of us took time to reflect on that day. We recalled exactly where we were and what we were doing the instant that unfathomable news hit us. We were so unprepared for that day; the far-reaching after-shocks go on still.

There have only been two reference points in my life even approaching the magnitude of 9-11: The U.S. - Soviet showdown over missiles in Cuba in 1962, and the assassination of President Kennedy in 1963. Those two events brought immediate thoughts of grave concern for our nation's security and its possible vulnerability. But our country survived these crises, and we all eventually went back to our every-day lives feeling invincible once again.

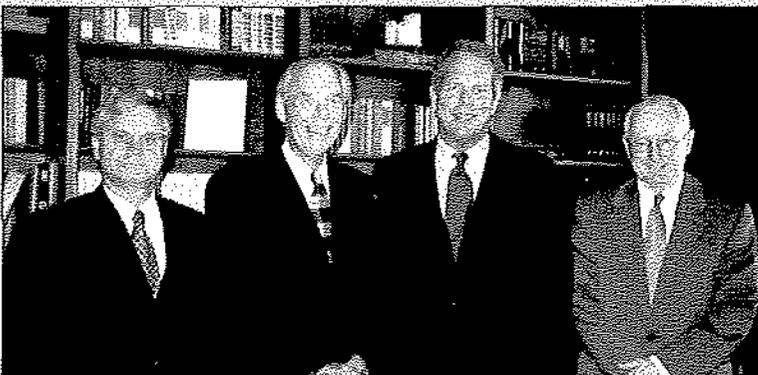
The 9-11 attack on our country was more than a single or isolated event. It changed the world. The attack on

America sparked a new way of living – internationally, nationally and locally. Nothing will ever be the same, including our law practices. During the past year, I have talked to many lawyers locally and nationally about how 9-11 has affected them, and almost without exception, all expressed that their professional and private lives have forever changed.

The threat of terrorism is not the only noteworthy crisis facing us in the legal profession today. Corporate scandal, and its withering effect on our economy and markets, has spawned distrust, anger and even fear. The very basic tenets of capitalism are being scrutinized.

Combine 9-11 with the current state of American business, and we realize our nation is suddenly in its most precarious and vulnerable position in since the beginning of World War II. National security is at stake; economic stability is in the balance. *continued on page 2*

AUGUST MEMBERSHIP MEETING



Presenting the one-hour CLE Ethics Seminar at the Hinds County Bar Membership Meeting in August were: Mike Martz (left), Scotty Welch (second from left), and Dick Bennett (right). Martz is General Counsel of The Mississippi Bar, and Welch and Bennett are past presidents of the HCBA and The Mississippi Bar. William Wright, HCBA President, presided at the meeting.

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HCBA LUNCHEON MEETING

Tuesday, October 15, 2002 — Capital Club — 12:00 noon — \$12.00 Lunch

Speaker: Haley Barbour

HCBA CALENDAR OF EVENTS

October 15, 2002
HCBA Membership Meeting
 Noon. Capital Club

December 3, 2002
HCBA Christmas Social
 5:30-7:00 p.m. Old Capitol Inn

February 18, 2003
HCBA Membership Meeting
 Noon. Capital Club

April 15, 2003
HCBA Membership Meeting
 Noon. Capital Club

May 8, 2003
HCBA/JYL Evening Honoring the Judiciary
 6:30 p.m. Old Capital Inn

May 22, 2003
HCBA/JYL Golf Tournament
 Noon. Annandale Golf Club

CLE CALENDAR OF EVENTS

October 17
Police Liability
 Lorman Business Center 715-833-3904

October 22
Young Lawyers' "Bridging the Gap"
 MS Bar 948-4471

October 24
MS Workplace Safety & New OSHA Recordkeeping Rule
 NBI 800-930-6182

October 24
Out of Bounds: Exploring MS Boundary Law
 PEST 800-826-7155

November 8
Section 1031 Exchanges of Investment Properties
 NBI 800-930-6182

November 15
6th Annual Technology Solutions Seminar
 MS Bar 948-4471

December 3 & December 4
Individual Income Tax
 MS Assn of Public Accountants. 800-321-1276

President's Column *continued from front page*

What is our role as lawyers now?

Members of our profession - throughout American history - have taken the lead in times of crisis. We have served in the military, become involved in politics, given to charity, organized and led church and community efforts. We are challenged to be leaders again more than ever before.

As a whole and on all levels, we need to suppress opportunism, greed and the other traits with which we are sometimes saddled. We should, further, re-assert ethics as the backbone of our profession. We should work to help restore confidence not only in our profession but also in our country. We need to re-establish and solidify our relationship with and faith in God; cherish, love and help our families and show respect and charity for our fellow Americans.

Locally, we need to be unified in our efforts to return the legal profession to the place of leadership it has traditionally held. The Tri-County area and the State of Mississippi need us. We should resolve to do all we can as lawyers to vigorously lead and assist in this time of crisis. It will not end soon, and our continued efforts must succeed.

Raise the "bar" a few notches.

WANTED NEWSLETTER EDITOR

The Hinds County Bar Association Newsletter Board is seeking candidates for Newsletter Editor. A term as Editor involves six bimonthly issues. Salary and benefits are limited to six meetings a year at Nick's with intelligent, attractive, congenial, dedicated, and experienced staff members. The most excellent publisher, Graphic Reproductions, and HCBA Executive Director Pat Evans do all the hard work. To apply, please contact Pat Evans at 969-6097 or HCBA President William Wright at 366-8090.

Report on Judicial Elections for Hinds, Madison and Rankin Voters

by John Land McDavid

November 5, 2002, the first Tuesday in November, is Election Day for most State judges from the Supreme Court to the County Courts. Some Supreme Court justices and Court of Appeals judges do not stand for election this year. If a candidate for judge does not receive a majority vote on November 5, a runoff will be held two weeks later on November 19.

Mississippi holds judicial elections in an "off" year, that is, a year other than the election year for other statewide and county offices. This is done to discourage politics in judicial contests. Judicial elections are "nonpartisan" - meaning that the candidates for a judgeship do not run in party primaries. This is also intended to reduce partisanship.

Another effort to reduce politics and partisanship in judicial elections will appear on the November ballot as a proposed amendment to the Mississippi Constitution to extend the term of Chancery and Circuit Court Judges from four years to six years. The 2002 Mississippi Legislature adopted Senate Concurrent Resolution 543 which placed the proposed amendment on the November ballot. The proposed amendment provides only for chancery and circuit court judges. If the amendment is adopted, the terms of county court judges will also change to six years pursuant to Miss. Code Ann. §9-9-1, which provides that county court judges "shall be elected ... in the same manner as circuit court judges ...". If the amendment is adopted it will be effective for all judges, state and county, elected during the 2002 election.

When the Court of Appeals was created in 1993, Miss. Code Ann. §9-4-5 provided that two judges would be elected from each of the five Mississippi congressional districts. Because of the 2000 U.S. census, Mississippi's representation in the U.S. Congress was reduced to four seats. As a result, the 2001 Mississippi Legislature amended §9-4-5 to create five "Court of Appeals Districts," which substantially coincided with the former five congressional districts. Laws 2001, Ch. 574, §2.

The 2001 Mississippi Legislature also added an additional county court place for both Madison and Rankin counties. Miss. Code Ann. §9-9-18.1 (Madison) and Miss. Code Ann. §9-9-18 (Rankin).

Judicial salaries are determined by statute. Except for county court judges, the amounts are specifically set out in Miss. Code Ann. §25-3-35. County court salaries are provided for in Miss. Code Ann. §9-9-11, which sets guidelines and salary ranges with the amount set by the board of supervisors. Salaries for Mississippi judges are:

Supreme Court
 Chief Justice \$104,900.00
 Presiding Justice \$102,900.00
 Associate Justice \$102,300.00

Court of Appeals
 Chief Judge \$ 98,300.00
 Associate Judge \$ 95,500.00

Chancery and Circuit Court
 Chancery Judges \$ 94,700.00
 Circuit Judges \$ 94,700.00

County Court
 Hinds County \$ 93,700.00
 Madison County \$ 93,700.00
 Rankin County \$ 94,200.00

There are 30 judicial positions with election districts covering some or all of Hinds, Madison or Rankin counties. Judges of or candidates for 24 of those positions either are not up for reelection or are running unopposed. The contested races are:

**Court of Appeals
 District 3, Place 2**
 James P. Brantley (incumbent)
 Madison, MS

Kenny Griffin
 Ridgeland, MS

**Chancery Court
 Madison County, District 11,
 Post 1**

John I. Donaldson
 Yazoo City, MS

Janace Harvey Gorec
 Canton, MS

Richard J. "Dick" Rohman
 Yazoo City, MS

**Circuit Court
 Hinds County, District 7,
 Subdistrict 1**

Louis Coleman
 Jackson, MS

Greg Johnson
 Jackson, MS

Swan Yerger (incumbent)
 Jackson, MS

**County Court
 Hinds County, Place 3**

John M. Breland
 Clinton, MS

George T. Holmes
 Jackson, MS

Mike T. Parker
 Clinton, MS

Madison County, Place 2
 Cynthia Lee Brewer
 Madison, MS

M. Earl Scales
 Madison, MS

Rankin County, Place 2
 Thomas H. (Tom) Broome
 Brandon, MS

Orbie S. Craft
 Brandon, MS

Mike Martz
 Brandon, MS

John Shirley
 Pearl, MS

Some editorial writers and others advocate the appointment of judges. This might occur in the future. In the meantime, voters should not let an "off year" keep them from going to the polls and casting an informed vote.

**REMEMBER
 TO VOTE!
 Tuesday, November 5,
 2002**

A View into the Head of a New Law Student

Each fall, Beloit College in Wisconsin publishes a "Mindset List" that relates to the entering undergraduate freshman class. Your HCBA Newsletter did a retrospective search of Beloit's files and came up with this list that applies to this year's new crop of law students.

1. Most students starting law school this fall were born in 1980.
2. They have no meaningful recollection of the Reagan era and did not know he had ever been shot.
3. They were prepubescent when the Persian Gulf War was waged.
4. Black Monday 1987 is as significant to them as the Great Depression.
5. There has only been one Pope.
6. They were 11 when the Soviet Union broke apart, and they do not remember the Cold War.
7. They have never feared a nuclear war. "The Day After" is a pill to them - not a movie.
8. They are too young to remember the Space Shuttle Challenger blowing up.
9. Their lifetime has always included AIDS.
10. They never had a polio shot and, likely, do not know what it is.
11. Bottle caps have not always been screw off but have always been plastic.
12. Atari pre-dates them, as do vinyl albums.
13. The expression "you sound like a broken record" means nothing to them.
14. They have never owned a record player.
15. They have likely never played Pac Man and have never heard of "Pong."
16. Star Wars looks very fake to them, and the special effects are pathetic.
17. There have always been red M&M's, and blue ones are not new. What do you mean there used to be beige ones?
18. They may never have heard of an 8-track, and chances are they've never heard or seen one.
19. The compact disc was introduced when they were one year old.
20. As far as they know, stamps have always cost about 32 cents.
21. They have always had an answering machine.
22. Most have never seen a TV set with only 13 channels, nor have they seen a black & white TV.
23. They have always had cable.
24. There have always been VCR's, but they have no idea what Beta is.
25. They cannot fathom what it was like not having a remote control.
26. They were born the year Walkmen were introduced by Sony.
27. Roller-skating has always meant in-line for them.
28. "The Tonight Show" has always been with Jay Leno.
29. They have no idea when or why Jordache jeans were cool.
30. Popcorn has always been cooked in the microwave.
31. They have never seen Larry Bird play, and Kareem Abdul-Jabbar is a football player.
32. They never took a swim and thought about "Jaws."
33. The Vietnam War is as ancient history to them as WWI and WWII or even the Civil War.
34. They have no idea that Americans were ever held hostage in Iran.
35. They can't imagine what hard contact lenses are.
36. They don't know who Mork was, or where he was from.
37. They never heard the terms "Where's the Beef?", "I'd walk a mile for a Camel" or "De plane, de plane!"
38. They do not care who shot J.R. and have no idea who J.R. is.
39. The Titanic was found? I thought we always knew where it was.
40. Kansas, Boston, Chicago, America, and Alabama are all places - not music groups.
41. McDonalds food never came in Styrofoam containers.
42. There has always been MTV, and it has always included non-musical shows.

Thank you, Beloit, for letting us use your list!

Haley Barbour to Speak at October Membership Meeting

Haley Barbour is Chairman and Chief Executive Officer and founder of Barbour Griffith & Rogers. In 2000, Barbour chaired the Bush for President Washington, DC, Campaign Advisory Committee. He was one of ten members of Governor Bush's National Presidential Exploratory Committee in 1999. He also serves as the Chairman of Policy Impact Communications, a Washington, DC-based public relations firm specializing in communications that affect public policy issues.

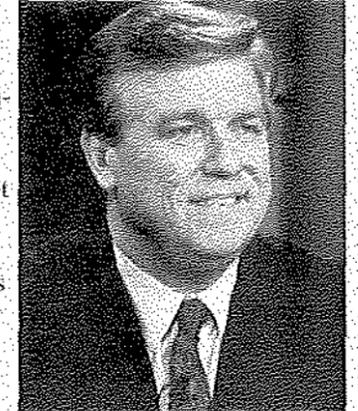
From 1993 to January 1997, Barbour served two terms as Chairman of the Republican National Committee. In November 1994, under Barbour's chairmanship, Republicans won the greatest midterm majority sweep of the twentieth century, winning GOP control of both houses of Congress for the first time in forty years. In 1996, Republicans maintained their majorities in both the House and Senate, winning control of Congress in back-to-back elections for the first time in 68 years. During his chairmanship, the number of Republican governors rose from seventeen to thirty-two.

For two years, Barbour served Ronald Reagan as Director of the White House Office of Political Affairs.

A seventh-generation Mississippian, Barbour was the Republican nominee for the U.S. Senate in 1982; he lost to the 35-year incumbent, Senator John Stennis. He served as Republican National Committeeman for Mississippi from 1984 until 1998.

Barbour's leadership extends into international affairs

as well. He serves as Vice Chairman of the International Democrat Union (IDU), the organization founded by President Reagan and Prime Minister Margaret Thatcher, which unites center-right, free-enterprise, democratic parties around the world. In addition to his role with the IDU, Barbour is Chairman of the



Haley Barbour

Union for Freedom and Democracy in the Americas (ADU). ADU, which is the regional organization of IDU in the Western Hemisphere, was founded in 1996 and coordinates greater cooperation among conservative, free-market, democratic political parties in the region. Additionally, Barbour is a member of the Board of Directors of Mississippi Chemical Corporation. From 1989 to 1993, he served as a Director of Amtrak.

Barbour received his law degree from the University of Mississippi in 1973. He and his wife Marsha have two sons and live in Yazoo City. He is a deacon in the First Presbyterian Church of Yazoo City, where he has also taught Sunday School.

HCBA Christmas Party at New Location

Mark your calendars for the HCBA Christmas Party to be held this year at the Old Capitol Inn. The event will be **Tuesday, December 3,** from 5:30 to 7:00.

Highway Eats by the Road Lawyer

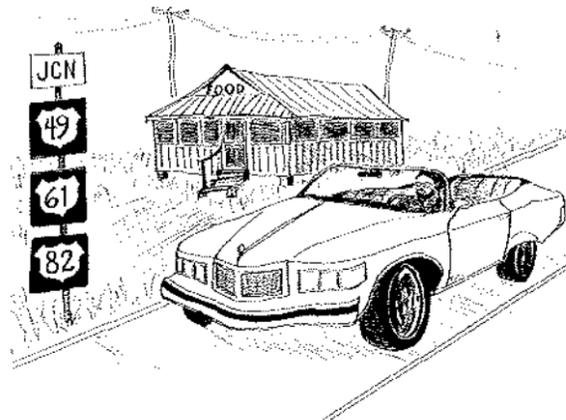
The changes on the Gulf Coast since legal gaming came to town continue to amaze me. Bright lights, tall buildings, billboards advertising big-name entertainment, a decent outlet mall, spruced up beaches and boardwalks, art galleries, and restaurants galore. The Gulf Coast is its own kind of place and always will be, I suppose, with its really mixed bag of people and culture that are quite different from the rest of the state. But there's a little sophistication creeping into the mix along with the new Vegas superficial glitter.

Even Gulfport, a place considered lowly by some Coasters, has a new restaurant and bar that has a New York atmosphere. It's the 27th Avenue Bistro downtown at 1312 27th Avenue (between 13th and 14th Streets), and it's open for dinner seven days a week and for lunch Monday through Friday. The interior features a beaded ceiling and cypress beams, and the tables are sheathed in copper. The menu includes items like yellow tomato and prosciutto salad, steamed mussels, seared beef tenderloin with Lyonnaise potatoes, herb-crusted yellow fin tuna with saffron rice, and so forth. The wine list is quite good for Mississippi, and the genuine French bread is superb. Groups of attractive folks crowd about the martini and wine bar.

One drawback to the Bistro is a major one but one that could be adjusted. The prices are much too high, for both wine and food. Or, to put it another way, the food has not yet reached a consistency to warrant the prices charged. A more minor complaint: the night I dined at the Bistro there was not a green salad of any variety on the menu. I don't think I'm alone in the view that a meal without a green salad is not complete. Let's hope the owners get word to make a few changes friendly to the patrons before they price themselves out of business. They've done some things really right.

For lunch in Gulfport, I recently visited my old favorite Sho-Ya, a Japanese restaurant on the west side of Highway 49 at its intersection with Pass Road. The place is not much to look at, but the food is good and authentic and there's always a crowd packed in at the noon hour. They serve plate lunches and bento-box specials from 11:00 to 2:30, featuring such familiar Asian dishes as teriyaki chicken or pork, fried rice, and sweet and sour pork, along with the tempura and sushi and sashimi. Sho-Ya is open Tuesday through Sunday for lunch and dinner.

The casinos all have fine restaurants. Some Gulf Coast residents think the Coral at the Beau Rivage Casino in Biloxi is the best of the gourmet food purveyors. I personally prefer LB's Steak House at the Grand Casino in Biloxi. The crusted salmon is absolutely a melt-in-your-mouth platonic dish, and the salads and soups are first rate. One thing about the Beau Rivage, though, is that they do have the most beautifully and



romantically designed restaurant spaces. At the Coral or the Japanese restaurant there, you could close your eyes and think you were somewhere far from Mississippi.

Chimney's Restaurant, which used to be in a building on stilts at the Long Beach marina, has moved to a beautiful, old, handsomely restored, white house on Highway 90 in Gulfport, adjacent to the Holiday Inn Beachfront. I hear the food is good, but I haven't tried it. An establishment named Steve's has moved into the old Chimney's location. I didn't think the food was as good as Chimney's used to be. I guess I just don't understand the old Coast love affair with cheese and fish. I like cheese and I like fish, but I don't think the two make a very happy marriage. I know Mary Mahoney's and others would disagree, but then the dissenters are often the kind of places that make their salads from iceberg lettuce and buy salad dressing from Sysco.

There are new restaurants of note in the Jackson area, and I'd like to invite readers to send me the names of their favorites. My car just automatically drives to the Mayflower for an evening out — almost as much because of the preference for selections from my own wine cellar as for the perfectly prepared fish (sans cheese).

My readers want to hear from you! Write or e-mail the Road Lawyer in care of Pat Evans, HCBA Executive Director, or the webmaster@hindsbar.com.

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You Might Be A Cranky, Crusty Old Middle Aged Codger If . . . by Captain Equity

As I contemplated this month's column, I reflected back over the summer. In my increasingly cranky world view, the planet in general and America in particular has become exponentially more out of control and annoying here in early October than it was back in late May. Take television for instance. Starting with *American Idol*, *Survivor Thailand* and *Big Brother III*, what passed for primetime network television has seemly morphed into a glitzier version of brain dead daytime fare. The nighttime answer to Jerry Springer and Judge Judy is a sleazy, fortune hunting Anna Nicole Smith and the terminally dysfunctional Osbournes. Televised voyeurism has arrived big time. In so doing, *The Young and the Restless* now begins to resemble a Ken Burns PBS Documentary even as America's intellectuals long for a revival of *Three's Company* or *Bewitched*. Even Regis is starting to look like Ed Sullivan.

Commercials aren't much better. That annoyingly "cute" Stephen of Dell computer fame has joined geeky, albeit slimmed down Jarrod of Subway as a corporate spokesman who has inexplicably captured America's somewhat limited imagination. And how about those Coors Beer commercials featuring whacked out twenty something, suds-gulping morons screaming about "those twins"? Oh, for a return of the Bud Bowl.

Cable news and televised sporting events are no better. Led by Rupert Murdoch's Fox Modeling Squad, legions of sexy women in their late 20s traded their modeling and exotic dancing careers over the summer for air time as imposter journalists. America continues to be treated to a decline in reporting and a corresponding increase of stupid questions posed by the Babes of Cable. I am almost certain that the next logical step must be Topless Breaking News if that would fetch higher ratings. And, of course it would, so get ready.

If the female cable personalities

were as hot as a Poplarville afternoon in August, their male counterparts were measurably more strident and angry. Even the formerly steady Phil Donahue, who once upon a time helped invent the entertainment "talk" genre, turned back up on MSNBC screaming at everyone as if he were juiced up on handfuls of steroids and a nightly thermos of espresso. Finally, Chris Matthews was being pushed as cable's head screamer and interrupter. It all sort of made Rush Limbaugh seem wistfully like George Will.

This summer's nationally televised rage party even spilled over into the once safe and reliable province of responsible decision-making. President Bush aka "The Leader of the Free World" suddenly and angrily became obsessed with Saddam. Pardon me, but that evildoer has had the same address for a while, so what's with the summer meltdown? The President began to remind me of a swaggering neighborhood thug of my youth whom everybody at my elementary school avoided like a Nancy Sinatra Concert. Instead of beginning his speeches with the traditional, "My fellow Americans," the President seemed to start every other televised address with, "What are you looking at?"

To me, it seemed as if anybody and everybody who rated broadcast airtime this summer was either an on-air lap dancer, a certified nut job on furlough from a prison psych ward, or someone angry enough to have a massive stroke at any second. Sometimes it was all three. Just turning on the television set had gotten scary.

And that only covers how I feel about the deterioration of television since May. Be certain that I have opinions on such diverse subject matter as: tattoos, radio sports talk programs, rap music, politics, athletes under indictment, the quality of American-made cars, higher education, perpetual special sessions of the legislature, the economy, white-collar criminals, and movies — to name but a very few

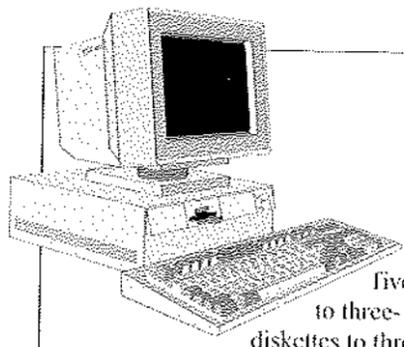
ongoing sources of irritation. And yes, I even have thoughts about Tort Reform, which is the lawyer equivalent of talking about tinkering with Social Security in a retirement community.

In the midst of my own frustration and anger, it suddenly dawned on me — maybe I had turned into my father or at least Phil Donahue at some point over the summer. That's what my friend and co-worker (we'll call him Matt) has been saying lately. Actually, he's been saying it for the past several years. Matt says it (it being becoming cranky, crusty and decidedly pessimistic in one's world view) is a consequence of turning 50 and that it happens to all men in some form or another. I answer that I am just being realistic while Matt, who will never again see 39, has yet to come to terms with the fact that he is no longer 28 even though he thinks he still is and always will be. Boy, is he in for a surprise and soon!

But despite my immense storehouse of wisdom and smug sense of prescience when it comes to Matt, the realization that he might just be right about me is more than a little disturbing. Could I really be a cranky, crusty old middle-aged codger rather than the rational visionary that I believe myself to be? The Coors commercial about those twins tells me I'm fine, but . . .

So how can one tell if he has suddenly crossed over into Codgerdom? Certainly age could be circumstantial evidence. But, by the same token, being told you are a codger by Matt is like being guaranteed that Ole Miss and Mississippi State will play each other for the national championship at this year's Fiesta Bowl. There must be a more objective way to tell. So, after consulting mental health and nursing home professionals and with apologies to Jeff Foxworthy, consider the following simple test. All readers over 50 should be required to participate. It is optional for those in their 40s. Matt is exempt because he is still way too cool for a self-discovery exercise.

continued



On Computing

by Joel Howell

Remember the good old days when you went from five-and-a-quarter-inch floppies to three- and-a-half-inch double-sided diskettes to three-and-a-half-inch high-density 1.44 meg diskettes? Remember what a revelation it was when the 100 meg zip drive came along?

Now with hard drive prices low and program sizes considerably larger than ever, compact discs (CD's) are the media of choice for volume data storage.

In early times of CD recording, recorders were tens of thousands of dollars and blank CD's were fifty dollars each. Now, with compact disc recorders (CD-R) or Compact Disk-Rewritable (CD-RW) recorders, and very reasonable media cost, a recordable CD drive is a downright necessity. This is to give you an overview on CD burning.

Windows XP, with code written from the ground up, has built-in support for CD burning and is probably the operating system of choice for such uses. Depending on whether you have a CD-R or CD-RW drive, it's as simple as popping a blank CD into the drive, at which point Windows XP will open a dialog box asking if you want to open a writeable CD folder. You are then given an icon asking you to choose a folder or not (with the option of always doing the selected action not recommended until you become more familiar with the process).

If you choose to open a folder you can drag and drop files and / or directories to it. A copy of these will actually be held in a temporary file on your hard drive awaiting your instruction to burn the CD, and a list of the proposed contents will be listed. You still can change your mind up to this point. Simply select and delete any files or directories you want copied. If you attempt to place more data on the CD than its capacity allows you will also be so advised (a standard CD holds 650 megabytes while a high capacity is 850). When you are ready to record just click "Write these files to CD" in

the task bar to the left, and the CD writer will prompt you for a label of up to 16 characters for the CD. Click "Next" and the wizard gives you a progress bar indicating status.

What if you forgot a file or only put a couple of hundred megs on the CD with several hundred megs unused? All you need to do is drop and drag more files into the folder and they will be added to the waiting list for the next recording session. Windows XP supports creating multi-session CD's. You just have to be aware that adding a file or folder of the same name will overwrite the older version.

Depending on your needs, the slightly more expensive CD-RW format is somewhat more appealing because you can simply erase and reuse the media. Be careful in your initial attempts, particularly if you have a CD/DVD drive (you can record those now, but it's pricey).

If you want to make adjustments to Windows XP's default settings, go to the folder containing the drive of your CD recorder, right-click it, then click "Properties" and "Record", which gives you options, particularly including speed. The foregoing simply relates to files and not audio CD's. That process, however, is just as simple. If you have a folder that contains media files (.wmp, .mp3, or .wav), simply select the files to record and click "Record to Audio CD." Windows Media Player will then open with your selected files; when you are ready to record, simply click the "Copy Music" button in the media player. It stores those files in a temporary file on your hard drive and begins the recording.

Windows XP does not support tasks such as full CD duplication for bootable CD's or creating CD's from images (there's ample third-party software for this), but you will still be well ahead of the game with this useful media.

To find this information online you can print out the following help files: Copy files and folders to a CD; Delete CD Recorder temporary files; Troubleshooting.

continued on page 10

Captain Equity *continued from page 7*

The Cranky, Crusty Old Middle Aged Codger Quiz

1. If you think Ludicrous is an adjective as opposed to a proper noun, you might be a codger.
 2. If you prefer going to bed early so you will be fresh to read Orley Hood's column in tomorrow's *Clarion Ledger* as opposed to going to Hal & Mal's to hear Dr. Zar's Amazing Funk Monster, you might be a codger.
 3. If you think teenagers and college-age people like those in Coors commercials are more disrespectful to authority and their elders than you were, you might be a codger.
 4. If you think Western Civilization peaked the day you first heard the name Jennifer Flowers, you might be a codger.
 5. If your present automobile is the first one you have ever owned with an automatic transmission, you might be a codger.
 6. If you think *The Tonight Show* was better when Johnny Carson hosted it, you might be a codger.
 7. If you think it's just a matter of time before Jubilee Jam moves to Madison, you might be a codger.
 8. If Chip Pickering is the first Congressional Republican you have ever voted for, you might be a codger.
 9. If you are still listening to the Mammias and Pappas, albeit on CD rather than record, you might be a codger.
 10. If you don't just think you are right 99% of the time, but you know you are, you might be a codger.
- Well, how did I do? Let's just say that I might be showing my age, but that doesn't mean Matt is right!

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Book Notes

by Nonie Joiner



I don't normally listen to books on tape or CD. I'm rarely in a car very long, and when I am I take that opportunity to sing along with the radio or a CD, because by popular request I *never* sing when anyone else is around. I asked Linda Thompson to write a column about books on audio a few months ago, because goodness knows she is a road lawyer and has extensive experience with these audiotapes. The column was great and made me decide that I too should listen to them.

The first book I thought of was *All Over but the Shoutin'* by Rick Bragg, which is one of the best books I've read in recent years. In it he pays homage to his mother and her struggle to support her three sons after her husband abandoned all of them. One of the things I loved most about it was the language; it's like reading poetry. He grew up in Alabama along the Georgia line. He describes his family as "white trash," although a lady like his mother would never have been described as white trash by anyone I know. That term is used to describe behavior rather than economic status, and his mother's behavior appears to have been entirely admirable.

In any event, his family was uneducated and retained Appalachian speech patterns which he has reproduced and which he himself uses rather aggressively and to great effect. If you're a southerner, it's a lot of fun to read this language because you seem to hear it as you read. This is not exaggerated comic "southern" speech. This is real. He has been compared to Faulkner, and I think that's valid; he has compassion and insight as well as an absolute lock on the language.

It's a shame that we southerners have allowed ourselves to be cowed into abandoning our accents and patterns and figures of speech. PRM keeps hiring foreign announcers with anything but a Mississippi accent. That's Public Radio in *Mississippi*, right? PRM must be afraid of appearing southern and therefore stupid and racist. Did anyone see the interview with the Pakistani medical students who were detained after a Georgia woman told authorities she heard them discussing terrorist activities? The network lead-in said that the medical students were accusing authorities of profiling, and then the student promptly said that they assume the reason the woman told this story was that she was from the south and that of course southerners are known to be racists. The announcer

didn't seem to notice anything peculiar about this.

But to get back to my subject, Bragg, who became a writer for the *New York Times* and won a Pulitzer, has by his account chosen to retain much of his native speech. I wanted this book on tape because Bragg read it himself and I wanted to hear it in his voice. Amazon was out, but I plan to keep looking.

Meanwhile, I'm reading *Ava's Man*, which is a profile of Bragg's maternal grandfather and which is also excellent. I recommend both of these.

Another *New York Times* journalist with a Pulitzer and a best seller and who also read his own book for audio is Thomas Friedman. Years ago I read his *From Beirut to Jerusalem*, which described events in the Mideast during his years as a reporter there and which was really really long and so detailed and complex that I was more confused than ever when I finished it, although I thought it was very good and insisted that my friends read it. One of them has hardly spoken to me since.

I see that the audio version of *From Beirut to Jerusalem* is abridged. I think that's probably good. Friedman came back to the U.S. in time to be a talking head during the Gulf War, and he's been on talk shows off and on ever since. His most recent book, *Longitudes and Attitudes: Exploring the World After September 11*, is a collection of his columns for the *Times* during the past year. I've looked through it but have decided I'm going to let this one age a little before I read it. Still, for anyone wanting to read about September 11, given his history, I can't imagine that it won't be worth reading. The reviews are excellent.

One book about September 11 which I have read, and which is the reason that I'm taking a break before I read another one, is David Halberstam's *Firehouse*. It is the story of 13 firefighters at a firehouse on the Upper West Side who responded to the call to the World Trade Center. David Halberstam can always be counted on. Also a *New York Times* veteran, he won his Pulitzer for his reporting from Vietnam. When you look at this book you will think it is short and can be read quickly, but be warned, you must allow some time to cry as well as to read. I do recommend it.

On Computing *continued from page 8*

You can also use such media to do full and incremental backups of your system, which is now the recommended way to do so. Remember to keep a copy of your complete backup off-site!

Here are some sites you may find of interest:

<http://www.findlaw.com> This site has news and resources on a great many things not least of which is its page,

"Special Coverage: War on Terrorism"

<http://www.lexisone.com> Provides news as a wealth of resources, particularly including a legal site web directory, which is most helpful in searching state law or agencies.

<http://www.jurist.law.pitt.edu> A legal education network, which includes a site on terrorism, law and policy.

<http://www.abanef.org> The American Bar Association site is always a wealth of resources, including a portion of its front page dedicated to "Our National Tragedy."

<http://www.lawbiz.com> The home of Edward Poll, which advises firms on economic matters.

Questions or comments? Send email to webmaster@hindsbar.com.

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THANKSGIVING HOURS (November 27-29)

Wednesday	7:30 a.m. - noon
Thursday & Friday	CLOSED

EXAM SCHEDULE (December 6 -18)

Monday - Friday	7:30 a.m. - midnight
Saturday	9:00 a.m. - midnight
Sunday	noon - midnight

HOLIDAY HOURS

December 19, 20	7:30 a.m. - 6:00 p.m.
December 21 - 30	CLOSED
December 31	7:30 a.m. - 6:00 p.m.
January 1	CLOSED
January 2, 3	7:30 a.m. - 6:00 p.m.
January 4 & 5	CLOSED
January 6 - 10	7:30 a.m. - 6:00 p.m.
January 11 & 12	CLOSED



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