



## President's Column

Roy Campbell

Your President's absence stimulated a near record turnout for the bi-monthly membership meeting on August 17, 2010. Presided over by Vice-President Laura Glaze, the one-hour CLE program on judicial elections was presented by Adam Kilgore and Gwen Combs, respectively General Counsel and Deputy General Counsel of the Mississippi Bar. By all accounts their presentation was well received and appreciated. While you will earn no CLE credit for attending our next membership meeting on October 19, 2010, I can promise that if you come, you will enjoy much more than just the fun and fellowship of having lunch with our local bench and bar. Our speaker will be Clarion-Ledger cartoonist Marshall Ramsey. Apart from his cartoons, Marshall Ramsey is an accomplished and amusing speaker and his program should be extremely entertaining. We are indebted to our Program Chair, Meade Mitchell, for arranging both of those great programs.

By the time this edition of the newsletter reaches you, we will have held our Fall Social jointly with the Jackson Young Lawyers, on September 30. That illustrates the inadequacy of using this bi-monthly newsletter as a bulletin board. But it likewise underscores the efficacy of our improved website, [www.caba.ms](http://www.caba.ms) (the former address, [www.hindsbar.com](http://www.hindsbar.com), remains viable as well). Melissa Baltz and the other members of the Website Committee have made it possible to obtain, and deliver, current information about CABA events and activities all day every day. And in addition to posting a calendar of events, the website



now contains a list of committees and committee chairs, with online sign up for committees. Committees begin their activities soon, so go to the website and choose one by the October 15 deadline. Our goal for that website is to provide you with the information and resources you need. If you have suggestions or recommendations for the website please communicate those to Melissa Baltz at [Melissa.baltz@butlersnow.com](mailto:Melissa.baltz@butlersnow.com) or to Scott Jones at [scotjones@arlaw.com](mailto:scotjones@arlaw.com).

U.S. District Judge Dan Jordan and William Liston, III are co-chairs of the Bench-Bar Relations Committee. That committee has scheduled a lunch seminar, entitled "Pet-Peeves – A Two-Way Street," for the bi-monthly membership meeting on February 15, 2011. They have selected an excellent panel of lawyers and judges who will discuss their grievances with each other and, perhaps, field some from the audience. It will be an interesting program so put that on your calendar and start making your grievance list. Other members of the Bench-Bar Relations Committee are Scottie Welch, Amy Champagne, Katrina Dannheim, and Vicki Lowery.

Please read in this issue of the newsletter LeAnn Neeley's report from her Pro Bono/Community Service Committee. LeAnn's committee provides many opportunities for community involvement, including the continuation of the Wills for Heroes

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## Upcoming Events

### Tuesday, October 19

CABA Membership Meeting  
12:00 Noon • Capital Club

### Thursday, December 2

CABA/JYL Christmas Social  
Toys for Tots  
5:00 - 7:00 • Old Capitol Inn

### Tuesday, February 15

CABA Membership Meeting  
Capital Club

### Tuesday, April 19

CABA Membership Meeting  
Capital Club

## CABA October Membership Luncheon Meeting

Tuesday, October 19, 2010

12 Noon • Capital Club, 19th Floor, Capital Towers Building

Guest speaker will be Marshall Ramsey

Thandi Wade, President of the Magnolia Bar Association, will be giving an update on their activities.

## CABA & Jackson Young Lawyers Holiday Social

Thursday, December 2, 2010

5:00-7:00 p.m. • Old Capitol Inn

Accepting "Toys for Tots" Donations



# CAPTAIN EQUITY



## Showdown in November:

Why we will elect more one-term senators and congressmen while nothing gets done.

There is something different in the air as we advance toward the 2010 midterm elections. A nearly universal sense of anger and frustration combined with a palpable tension seems to grip America these days. Consumer confidence is plunging; faith in our institutions is tanking as are the approval ratings for all politicians regardless of party or persuasion. Congress in particular is experiencing an all time low in terms of voter confidence with only one in ten Americans approving of its performance. An economy that shifts from neutral to reverse back to neutral doesn't help. History shows that tough economic times inevitably spark political, psychological, and social upheaval. Yet something is different this time. Unvarnished hate against the backdrop of mass ignorance is on the rise. It's ugly, pointed, and basic. It revolves around the same universal themes on which the bloody history of the world has been written over the millennia. Religion, race, power, corruption, war; it's all there, but this time it seems worse than usual, at least for a developed country like the United States of America. Why is this so and what does it mean for our future?

### Human Nature: The real enemy is us

Take a good look into the mirror sometime and be as realistic as possible. It is easy to be pleased with our better qualities like self discipline, hard work, honesty, personal sacrifice, faith, empathy, charity, love for family and country, fiscal and personal responsibility, and on it goes. It is much more difficult to admit that we are at times greedy, selfish, fearful, lazy, set in our ways not to mention thirty pounds overweight. Only cameras lie, not mirrors. As between the good and the bad, optimistic denial coupled with a healthy ego, lack of realism, dismissal of facts, and strategic rationalization work every time. "I'll go to the gym tomorrow. I'll start the diet next week. I'll read more and pay closer attention to national affairs right after I eat some ice cream." Sound familiar?

Now multiply this snapshot by 310 million and have it amplified by an endless 24/7 media cycle that gives voice to for-profit egomaniacs, holier-than-thou hypocrites and shrewd marketers who make a good living by telling us just what we want to hear. Of course when expectations are too great and the promised fairy tale fails to materialize, we become disappointed. The next time it doesn't happen, disappointment is replaced by disillusionment which eventually gives way to cynicism which leads to anger and then to hate and irrationality. Disappointment can take many forms. Sometimes it is expressed by stock market downturns, real estate

collapses, economic deflation, stagflation, or even hyperinflation. From a more personal standpoint, the failed fairy tale results in personal job loss, foreclosure, or serious illness. When unfounded optimism coupled with irrational denial fails to work its magic, we are unwillingly forced back to painful reality. But none of it can be our fault; the government must not be doing its job, or maybe its undocumented immigrants taking our jobs or perhaps its Muslims from Kenya working with socialists and devil worshippers. Whatever evil doers caused this, frustration, disappointment, disillusionment, cynicism, anger, and hate tend to be exacerbated and compounded. Finally, irrationality takes over and we begin to act out as a nation, the facts be damned. Ignorance is bliss and anger somehow makes us feel better until things improve. Meanwhile we vote for irrational whack jobs who promise us another fairy tale. The alternative is to lose oneself in the nihilism of pop culture celebrity worship. As the old saying goes, "When things get tough, the tough watch Jersey Shore." Or perhaps the tough borrow money at a Cash For Titles outlet to go to a Lady Gaga Concert while failing to bother to vote. The less fortunate just illegally download copyrighted Lady Gaga tunes while paying no attention to the accruing interest on their student loans. Oh yeah, and they fail to vote too. In a nutshell, I have described America off and on since the JFK assassination, Birmingham and Selma, Vietnam, Watergate, Iran Contra, The Savings & Loan debacle, the Clinton Impeachment, the Dot Com bust, 9/11, Iraq, Gitmo, "Mission Accomplished," Afghanistan, and right on through the Wall Street Driven, Easy Credit Great Recession and the great expectations for President-Elect Barack Obama that have evaporated into what is now the Tea Party. Oh yeah, and it's all still floated with borrowed money from wherever. Does there seem to be a pattern here?

### So How Do We Fix It?

We don't. Our political culture and short national attention span combine to sustain denial until the next generation has to pay for it. If the past is any indicator, the next generation will probably pass the bill on to the next generation and so on. No longer do we reward our representatives for taking the long view or standing on principle to tell voters the hard truth. Because of public complicity or apathy, this is by and large fine with the voters. For example, people scream about the deficit yet are steadfast in not calling for defense spending cuts. The hard truth here is that the Afghanistan war is fought by an all volunteer force that is deployed and redeployed over and over and over to their personal

detriment, but nobody else's. (Insert cliché about supporting the troops.) Depending on which source you believe, the war costs about \$200,000,000 to \$300,000,000 per day; that's two billion dollars per week. Much of this money is paid to giant no bid contractors that retain local sub contractors and sub-sub contractors. No one denies that there is mass corruption, shoddy construction, and nearly limitless waste. So what is to be done? Just utter another cliché about supporting the troops.

This is all on top of the Iraq War which has cost roughly one trillion dollars so far, all of which was off budget funded with borrowed money under a "fiscally conservative" Administration and Congress that were steadfastly against so called "Nation Building." So I ask the rhetorical question, is government too big? The Pentagon sure is, yet all anyone can do is solemnly cite that "freedom is not free." No it's not, but are we any safer now that we continue to fund corrupt war lords to keep the so called Taliban from growing poppies?

And by the way, this is the very same Taliban that we funded in the late 1980s and early 1990s when the Soviets were occupying the region. Afghanistan was the straw which finally broke the USSR into little pieces. Is that what it is doing to us? If it is really that important to our freedom, shouldn't we at least bring back the military draft? Nope, because every Republican and Democrat in power knows that would make 1968 reappear faster than you could say "Tet Offensive."

And speaking of no skin in the game (err, I mean Fairy Tale) 47% of Americans pay no income taxes at all. Most CABA members fall into the remaining 53% category that picks up the tab for everyone else. Meanwhile, it's okay to let people retire at 62 on reduced benefits even though age 65 was chosen way back in the 1930s when life expectancy was about 61. And by the way, who invented that chronological cutoff? Why, it was Bismarck from Germany who predated FDR when life expectancy was even lower still. Should we revisit Social

Security? Sure. Will we? Superficially. Maybe.

And so, what do the Democrats advocate? That people like me should pay more taxes. Would I mind paying more taxes? Honestly no I wouldn't, provided I knew the money would be wisely spent, but it's not and it won't be. (See Afghanistan war lords, supra, not to mention Wall Street gambling operations and earmarks for big corporate contributors.) And so, what do we get from the GOP? Why more deregulation and tax cuts so we can run up more and more debt allowing them to gain back control of Congress. Never mind that that was the recipe that got us into the mess we are currently in, not to mention the BP Oil Disaster, the failed New Orleans levy system compliments of the U.S. Army Corps of Engineers, and on and on until one digit short of infinity.

Nope, it is easier to cast blame on Muslims and Mexicans while helping Big Oil, Big Finance, Big Pharma, Big Insurance, and Big (fill in the blank) stack the deck against lazy unemployed Americans who have lost their

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# CABA PRO-BONO/COMMUNITY SERVICE PROJECT

jobs and senior citizens who have the temerity to get sick more often than young, healthy high school drop outs or reality show celebrities.

In the end, denial wins out every single time as we kick the can down the road and keep running up more and more debt until we follow the extremes of Germany during the 1930s worldwide depression, the Soviet Union in the 1980s or (fill in the blank). However, no matter how paranoid you might be, that is unlikely in America. But Senators Sharron Angle of Nevada and Joe Miller of Alaska aren't unlikely, even if they are destined to provide nonstop entertainment while mercifully serving only one term. Given the hyper-partisan political atmosphere which controls our tax money (at least 53% of us) in this nation, even laudable attempts at reform such as the medical insurance bill that was signed by the President earlier this year are so watered down with side deals like the Cornhusker Kickback or the Louisiana Purchase that principle is too often swallowed by the corrupt bribery scheme that passes for political fundraising these days. Too harsh? You tell me.

Otherwise, I just thought I would share something positive for you to think about when you go vote on November 2. As they say in Chicago, vote early and vote often and get ready to get even angrier than you are now. You might also want to brush up on your Mandarin Chinese language skills.

## President's Column

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program this year. Please consider signing up to participate in that committee's work.

CABA and JYL have started planning the joint Annual Charity Golf Tournament for next Spring. Updated information on when and where the tournament will be held should be posted on the website in the next several months. Elizabeth Thomas is CABA's Golf Committee chair.

Please remember to join us at the next CABA membership meeting on Tuesday, October 19, 2010, at the Capital Club to hear Marshall Ramsey. I look forward to seeing you there.

This year the focus of our pro bono/ community service committee is to continue the Wills for Heroes program, extending it to cities within the capital area. Many emergency first responders put their lives on the line each day to ensure our health and safety.

**This is our chance to give back to them, and at the same time earn pro bono hours.**

We will be providing local emergency first responders with free wills, living wills, and healthcare and financial powers of attorney through the Wills for Heroes program.

Last year we did this project in conjunction with the Young Lawyers Division of the Mississippi Bar – and this year, in order to cover more area, CABA will be hosting these programs independently from YLD, while they also continue it throughout the state.

**That means your participation is key!**

I will keep everyone posted once I have worked with the local departments and established a time and date for our first event. Take care, and I look forward to working with everyone as we continue this wonderful program!

## MC Law Honors Inaugural Members of the 50 Year Club



Mississippi College School of Law recently presented the school's inaugural members of the 50 Year Club. The Club recognizes alumni who have celebrated fifty or more years in the legal field. The 50 Year Club members were presented with medals and lapel pins at the law school's annual Alumni Dinner in April.

Honorees in attendance were D. Carl Black, Jr. '63, Weaver Gore, Jr. '51, Ed Kemp '53, Daniel Lynn '60, C.M. Mitchell '52, Robert Oswald '51, Bob Pittman '60, Lee Spence

'49, Percy Stanfield, Jr. '60, Lowell Stephens '56, John Tracy '57, Harlon Varnado '60, and Gene Wilkinson '58.

"These 50 Year stalwarts have seen many changes in law practice and in society in their years since graduation," said Dean Jim Rosenblatt. "It is a tribute to them that they have taken these changes in stride and remained active and effective in their work and in their communities. I salute them for the many contributions they have made over this half century of time. They are my heroes."

# 2010-2011 Committee Meetings

CABA Board and Committee Chairmen Meeting The CABA Board of Directors and 2010-2011 Committee Chairman met on August 3 to plan this year's bar activities.



**A** Stephanie Rippee, Women in the Profession Committee Co-Chairman; Laura Glaze, President-Elect; Amanda Alexander, Women & Children's Advocacy Chairman.

**B** Peyton Prospere, Director; Elizabeth Thomas, Golf Tournament Chairman, Tom Alexander, Past President

**C** Denita Smith and Tammra Cascio, Social Committee Co-Chairman; Jennifer Hall (center), Director

**D** Roy Campbell, President; Luke Dove, Newsletter Editor

**E** Matthew McLaughlin, Community Grant Committee Chairman; Cheryn Baker, Director

**F** David Marion, Treasurer; Rob Mink, Law Related Education Chairman

Other Committee Chairmen and Co-Chairmen not pictured include: Honorable Dan Jordan and William Liston, III, Bench & Bar Relations; Ronald Taylor, Budget; Jim Shelton, Diversity; Pamela Prather, Evening Honoring the Judiciary; Ben Piazza, Library; LeAnn Nealey, ProBono/Community Service; Meade Mitchell, Programs; Website, Melissa Baltz; Sandra Strong, Women in the Profession.

## August CABA Membership Meeting



A large crowd attended the August CABA Membership Meeting that featured a One Hour/CLE Program.



Gwen Combs and Adam Kilgore with The Mississippi Bar presented a One Hour/CLE Ethics Program at the CABA August Membership Meeting. They are shown with Meade Mitchell, Program Chairman; and Laura Glaze, President Elect.

# Joel Howell On Computing

A Column for the Contemporary Lawyer



## Three websites that make law easier and more efficient

With thanks to Robert Ambrogi and Law Technology News, here's some introductory information on relatively new resources for your law practice.

Spindle Law (<http://spindlelaw.com>) styles itself "a new kind of legal research and writing system." Its self-avowed goal is to make legal research "faster and smarter." It attempts to do this by structuring information more intuitively and by building on the knowledge of the lawyers who use it.

Spindle Law has a fundamentally hierarchical structure. Thus, the "courts" branch leads to the narrower "evidence" and "civil procedure" branches. As you move through the tree-like structure, rules of law are presented, along with helpful authorities.

This system is basically a wiki, allowing registered users to add or edit authorities, edit the tree, comment on authorities, and vouch for or reject authorities. To ensure the quality of user contributions, the system is overseen by "branch managers," who are Spindle-designated editors with top-level editing authority.

When you find a helpful authority, click "add to SpinDoc" and both the rule and the authority are placed in a notepad in proper Blue Book form. You can add authorities to SpinDoc as you perform your research, as well as your own notes. You can begin your drafting here, or copy everything and paste it into your word processor.

Although Spindle Law is in the very early stages of development, it has what it considers "substantial coverage" in three areas of law: evidence, the Clean Air Act, and federal securities liability under Rule 10B-5.

The concept is fascinating, but its future success will depend on its ability to draw

enough lawyers to join the process and share their knowledge.

While Spindle Law seeks to build a treatise based on the collective knowledge of its users, Judgepedia (<http://judgepedia.org>) wants to tap its users' knowledge to build a comprehensive encyclopedic reference about America's courts and judges. It also is wiki-like in structure.

Judgepedia has pages for virtually all federal and state courts and the associated judges. Its evolution is just beginning; for many trial courts, the page is nothing more than a link to the court's official website.

For lawyers, the site is best used as reference source on specific courts and judges. Each state gets a main page from which you can drill down to more developed pages, with current and historical information about the courts, their judges and their notable opinions.

For those interested or involved in federal rulemaking, the U.S. government's launch a few years ago of Regulations.gov ([www.regulations.gov](http://www.regulations.gov)) was a big step in the right direction. Citing its perception that regulations.gov is not user-friendly, a new site, OpenRegs.com (<http://openregs.com>), has been created to "make the proposed and final regulations published in the Federal Register easy to find and discuss, so that citizens can become better informed and more involved."

OpenRegs.com presents the most recent regulatory news, recently published regulations, and even an iPhone application that helps find recently issued rulemaking notices or to browse by agency.

Take a look at these sites. Whether drawn by interest or need, they offer insights as to the future accessibility of the law and its resources

## COMMITTEE SIGN UP NOW ONLINE!

This is just **ONE** of the features we've added to our newly-updated site.

### CABA Committees include:

Evening Honoring the Judiciary	Community Grant	Membership
Pro Bono / Community Service	Diversity	Professionalism
Women & Children's Advocacy	Golf Tournament	Social
Newsletter / Editorial Board	Law-Related Education	Website
Bench & Bar Relations	Women in the Profession	Library

Time requirements for each committee vary, but most are surprisingly minimal. Some meet at lunch or entirely through e mail.

E mail committee chairs with any questions concerning their committee. After joining, committee chairs will notify you of the committee meeting schedule. Your participation is crucial to sustaining CABA's service to its members.

### Sign up by **October 15, 2010!**

Committees begin their activities this month. We look forward to working with you soon.



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# Histories of a Few Words

John Land McDavid

**H**ow's your etymology doing? Have you watered it lately? The following are condensed histories of ten words selected from New Book of Word Histories (Merriam-Webster Inc. 1991).

**ALIMONY:** Alimony is an anglicization of the Latin *alimonia* (sustenance), which is derived from *alere* (to nourish). In English alimony has meant not only "an allowance given to a spouse" but also "a means of living, maintenance." Both meanings appeared at almost the same time in the middle of the seventeenth century.

**BOWDLERIZE:** Thomas Bowdler (1754-1825), an Englishman, was educated as a physician, but because of ill health spent his life protecting the public from improper, indecent, irreligious, and immoral words which shall not be read aloud. In 1818 he published an edition of the works of Shakespeare which he titled "The Family Shakespeare" in which all bad words were deleted. He then did the same thing for Gibbon's "History of the Decline and Fall of the Roman Empire." He also was active in the Proclamation Society which went about enforcing royal proclamations against impiety and vice. Within a decade after his death Bowdler's name had become synonymous with the purging of literary works.

**CANAPÉ:** A mosquito was called *konops* in ancient Greek, and a couch hung with curtains for protection against mosquitoes was a *konopion*. This word for a useful piece of furniture was borrowed by the Romans (canopeum) and eventually made its way from Medieval Latin (canopeum) into Middle English (canope) and French (canapé). The English attached the name to the covering curtain (canopy). The French attached it to the couch it covered. Later, a piece of bread or toast topped with savory food was felt to resemble a couch or sofa, and the French canapé gained a new meaning. Modern English has borrowed the appetizer and its name from the French.

**CLICHÉ:** The noun cliché is a French word meaning "stereotype," that is, a plate for making type in printing. Both cliché and stereotype came to be associated with a uniform, invariable way of creating something, like printing. By the nineteenth century, however, both words began

to be used disparagingly to describe creative works that appeared to be cut from a mold. Cliché usually denotes a trite expression or a hackneyed theme. The word stereotype conveys a lack of originality in opinion, attitude, or judgment that shows itself in subscribing to a popularly held and oversimplified mental image of something. Also, stereotype is a collection of qualities or traits all members of a particular group are assumed to exhibit.

**DRACONIAN:** Draconian derives from the name of Draco, an Athenian lawgiver of the seventh century B.C., whose purpose was to reform the criminal justice system. Before Draco punishment was largely carried out by relatives of the victim. What Draco lacked in compassion he made up in consistency: almost all criminal offenses, trivial and serious, called for the death penalty. In 594 B.C. the Athenian statesman Solon repealed almost all of it. Solon's name is preserved in English as *solon* as a synonym for a wise and skillful lawgiver. The proverbial severity of Draco's code has resulted

in draconian being applied to various things, including laws, that are extremely harsh and rigorous.

**POSH:** Posh means elegant, fashionable, luxurious. The origin of posh is unknown. The most popular theory is that it stands for "port out, starboard home," which designated the most desirable accommodations on a steamship voyage from England to India and back during the days of the British Empire. The cabins on the port side on the way to India got the morning sun and had the rest of the day to cool off, while starboard ones got the afternoon sun and were still hot at bedtime. According to the story, the tickets of passengers who got the preferred cabins were marked P.O.S.H. Another version is based on a cartoon in a 1918 issue of *Punch*, the English humor magazine. In the cartoon a British officer (the cartoon was set during WWI) is talking to his mother. The dialogue is: "Oh, yes, Mater, we had a posh time of it down there". — "Whatever do you mean by 'posh', Gerald?" — "Don't you know? It's slang for 'swish!'"

**FIASCO:** Fiasco means a ludicrous or humiliating failure. In Italian *fiasco* means "a

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glass bottle,” referring to a long-necked, straw-covered bottle for wine. The French developed a similar term *fiare fiasco*, meaning ‘to fail’ (literally to make a bottle). For reasons which cannot be explained, the term in the nineteenth century came into English to mean utter and ridiculous failure.

**JEEP:** In 1936 there appeared in the Popeye comic strip (Thimble Theater) drawn by Elize C. Segar, a lovable little animal called “Eugene the Jeep.” He always told the truth and when asked a question he always answered “jeep.” In 1937 auto companies began to develop an all-purpose vehicle for military use. When the vehicle was ready for production, it was designated, in government fashion, as general purpose, or g. p. Apparently under the influence of Eugene the Jeep, the vehicle became known as the jeep, the workhorse of

the U. S. armed forces in WWII. A similar transition occurred with the initials for vice-president, v. p., into the word veep.

**YACHT:** In the sixteenth century the Dutch began building light, fast-moving ships designed to chase ships of pirates and smugglers away from the Dutch coast. The Dutch called this vessel a *jaght*, which is a derivative of the Middle Low German word for a fast, light sailing vessel *jachtschiff*. In 1666 such a ship was given to the then King of England for a pleasure boat. Thereafter, British shipbuilders copied the design and sold them to wealthy gentlemen who could afford such a pleasure craft. *Yacht* became the established spelling in English, winning out over *yeogh*, *yoath*, *yaught*, and *jacht*. Now *yacht* is applied to any luxurious boat — powerboat as well as sailboat.

**YANKEE:** The origin of Yankee is

uncertain. *Word Histories* devoted three pages listing the many theories. More than for any other word. The earliest recorded use of Yankee in America is a pejorative term for American colonials used by British military. After the battle of Lexington and Concord, Yankee became respectable and the colonials adopted Yankee in defiance. Ever since these two uses of Yankee have existed side by side — a derisive use and a respectable use. In Mississippi, at least since the Civil War, Yankee has meant a person from “Up North.” During WWI and WWII U.S. troops were known by the shorter version “Yanks.” Alright now! Everyone together! OVER THERE... SEND THE WORD... THAT THE YANKS ARE COMING... AND WE WON’T COME BACK ‘TIL ITS OVER OVER THERE! (“Over There,” George M. Cohan, 1917).

## A Memory of Judge Evans

Will Manuel

Much has been written about Judge Robert Evans’ legal career since his untimely passing this summer. Storied prosecutor, learned judge, and published historian—all worthy descriptions of a man with multiple interests. Judge Evans was well-known by most Jackson lawyers due to the proximity of his Circuit and the fact that it was often a popular venue for litigation. He relished in holding court (pun certainly intended) with all attorneys who enjoyed a good story and had an appetite for humor. It is this aspect of Judge Bob Evans that I will miss the most.

As a younger lawyer, I can remember being sent to numerous docket calls in Simpson, Smith, Jasper, and Covington Counties. At those events, you usually saw many of your fellow HCBA (now CABA) colleagues. While the calling of the cases in open court sometimes generated fun moments, you quickly learned that the real action went on back in Judge Evans’ chambers. There, usually in the fog of cigarette smoke, a young lawyer could learn some of the war stories that make the practice of law in the south so rich. It always made me feel good to walk up to the door of his chambers and hear “Well hello, Mr. Manuel. Come on in. We were just talking about...” And to follow would usually be some funny story about a lawyer.

The Judge’s humor was also great when you were the subject of it. I can remember trying a case in Jasper County and we retired to chambers right before *voir dire*. When I walked into the office, I noticed a print of a scene from the MSU-Texas A&M Snow Bowl hanging on the wall. In a typically ignorant move from me, I turned to Judge Evans and said, “Wow, Judge. I didn’t know you were a Mississippi State fan.” He laughed heartily and told me to read a framed letter that was hanging next to the sports picture. It was a letter from Judge Evans announcing that he and another judge (an MSU fan) had to share the chambers in Jasper County. With regard to décor, they had come to the arrangement that whichever team won the Egg Bowl, that Judge could decorate the office for that year. MSU had won the contest that year and hence, the Snow Bowl print. However, the letter continued, this display should not reflect any endorsement by the Court of the criminal behavior of Coach Jackie Sherrill nor any support for that program. The letter, of course, was cleverly written and made me laugh.

Over a year later, I went to Simpson County to appear in front of Judge Evans on a heatedly contested motion. It was at the level of importance that my client had flown down from some northern locale to make sure that I argued appropriately. We sat among the crowd in the Mendenhall courthouse and Judge Evans took the bench. He noticed me in the crowd

and immediately called over the bailiff. “Mr. Deputy,” Judge Evans announced in a loud voice to the lawyers gathered, “the Court is hereby issuing a bench warrant for Mr. Manuel.” My client went white, while I started to grin. “I am hereby ordering Mr. Manuel to be taken to Bay Springs to see exactly what photo is hanging in my chambers now.” The client turned and said “What in the world have you done?” I laughed and stood to take my medicine. “Of course, your honor, I expected this to happen in light of this year’s Egg Bowl.” Judge Evans then went on to tell me that he had considered sentencing some of the earlier criminal docket to play for the MSU football team. The courtroom burst into guffaws.

CABA lawyers will likely have countless similar stories about Judge Evans. While he was a great judge and ran his courtroom very effectively, I will always remember him for how much fun he made practicing law. His intelligence would provide you with probing questions during an argument and his wit would always give you a few belly laughs in the process. Anytime I left the courthouse where Judge Evans was presiding, I felt like I had hoped to feel when I decided to go to law school—challenged intellectually in an enjoyable way. I will miss those storytelling sessions in his chambers and hearing him laugh from the bench. But also, I will greatly miss how he treated the lawyers before him and made them reach their potential. He was a fantastic judge and an even better friend. The courtroom will seem very empty the next time I appear there.

# Judge Keith Ball

Kate Margolis

When Magistrate Judge Keith Ball applied for the job of magistrate judge, he didn't know that the interview process would literally become a trial by fire. Ball had met with the selection panel appointed by the district court judges of the Southern District and was one of five candidates the panel selected to interview with the judges. Ball's interview was set for Friday, October 23, 2009. On the Sunday evening prior to the interview, Ball and his family were at church when his neighbor called his cell phone to tell him their house was on fire.

Not long after Ball arrived to see the "fifty foot flames" engulfing his house, "people showed up, reached out and helped us in ways that were beyond our imagination," Ball said. "We were recipients of an incredible amount of love and help; it was a real witness to me and my family." The outreach by his neighbors and friends "spurred him on" in his commitment to be of service to others.

The "house burned down October 18th," Ball recalled. "I didn't think I had a suit to wear to the interview because they all burned up." Ball discovered a dry cleaned suit that had been left in the back seat of one of their vehicles, which had been parked in their driveway, but was undamaged. He made it to the interview, and in November 2009, he was appointed to replace retiring Magistrate Judge James Sumner. Ball was sworn in on January 29, 2010, and started work on February first.

Ball "always wanted to be involved in the judiciary," and he attributes his varied career path with preparing him for it. A Jackson native, Ball graduated from Jackson Prep in 1983 and attended the University of Mississippi, where he earned undergraduate degrees in history and economics, followed by a law degree in 1990.

After a brief tenure with Phelps Dunbar, Ball practiced law with Steen, Reynolds, Dalehite & Currie, and subsequently, Currie Johnson Griffin Gaines & Myers, where he fulfilled his goal of becoming a "courtroom lawyer," appearing before judges on a regular basis and trying cases, primarily on behalf of defendants



in civil suits.

After meeting his wife, Camille, on a flight from Joplin, Missouri to Jackson, they decided to move to her hometown of Louisville, Mississippi. "Maybe I read too many Grisham books," Ball jokes, regarding his expectations about law practice in a small town. Ball spent six years "mostly representing plaintiffs and doing criminal work." The family then returned to Jackson, where Ball worked with Watson & Jernigan and Currie Johnson.

The Ball family had grown to include four girls and two boys: Amzi, now 13; Story, 12; Calie Keith, 10; Iris, 8; Watson, 6; and Joshua, 5.

In January 2008, Ball took a break from law, serving as the first national director of

development for Reformed University Ministries (affiliated with the Presbyterian Church in America), which has 135 ministries on college campuses around the country. Ball traveled a lot, raising support for local college ministries. "This was what the Lord was calling me to do," Ball said. The job solidified his "mindset of seeing work as service." It also confirmed his realization that his true home was in the law.

Ball says the job is even better than he could have expected, thanks to "Judge Sumner's absolutely marvelous staff," all of whom stayed on board. Ball was surprised when he fully realized "how many different things a magistrate judge does," including handling a high "volume of settlement conferences, motions, habeas cases, prisoner cases, criminal cases, [and] social security cases." He was familiar with "just about everything" associated with civil cases, but had to "get up to speed" on criminal issues. Although "the majority of the job is civil," he presides over criminal hearings on a regular basis. He conducts "mediation virtually every week," and often "multiple mediations" in the same week. He has "daily contact with attorneys" in his role as pre-trial manager of pending cases, and assures that cases are ultimately "settled or prepared for trial."

Ball believes his "wide array of experiences"—representing plaintiffs and defendants, handling civil and criminal matters, appearing in state and federal courts, working for law firms and as a solo practitioner—helped him gain his current position. He encourages lawyers to gain varied experiences of their own by assisting organizations like Mission First Legal Clinic and doing "indigent defense work," including capital defense. In Ball's view, the "opportunity to use your law degree to serve other people" is a lawyer's highest calling.

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