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ADDENDUM

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Short articles of general interest are always welcomed from ASB members. All materials submitted for publication in the *Addendum* are subject to editing for style, space and content. Send submissions as Word documents to [Allison Skinner](#), editor; [Linda Flippo](#), assistant editor; or [Margaret Murphy](#), managing editor.

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ALABAMA STATE BAR

WEDNESDAY

- Registration and Welcome Refreshments
- Board of Bar Commissioners Meeting
- Opening Reception and Family Night Dinner

ALABAMA STATE BAR

THURSDAY

- Reception honoring new Alabama State Bar General Counsel
- Bench and Bar Luncheon
- Celebrating the Diversity of the Profession CLE and Gathering

ALABAMA STATE BAR

FRIDAY

- Maud McLure Kelly Luncheon
- Tony McLain Memorial Golf Tournament
- Women's Section Silent Auction Fundraiser
- President's Closing-Night Family Dinner and Children's Party

ALABAMA STATE BAR

SATURDAY

- Grand Convocation and Grand Prize Drawing
- Installation of 143rd President of the Alabama State Bar
- Presidential Reception

Registration opens in mid-March.





Jenna Bedsole (center) celebrating with her daughters and friends after receiving the "Paving the Way" award



> **BIRMINGHAM BAR ASSOCIATION
WOMEN LAWYERS SECTION PRESENTS**

Nina Miglionario "Paving the Way" Award

By Shannon H. Dye

The Women Lawyers Section of the Birmingham Bar Association recently presented one of its most prestigious awards, the Nina Miglionario "Paving the Way" Leadership Award, to Jenna Bedsole, a shareholder in Baker, Donelson, Bearman, Caldwell & Berkowitz PC's Birmingham office. The award was established by the Women Lawyers Section in 2005 to recognize and honor attorneys who have achieved professional excellence while actively paving the way to success and advancement for women lawyers. Jenna Bedsole has certainly met that criteria and gone far beyond.

Over the past two decades, Jenna has built a labor and employment practice, helping clients comply with federal and state laws and regulations and defending them against EEOC and private labor and employment claims. Jenna is the labor & employment practice group chair for Baker Donelson, and in that role, she manages more than 70 lawyers across seven states. Along the way, she has earned numerous awards and designations. In addition to all of her professional

accomplishments as an attorney, Jenna is also the executive producer and director of "Stand up, Speak out—The Nina Miglionario Story," which was formally released in August 2016.

Personally, Jenna has had a profound impact on many along the way, particularly women lawyers. Rachel Barlotta, a shareholder and long-time colleague of Jenna's, says, "Jenna Bedsole taught me everything I know about practicing law. More importantly, she was a tireless advocate and sponsor for me at every turn in my career...She is passionate about ensuring that women have every opportunity to be successful and bringing women attorneys along with her on her journey to professional achievement."

The Women Lawyers Section was greatly honored to present this award to Jenna Bedsole, with many of her friends and family in attendance at the event. The ceremony was held at Baker Donelson's Birmingham office on October 26, 2017.

Shannon H. Dye practices in Mountain Brook with Carney Dye LLC.

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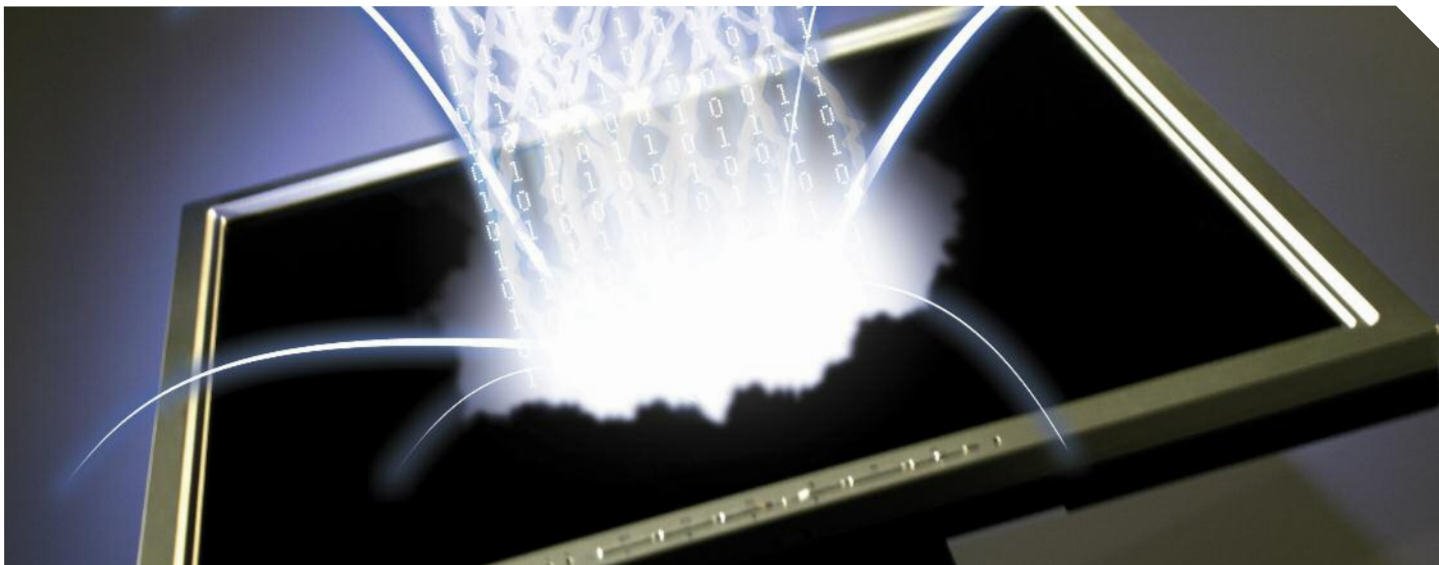
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➤ New Categories of Self-Authenticating Evidence Should Streamline Federal Cases and Reduce Costs

By Starr T. Drum

Two new categories of self-authenticating evidence added to Rule 902 of the *Federal Rules of Evidence* on December 1, 2017 provide a more efficient and potentially less expensive alternative to authentication by live witness testimony. Rule 902(13) allows for the authentication of records “generated by an electronic process or system that produces an accurate result,”¹ through the affidavit of a “qualified person”² and Rule 902(14) allows for the self-authentication of data copied from “an electronic device, storage medium, or file,” provided that the data is authenticated by a “digital identification” process and is also certified by a qualified person. The digital identification process envisioned by the rule is hash value matching. “A hash value is a number that is often represented as a sequence of characters and is produced by an algorithm based upon the digital contents of a drive, medium, or file. [...] [I]dentical hash values for the original and copy reliably attest to the fact that they are exact duplicates.” *Fed. R. Evid.* 902 (14) 2017 Committee Notes.³

These changes should theoretically reduce the burden and cost of introducing electronic data. While a qualified person is still required to certify the data’s authenticity, assuming that there is no direct challenge to the admissibility of the evidence, parties will be able to avoid the time and expense of sending an authenticating witness to court to testify. Moreover, in the absence of a timely challenge to the sufficiency of the qualified person’s affidavit, both the parties and the court should benefit from a more streamlined process.

However, self-authentication through digital identification, especially under Rule 902(14), does not always come cheap.

An outside technology vendor may be required where a large number of records require hash value authentication. Moreover, a technology vendor may need to examine the procedural elements of the collection and conduct other analyses in order to account for the historical movement of records during the normal course of business, since file movement alters metadata and can change hash values even where record content is not modified.

While expenses associated with the authentication of electronic evidence haven’t entirely disappeared, the elimination of the testifying witness requirement for these new categories should, on balance, streamline federal cases and reduce costs. <

Starr T. Drum is an associate with Maynard, Cooper & Gale PC in Birmingham.

Endnotes

1. An “accurate result” simply means that the computer system or method of data production used that generated the record is capable of producing a reliable result. *See, e.g., Lorraine v. Markel American Ins. Co.*, 241 F.R.D. 534, 548-49 (D. Md. 2007).
2. A “qualified person” is not required to be the same person who prepared or maintained the records, but rather someone who “understands the system used to prepare the records,” *Conoco Inc. v. Department of Energy*, 99 F.3d 387, 391 (Fed. Cir. 1996), and who can “identify the record[s] as authentic and specify that [they were] made and preserved in the regular course of business,” *United States v. Jones*, 554 F.2d 251, 252 (5th Cir. 1977).
3. The Committee Notes acknowledge hash values are not a panacea and emphasize that the rule allows for “other reliable means of identification provided by future technology.”



Buettner

> **BIRMINGHAM BAR ASSOCIATION**

Selects Jennifer Buettner As New Executive Director

By Dana Thomas

On the departure of Bo Landrum from the Birmingham Bar Association ("BBA"), the BBA is saying goodbye to a dear friend and a remarkable executive director who advanced our bar in countless positive and impactful ways.

While we will miss Bo, we are pleased to announce the appointment of a new executive director, Jennifer Buettner, who is eager to help lead the BBA forward in new and exciting ways. Jennifer most recently served in the role of associate general counsel and compliance officer for Southern Nuclear, an affiliate of Alabama Power Company. Before moving to in-house practice, she was a partner at Balch & Bingham.

Jennifer is active in the community, and has served on non-profit boards of directors, including the Birmingham Bar

Volunteer Lawyers Program, Hand in Paw and The Literacy Council. She comes into the executive director role with a commitment to ensure that the BBA continues to provide value to its members, an excitement about supporting the Birmingham legal community and a goal of expanding the ways in which the bar serves lawyers and judges.

Jennifer is married to Ernest Bates, who is also a member of the BBA and the Alabama State Bar.

The Executive Committee selected Jennifer after a robust and extensive search conducted by a selection committee appointed by the Executive Committee.

Dana Thomas serves as the program and administrative director of the BBA.

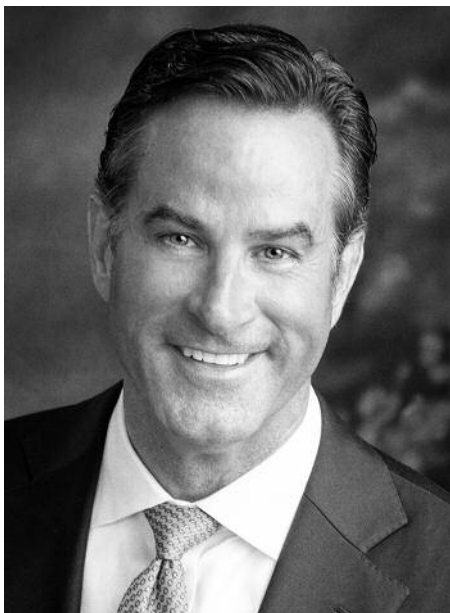
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Alverson ©Vicki Popwell

> MEMBER PROFILE

Q and A with Bill Alverson:

Alabama Lawyer, Pageant Coach And Reality TV Star

By Julie H. Ralph

When he joined the Alabama State Bar in 1986, Bill Alverson never dreamed where his career would take him. These days, Bill serves as the inspiration for a Netflix series, “Insatiable,” a show about a small-town southern lawyer who is also a pageant coach.

Why pageants? When/how did you first get involved in coaching?

Pageants—such an unusual choice for someone to grow in. I was aware of them from TV, but had no working knowledge. I think in the end that was the best because I had no influence of others. I am a child, grandchild and former spouse of educators. Working with the pageant clients, I know I transfer much of that exposure in my method of working with them. As my family grew, I became more aware of gender inequality and saw this as a great way to instill strength and power with women.

Describe the evolution from practicing law to pageant coaching to reality show to your new series.

First, some people think that I’m leaving the practice of law—and that is a definite no. I have been fortunate to work with

time-management and practice law with my son so that I can manage the schedules. Briefly, I started coaching by helping out a young woman in high school win the local Junior Miss program. I was asked to help by her high school choir director and, in reflection, I approached it as I would any other type of presentation, utilizing many skills that I had developed as a lawyer and also as someone who had the benefit of being exposed to the arts.

How did you envision your career when you graduated from law school?

When I graduated from law school, I had high hopes of working for or being involved with businesses that worked on the international level.

What is the connection between the practice of law and pageant coaching?

The connection is something that is sometimes hard to define, but it is definitely what sets me apart. When you present a case in court, your goal is to make the correct impression to the judge, the jury—even opposing counsel so that your objectives are met. I break down the same process with my preparation with pageant clients and other clients. I do not exclusively work in the field of pageants. I

have numerous clients who needed interview training, repurpose training (I don’t like the term life coach), etc.—anything that would involve a personal presentation toward a group or panel of evaluators. I work with some on how to present matters to boards of directors, etc.

Who has been your most memorable client (in pageant coaching)?

Probably the young woman, who as a senior in high school, wanted to win her hometown pageant. She sat in my office for 45 minutes and cried. She then left and her uncle called and asked if we could we try again. We did and started from there. She lost 25 pounds without that ever being discussed. Her prom date broke the date because the popular girls teased him. In the end, she won. I saw firsthand the difference that could be made by helping someone gain self-awareness, happiness and confidence.

Describe a typical week for you these days.

Like any other lawyer—court, client preparation, etc. It’s very much like any other small-town lawyer’s routine. I do take non-legal clients during the day, but many times that is nights and weekend work.



Pictured above with Bill Alverson are, left to right, daughter-in-law Helen Anne, son William and daughters Blanche and Stella. ©Vicki Popwell

What has been your greatest personal achievement?

Professional achievement? This is a bit tough for me because it is all over quickly. My greatest personal achievement is the role of dad. I am immensely proud of my children and the relationship that I have with them and my ex-wife, maintaining a strong family unit. Professionally, it would be successfully arguing at the 11th Circuit Court of Appeals at age 29. With TV, it's all been a bit of fun, from having a reality show to a Netflix show. I guess having more than 40 production companies knocking at your door is kind of cool. Having a major network (CBS) buy your life rights while having a reality show under production was kind of cool and was actually something very rarely accomplished in Hollywood. That is kind of great because I was able to negotiate all of that from Andalusia. In reflection, being featured in a seven-page spread in the *NY Times* will be something for the grandkids.

You have mentored/coached many young women over the years.... who was your mentor/coach?

I have had momentary mentors. My first one would be my ninth-grade history

teacher who instilled in me the process of independent thought and my humanities and composition teacher in high school. The woman who made the most in a simple act was Mary Lou Miller. I was going to Washington, DC on an honorary trip. I barely got out of her house before she told me to get an internship and how and what to do. Out of respect for her, I followed through and knocked on my Congressman's office door. I guess I had some innate interview skills because in the next few months I was living in DC. That exposed me to the world and forever changed my vision on life. In the legal community, I have had the opportunity to work for and with some legal giants. The common theme of success that I saw professionally was truly adhering to the practice of law as an honored profession. My law partner, John Givhan, gave me confidence in my ability to see beyond the situation and have insight to what was happening in a case and motivation behind it. Through that I developed keen negotiating skills. Harold Albritton made me realize that it is never an inconvenience to act for your client. I once called him at 1 a.m. concerning an early-morning hearing. After profusely apologizing and feeling very inadequate at age 28, he simply said, "Never apologize when you are acting

for the benefit of your client." That was that. I realized that he was engaged in the practice of law and the importance of what we did and how our client's future and well-being rested in our hands.

How do you unwind?

I don't. I can honestly say that other than watching a movie, it's very difficult to stop my brain. I am aware of this as others point it out.

What advice would you give to a recent law school graduate?

Avoid debt so that you are not bound to a position—job or location. Also, do not make it about yourself or happiness. Truly focus on the client and realize that you don't have time to ever stop thinking that way. Work and keep up with your hours so you can gauge productivity. If you are in a place that only cares about income and you are productive, then leave. That doesn't mean give up your nights and weekends, but it does mean that if the purpose of your work is to generate income and not practice law then you will be forever in an unhappy place. <

Julie H. Ralph practices in Baton Rouge with McGlynn Glisson & Mouton.



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> IMPORTANT NOTICES

Alabama Lawyers' Hall Of Fame

May is traditionally the month when new members are inducted into the Alabama Lawyers' Hall of Fame which is located at the state judicial building. The idea for a hall of fame first appeared in the year 2000 when Montgomery attorney Terry Brown wrote state bar President Sam Rumore with a proposal that the former supreme court building, adjacent to the state bar building and vacant at that time, should be turned into a museum memorializing the many great lawyers in the history of Alabama.

The implementation of the idea of an Alabama Lawyers' Hall of Fame originated during the term of state bar President Fred Gray. He appointed a task force to study the concept, set up guidelines and provide a recommendation to the Board of Bar Commissioners. The committee report was approved in 2003 and the first induction took place for the year 2004. Since then, 60 lawyers have become members of the hall of fame. The five newest were inducted in May 2017.

A 12-member selection committee consisting of the immediate past-president of the Alabama State Bar, a member appointed by the chief justice, one member appointed by each of the three presiding federal district court judges of Alabama, four members appointed by the Board of Bar Commissioners, the director of the Alabama Department of Archives and History, the chair of the Alabama Bench and Bar Historical Society and the executive secretary of the Alabama State Bar meets annually to consider the nominees and to make selections for induction.

Inductees to the Alabama Lawyers' Hall of Fame must have had a distinguished career in the law. This could be demonstrated through many different forms of achievement—leadership, service, mentorship, political courage or professional success. Each inductee must have been deceased at least two years at the time of their selection. Also, for each year at least

one of the inductees must have been deceased a minimum of 100 years to give due recognition to historic figures as well as the more recent lawyers of the state.

The selection committee actively solicits suggestions from members of the bar and the general public for the nomination of inductees. We need nominations of historic figures as well as present-day lawyers for consideration. Great lawyers cannot be chosen if they have not been nominated. Nominations can be made throughout the year by downloading the nomination form from the bar's website and submitting the requested information. Plaques commemorating the inductees are located in the lower rotunda of the judicial building and profiles of all inductees are found [here](#).

Download an application [form](#) and mail the completed form to:

Sam Rumore
Alabama Lawyers' Hall of Fame
P.O. Box 671
Montgomery, AL 36101

The deadline for submission is March 1.

Judicial Award of Merit

The Alabama State Bar Board of Bar Commissioners will receive nominations for the state bar's Judicial Award of Merit through **March 15**. Nominations should be mailed to:

Phillip W. McCallum
Secretary
Board of Bar Commissioners
P.O. Box 671
Montgomery, AL 36101-0671

The Judicial Award of Merit was established in 1987. The award is not necessarily an annual award. It must be presented to a judge who is not retired, whether state or federal court, trial or appellate, who is determined to have contributed significantly to the administration of justice in Alabama. The recipient is presented with a crystal gavel bearing the state bar seal and the year of presentation. The

award will be presented during the Alabama State Bar's Annual Meeting.

Nominations are considered by a three-member committee appointed by the president of the state bar, which then makes a recommendation to the board of bar commissioners with respect to a nominee or whether the award should be presented in any given year.

Nominations should include a detailed biographical profile of the nominee and a narrative outlining the significant contribution(s) the nominee has made to the administration of justice. Nominations may be supported with letters of endorsement.

Local Bar Award of Achievement

The Local Bar Award of Achievement recognizes local bars for their outstanding contributions to their communities. Awards will be presented during the Alabama State Bar's Annual Meeting.

Local bar associations compete for these awards based on their size—large, medium or small.

The following criteria are used to judge the applications:

- The degree of participation by the individual bar in advancing programs to benefit the community;
- The quality and extent of the impact of the bar's participation on the citizens in that community; and
- The degree of enhancements to the bar's image in the community.

To be considered for this award, local bar associations must complete and submit an application by **June 1**. Applications may be downloaded [here](#) or obtained by contacting Mary Frances Garner at (334) 269-1515 or by [email](#).

J. Anthony "Tony" McLain Professionalism Award

The Board of Bar Commissioners of the Alabama State Bar will receive nominations for the J. Anthony "Tony" McLain

Professionalism Award through **April 15**. Nominations should be prepared on the appropriate nomination [form](#) and mailed to:

Phillip W. McCallum
Executive Director
Alabama State Bar
P.O. Box 671
Montgomery, AL 36101

The purpose of the J. Anthony “Tony” McLain Professionalism Award is to honor the leadership of Tony McLain and to encourage the emulation of his deep devotion to professionalism and service to the Alabama State Bar by recognizing outstanding, long-term and distinguished service in the advancement of professionalism by living members of the Alabama State Bar.

Nominations are considered by a five-member committee which makes a recommendation to the Board of Bar Commissioners with respect to a nominee or whether the award should be presented in any given year.

William D. “Bill” Scruggs, Jr. Service to the Bar Award

The Board of Bar Commissioners of the Alabama State Bar will receive nominations for the William D. “Bill” Scruggs, Jr. Service to the Bar Award through **April 15**. Nominations should be prepared on the appropriate nomination [form](#) and mailed to:

Phillip W. McCallum
Executive Director
Alabama State Bar
P.O. Box 671
Montgomery, AL 36101

The Bill Scruggs Service to the Bar Award was established in 2002 to honor the memory of and accomplishments on behalf of the bar of former state bar President Bill Scruggs. The award is not necessarily an annual award. It must be presented in recognition of outstanding and long-term service by living members of the bar of this state to the Alabama State Bar as an organization.

Nominations are considered by a five-member committee which makes a recommendation to the Board of Bar Commissioners with respect to a nominee or whether the award should be presented in any given year.

Notice of Election and Electronic Balloting

Notice is given here pursuant to the *Alabama State Bar Rules Governing Election and Selection of President-elect and Board of Bar Commissioners* that the election of these officers will be held beginning Monday, May 21, 2018 and ending Friday, May 25, 2018.

On the third Monday in May (May 21, 2018), members will be notified by email with instructions for accessing an electronic ballot. Members who wish to vote by paper ballot should notify the secretary in writing on or before the first Friday in May (May 4, 2018) requesting a paper ballot. A single written request will be sufficient for all elections, including run-offs and contested president-elect races during this election cycle. All ballots (paper and electronic) must be voted and received by the Alabama State Bar by 5:00 p.m. on the Friday (May 25, 2018) immediately following the opening of the election.

• Nomination and Election of Board of Bar Commissioners

Bar commissioners will be elected by those lawyers with their principal offices in the following circuits:

- 2nd Judicial Circuit
- 4th Judicial Circuit
- 6th Judicial Circuit, Place 2
- 9th Judicial Circuit
- 10th Judicial Circuit, Place 1
- 10th Judicial Circuit, Place 2
- 10th Judicial Circuit, Place 5
- 10th Judicial Circuit, Place 8
- 10th Judicial Circuit, Place 9
- 12th Judicial Circuit
- 13th Judicial Circuit, Place 2
- 15th Judicial Circuit, Place 2
- 15th Judicial Circuit, Place 6
- 16th Judicial Circuit
- 18th Judicial Circuit, Place 2
- 20th Judicial Circuit
- 23rd Judicial Circuit, Place 2
- 23rd Judicial Circuit, Place 4

- 24th Judicial Circuit
- 27th Judicial Circuit
- 29th Judicial Circuit
- 38th Judicial Circuit
- 39th Judicial Circuit

Additional commissioners will be elected for each 300 members of the state bar with principal offices therein. New commissioner positions for these and the remaining circuits will be determined by a census on March 1, 2018 and vacancies certified by the secretary no later than March 15, 2018. All terms will be for three years.

A candidate for commissioner may be nominated by petition bearing the signatures of five members in good standing with principal offices in the circuit in which the election will be held or by the candidate's written declaration of candidacy. Nomination forms and/or declarations of candidacy must be received by the secretary no later than 5:00 p.m. on the last Friday in April (April 27, 2018).

• Election of At-Large Commissioners

At-large commissioners will be elected for the following place numbers: 1, 4 and 7. Petitions for these positions, which are elected by the Board of Bar Commissioners, are due by April 2, 2018.

• Submission of Nominations

Nomination forms, declaration of candidacy forms and applications for at-large commissioner positions must be submitted by the appropriate deadline and addressed to:

Phillip W. McCallum
Secretary
Board of Bar Commissioners
Alabama State Bar
P.O. Box 671
Montgomery, AL 36101

These forms may also be sent by email to elections@alabar.org or by fax to (334) 261-6310.

It is the candidate's responsibility to ensure the secretary receives the nomination form by the deadline.

Election rules and petitions for all positions are available at www.alabar.org. <



Photograph by Fouts Commercial Photography, Montgomery, photofouts@aol.com

> Congratulations to the 2018 Leadership Forum Class!

The Alabama State Bar is pleased to announce the selection of the members of Leadership Forum 2018, Class 14.

Evan G. Allen, Beasley, Allen, Crow, Methvin, Portis & Miles PC, Montgomery

Brandon W. Bates, U.S. Attorney's Office, Middle District of Alabama, Montgomery

Casey N. Bates, Alabama Law Enforcement Agency, Montgomery

Gaines B. Brake, Maynard, Cooper & Gale PC, Birmingham

R. Aaron Chastain, Bradley Arant Boulton Cummings LLP, Birmingham

Rochelle A. Conley, Law Office of Rochelle A. Conley, Huntsville

Christopher H. Daniel, Sheffield & Lentine PC, Birmingham

Patrick W. Dean, Legislative Services Agency, Montgomery

Brandon J. Demyan, Office of the Senate President Pro Tem, Montgomery

Amandeep S. Kahlon, Bradley Arant Boulton Cummings LLP, Birmingham

S. Gaillard Ladd, Jr., Armbrrecht Jackson LLP, Mobile

H. Eli Lightner, II, White Arnold & Dowd PC, Birmingham

Catherine C. Long, Baker Donelson, Birmingham

Allen P. Mendenhall, Thomas Goode Jones School of Law, Montgomery

Tamika R. Miller, Miller Smith LLC, Montgomery

Mary Martin M. Mitchell, Alabama Department of Revenue—Legal Division, Montgomery

J. Wilson Nash, Brasfield & Gorrie LLC, Birmingham

D. G. Pantazis, Jr., Wiggins, Childs, Pantazis, Fisher & Goldfarb LLC, Birmingham

Russell N. Parrish, Farmer, Price, Hornsby & Weatherford LLP, Dothan

R. Ashby Pate, Lightfoot, Franklin & White LLC, Birmingham

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Elizabeth A. Young, Dummier Young LLC, Gardendale

> MEMBER BENEFITS SPOTLIGHT



ABA TECHSHOW Discount

The Early Bird registration period has passed, but Alabama State Bar members can still receive a \$150 discount when they sign up for ABA TECHSHOW (March 7-10) using discount code EP1808. ABA TECHSHOW offers two and a half days of CLE centered on technology in the law office, including both productivity applications to make your work go more smoothly and the latest in trial technology and e-discovery for any practice size. If you are looking for a CLE experience that is out of the ordinary, where you can bring home ideas and immediately put them to work in your practice, you can't afford not to attend. [Click here](#) to register and to book your hotel room.



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Hon. J. Scott Vowell
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