

# MONTHLY BULLETIN

Mobile Bar Association 153 Government Street Mobile, Alabama 36602 (251) 433-9790

## President's Comments



**HENRY CALLAWAY, PRESIDENT  
MOBILE BAR ASSOCIATION**

[www.MobileBarNews.com](http://www.MobileBarNews.com)

OK, OK -- we are in the midst of Mardi Gras madness, I can hear drums outside my office window, and bar bulletin editor **FERRELL ANDERS** wants my column ASAP. I don't have any deep thoughts for you this month, but here are some items you may be interested in.

**BAR LUNCHEON.** **BARBARA RHODES** and the bar executive committee have investigated alternative locations, but there is no other place within walking distance that can handle our association at a comparable price. The **ADMIRAL SEMMES** has a new chef and the meal in January was very good -- come check it out. We will continue to keep our ears open, but for now the **ADMIRAL SEMMES** appears to be our best bet. Barbara says that experiments with venues in west Mobile or on the Causeway have not been successful in the past. New **DA ASHLEY RICH** is speaking this month and we will honor the 50 year lawyers; **JUSTICE JAMES MAIN** will be here in May for our **LAW DAY** luncheon.

**NEW PUBLIC SERVICE COMMITTEE.** As I mentioned a couple of months ago, I am setting up a new committee that will consider public service projects that may be of interest to lawyers. The

*President's Comments continued on Page 2*

## IN THIS ISSUE



Browsing the Bar .....page 2

Significant Decisions .....page 3

Lawyers In the News .....page 8

Calendar of Events .....page 12

### 2011 OFFICERS

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- EXECUTIVE DIRECTOR – BARBARA C. RHODES
- EDITOR – FERRELL S. ANDERS

## PROGRAM

**MBA MARCH 2011 MONTHLY LUNCHEON**  
FRIDAY, MARCH 18, 2011, 11:45 AM  
ADMIRAL SEMMES HOTEL

### SPEAKER

**ASHLEY RICH, DISTRICT ATTORNEY, COUNTY OF MOBILE**

### 50 YEAR LAWYERS HONORED

- ROBERT A. BECKERLE
- WILLIAM A. KIMBROUGH, JR.
- ROBERT E. McDONALD, JR.
- JUDGE FERRILL D. McRAE
- SAMUEL L. STOCKMAN
- JAMES W. TARLTON, III

### MEMORIAL RESOLUTION

RALPH JOHN PERRY





# Browsing the Bar – With Barbara



The year 2011 is off to a great start – Committees and Sections are meeting, CLE’s are being planned (by the way, if you have any suggestions for a CLE please let us know), ad hoc committees are being formed, etc.

**LAW DAY** is fast approaching and plans are being made for this year’s activities – the theme is *“The Legacy of John Adams--- from Boston to Guantanamo”*. As usual your Bar Association is involved in many activities including the Naturalization Ceremony at the U.S. District Court, the Essay Contest for students, the Law Help Line, sponsored by **CUNNINGHAM BOUNDS**, May 10 at TV Station WPMI (if you can volunteer for an hour or two please let me know). Just think, you could be a TV Star! Also, remember the Liberty Bell and if you know of anyone you think deserving of this award, particularly a non-lawyer type person who in some way has made an impact on the legal community, please submit the nomination. Then, of course, there is the Law Day Luncheon, May 20, when the awards will be presented and an outstanding speaker will close out the MBA Law Day celebration – please mark your calendar.

There was an important job to be done and **EVERYBODY** was asked to do it. **EVERYBODY** was sure **SOMEBODY** would do it. **ANYBODY** could have done it but **NOBODY** did it. **SOMEBODY** got angry about that, because it was **EVERYBODY**’s job. **EVERYBODY** thought **ANYBODY** could do it but **NOBODY** realized that **EVERYBODY** wouldn’t do it. It ended up that **EVERYBODY** blamed **SOMEBODY** when **NOBODY** did what **ANYBODY** could have done! Now, just whose job was it?



## President’s Comments *continued from Page 1*

first thing I’d like them to look at is a partnership with the **YMCA’S BIG BROTHERS/BIG SISTERS** program in our local schools. Please e-mail me at [hcallaway@handarendall.com](mailto:hcallaway@handarendall.com) if you are interested in serving on the committee. We will send out more information as things progress and when we are ready for volunteers.

**ENTERTAINMENT COMMITTEE**. Please e-mail **PETE MACKEY** at [psmackey@bcmlawyers.com](mailto:psmackey@bcmlawyers.com) and me with your suggestions and thoughts about a potential summer party and upgrading our holiday party. We are looking at pushing the holiday party back into December if possible.

**INDIGENT DEFENSE REFORM**. Please e-mail the state bar president **ALYCE SPRUELL** at [alyce@tuscaloosalaw.net](mailto:alyce@tuscaloosalaw.net) and president-elect **JIM SPRATT** at [jim@hwinn.com](mailto:jim@hwinn.com) if you have specific, constructive thoughts about the proposed indigent defense reform bill which will be considered by the legislature this month.

**STATE BAR MEETING**. The state bar convention is at the Grand Hotel on July 13-16. I know it’s early, but mark those dates on your calendar and consider attending, especially since we locals can do so without incurring hotel expense. I have attended the last several years and have found it’s a great mixture of good meetings and fun social events. We need better Mobile attendance. The state bar has thirty or forty scholarships available; contact **ED PATTERSON** at the state bar if you are interested.



# SIGNIFICANT DECISIONS

BY DUANE GRAHAM

Overruling *Muller v. Seeds*, 919 So.2d 1174 (Ala. 2005); *Taylor v. Bryars*, 602 So.2d 378 (Ala. 1992); *Thompson v. Wachovia Bank, Nat'l Ass'n*, 39 So.3d 1153 (Ala. Civ. App. 2009); and *Thompson v. First State Bank of Alabama*, 503 So.2d 858 (Ala. Civ. App. 1987), the *Supreme Court in Steele v. Federal National Mortgage Association*, No. 1091441 (Ala., December 3, 2010), held that no demand for possession had to be given to a party in possession of real property before the plaintiff could file an ejectment action under Ala. Code § 6-6-280.

Overruling to the extent inconsistent the prior cases of *Lee v. Wood*, 85 Ala. 169, 4 So. 693 (1888), and *Spann v. First National Bank of Montgomery*, 240 Ala. 539, 200 So. 554 (1941), the Supreme Court in *Elliott v. Navistar, Inc.*, No. 1090155 (Ala., December 3, 2010), held that under Ala. Code § 6-2-8, the statute of limitations was tolled as against a minor's claim even though the minor was represented by a guardian or next friend who filed some, but not all, claims that the minor had during the minority.

Overruling *Ex parte Galanos*, 796 So.2d 390 (Ala. 2000), and *Ex parte McNabb*, 879 So.2d 1166 (Ala. 2003), and transferring the appeal to the Court of Criminal Appeals, the Supreme Court in *Hutchinson v. State*, No. 1091018 (Ala., December 30, 2010), ruled that the Court of Criminal Appeals had exclusive jurisdiction to hear an appeal involving the claim for attorneys' fees and expenses filed by the court-appointed attorney for the indigent criminal defendant.

Overruling *Wal-Mart Stores, Inc. v. Hepp*, 882 So.2d 329 (Ala. 2003); *Wal-Mart Stores, Inc. v. Smitherman*, 743 So.2d 442 (Ala. 1999); and *Department of Industrial Relations v. Jacob*, 337 So.2d 374 (Ala. Civ. App. 1976), the Supreme Court in *Ex parte Rogers*, No. 1080880 (Al. December 30, 2010), held that an employer claiming that an employee should be denied unemployment benefits because he was discharged for misconduct has the burden of proof rather than the employee.

Applying the "plain error" standard of review in this capital murder case, the Court in *Ex parte Billups*, No. 1090554 (Ala., December 30, 2010), held that the trial judge's limiting instruction concerning the admission of collateral acts evidence was inadequate and prejudicial to the defendant when the court merely listed all the possible grounds under Rule 404(b) of the Alabama rules of Evidence under which collateral acts testimony might be admissible without specifying the particular ground for which that evidence was claimed to be relevant against this defendant.

Applying the "plain error" rule yet again in a capital murder case, the Supreme Court in *Ex parte Killingsworth*, No. 1090589 (Ala., December 30, 2010), held that the defendant's constitutional right to a fair trial was violated by not striking from the jury a juror who stated during voir dire that he knew members of the victim's family and would not be able to be impartial.

In *Nix v. Wick*, No. 1090687 (Ala., December 30, 2010), the Supreme Court affirmed summary judgment on behalf of a real estate seller in a specific performance action because the contract did not describe the land to be sold with sufficient certainty to be enforced. Among other things, the Court rejected the buyer's argument that the survey called for by the contract would satisfy the description requirement was performed because the Court held that the adequate description must be present at the time of the contract.

In *Ex parte Vega*, No. 1091491 (Ala., December 17, 2010), the Supreme Court granted a writ of mandamus effectively allowing venue to remain in an improper county because the defendants had not timely raised the issue. Among other things, the Court held that it was insufficient to assert a defense of improper venue in an answer merely by "expressly reserving the right to assert any additional defenses" or by incorporating any other defenses that may be asserted by any defendant added to the case later. While the defendant tried to amend the answer to add such a defense after filing the motion for change of venue, no leave of court was obtained under Rule 15 to permit the amendment and it was too late to amend as a matter of course.

In *Key v. Allison*, No. 1090582 (Ala., December 17, 2010), the Supreme Court held that the Point Clear boardwalk was, at least as to the defendant's property in that case, a publicly dedicated right-of-way and that the defendant could not block access to the public.



## NOTICE FROM PROBATE COURT

### NEW ALABAMA BUSINESS AND NONPROFIT ENTITY CODE

Effective January 1, 2011, the new “Alabama Business and Nonprofit Entity Code”, Ala. Code, §§10A-1-1.01, et seq (1975) took effect. This Code deals with the formation, amendment, dissolution and other matters of all profit and non-profit business entities in the State of Alabama. It further standardizes all forms for such entities in this State. The applicable forms will be available soon on the Secretary of State’s website at [www.sos.state.al.us/BusinessServices/](http://www.sos.state.al.us/BusinessServices/). At present, only the old forms are available. Please note also, that the fee structure for filings was also changed. Those attorneys who have involvement in this type practice are encouraged to become familiar with the new provisions of this Code, and especially with the recording requirements and fees now applicable.

In addition, and pursuant to that certain Attorney General Opinion issued on January 26, 2011 (2011-031), a name reservation is now required for ALL entities formed in the State of Alabama. A copy of this opinion may be obtained by contacting the Probate Court’s Recording Division at 251-574-6040, or by accessing the Attorney General’s web site at [www.ago.alabama.gov](http://www.ago.alabama.gov).

Some important terms for filing fee determination and a listing of the new filing fees are as follows:

### **Business Entities Terms for Filing Fee Determination §10A-1-1.06**

- 1.) Certificate of Formation is the same as:**
  - A.) Corporation
    - Articles of Incorporation
    - Certificate of Incorporation
    - Charter
  - B.) Limited Partnership
    - Certificate of Limited Partnership
  - C.) Limited Liability Company
    - Articles of Organization
  - D.) Business Trust or Real Estate Investment Trust
    - Declaration of Trust
    - Reference to Articles of Incorporation
    - Certificate of Incorporation
    - Charter
    - Certificate of Limited Partnership
    - Articles of Organization
  
- 2.) Certificate of Termination is the same as:**
  - A.) Corporation or Limited Liability Company
    - Articles of dissolution
  - B.) Limited Partnership
    - Certificate of Cancellation
  - C.) Articles of Dissolution or Certificate of Cancellation
    - Certificate of Termination
    - Certificate of Dissolution
  - D.) Certificate of Termination
    - Articles of Dissolution
    - Certificate of Dissolution
  
- 3.) Certificate of Merger is the same as:**
  - Articles of Merger
  - Certificate of Merger
  
- 4.) Certificate of Registration is the same as:**
  - Registration



## Business Entity Fees

[As in the past, separate checks are required for each specific document - one payable to the Secretary of State for the designated amount and one to the Probate Court for the designated amount]

	NEW	NEW
FILING INSTRUMENT	FEE FOR STATE OF ALABAMA	FEE FOR THE JUDGE OF PROBATE MOBILE COUNTY
Certificate of formation and restated certificate of formation	\$100	\$53
Amendment to certificate of formation	\$50	\$28
Name reservations A. Less than 24 hours B. 24 hours or more	\$25 \$10	No Fee No Fee
Certificate of termination	\$100	\$53
Certificate of merger; articles of consolidation or share exchange	\$100	\$53
Foreign entity registration including registration of foreign limited liability partnership	\$150	No Fee
Certificate of existence A. Less than 24 hours B. 24 hours or more	\$25 \$10	No Fee No Fee
Registered limited liability partnership registration	\$100	\$53
Registered limited liability partnership annual report	\$100	No Fee
Partnership statement (filing or certifying)	\$25	\$28
Any other document required or permitted to be filed under this title	\$25	\$28

Copying fee	\$1.50 per page	\$1.50 per page
Certificate	\$5	\$5

**Please Note: §10A-1-4.31**

**There is no distinction in the fees between profits vs. nonprofit entities.**

**There is no distinction in the fees for foreign vs. domestic entities.**

**For any questions regarding the foregoing information, please contact the Probate Court, Recording Division, at 251-574-6040.**



# VLP

## VOLUNTEER LAWYER PROGRAM

By LISA DARNLEY COOPER

When people ask how VLP is able to maintain its reputation as the “state’s gold standard” program, we tell them about our volunteers and funders. Many of you likely know that over 730 local attorneys volunteer their time and resources to VLP. Do you also know that your dedication is recognized by an impressive group of funding sources? In addition to the private bar campaign, the VLP enjoys the financial support of the **MOBILE BAR FOUNDATION, LEGAL SERVICES ALABAMA, THE ALABAMA LAW FOUNDATION, THE ALABAMA CIVIL JUSTICE FOUNDATION, THE ALABAMA ACCESS TO JUSTICE COMMISSION, UNITED WAY, AND THE MOBILE COUNTY COMMISSION.** At right, **LUCY TUFTS, ALABAMA CIVIL JUSTICE FOUNDATION JUNIOR BOARD**



**MEMBER** and attorney with **CUNNINGHAM BOUNDS** (right), presents a grant to **BLAKELY DAVIS** in support of VLP. The funding received from these groups enables VLP to continue its trademark service while adjusting to meet new

and changing challenges. Please visit [www.vlpmobile.org](http://www.vlpmobile.org) for a listing of the private bar contributors and join us in thanking all the funders who support your VLP!



This month we also shine the VLP spotlight on long time panel attorney and former Board member **T. JEFF STEIN**. Jeff has taken 97 cases in his 20+ years as a VLP volunteer. We are fairly confident that the actual number exceeds 100, as he began accepting cases long



# VLP

## VOLUNTEER LAWYER PROGRAM



before VLP had computers and electronic tracking capabilities! Jeff makes annual in office visits, accepts queried cases throughout the year and has been known to walk over to the courthouse to help VLP respond to an emergency request. Jeff encourages other attorneys to participate in VLP and has introduced some wonderful new volunteers to the office. When asked about Jeff, former **VLP EXECUTIVE DIRECTOR** and current board member **TONNY ALGOOD** said that he could not remember a time that Jeff wasn't involved with VLP. Tonny described Jeff's interaction with the clients, saying "You could always tell he wanted to be there." We are grateful to Jeff for his many years of service to VLP. Thank you Jeff!

Special thanks to the panel attorneys who opened and closed cases in January: **JOSEPH ALTADONNA, JOHN G. BAYLOR JR., PAUL T. BECKMANN, RUSSELL E. BERGSTROM, CHRISTINA M. BOLIN, CARIN D. BROCK, MEGAN BROOKS, CHAD R. BROWN, PAUL D. BROWN, HENRY H. CADDELL, HENRY A. CALLAWAY, III, EDWARD A. DEAN, BRYAN G. DUHE', ROBERT S. EDINGTON, PAGE S. ELLIS, JOSH D. FRIEDMAN, P. VINCENT GADDY, TIMOTHY M. GROGAN, CHRISTOPHER G. HUME, III, JOHN MICHAEL HUNTER, SCOTT W. HUNTER, VIVIAN G. JOHNSTON, III, ANDREW M. JONES, GILBERT B. LADEN, MICHAEL M. LINDER, JR., PETER S. MACKEY, E. RUSSELL MARCH, III, GREGORY B. MCATEE, LYNN MCCONNELL, AUGUSTINE MEAHER, III, S. C. MIDDLEBROOKS, J. RICHARD MOORE, JENNIFER S. MORGAN, HENRY T. MORRISSETTE, RYAN T. NORTHRUP, SONYA OGLETREE, THOMAS P. OLLINGER, JR., TERRIE OWENS, CHRISTOPHER E. PETERS, LARKIN H. PETERS, LATISHA RHODES, APRIL D. SMITH, LACEY SMITH, HENDRIK SNOW, MARK E. SPEAR, D. TRICE STABLER, DAVID A. STRASSBURG, JR., T. JEFF STEIN, SCOTT D. STEVENS, DEENA R. TYLER, PATRICK J. WARD, RONNIE L. WILLIAMS, MICHAEL A. WING, RICARDO WOODS, AND THOMAS T ZIEMAN JR.**



# LAWYERS IN THE NEWS

BY SANDY G. ROBINSON

## LEGAL MILESTONES:

**MARRIED:** MBA member **RICHARD WRIGHT** and **LUCY ROUSE** were married January 22, 2011 at Christ Church Cathedral. The bride was given in marriage by her brother, MBA member **ROBERT ROUSE**. A reception followed at the church. After a honeymoon in New Orleans, the couple are at home in Mobile.

**MARRIED:** **LEIGH ELIZABETH LANCASTER**, daughter of MBA member **BILL LANCASTER**, and **FRANK GROOM TERRELL III** were married at St. Paul's Episcopal Church on February 5, 2011. After a honeymoon trip to Brazil, the couple will reside in Mobile.

**MARRIED:** **CHARLOTTE CARRINGTON BRADY**, daughter of MBA member **DAVID BRADY**, and **KYLE LAWRENCE WALL** were united in marriage at All Saints Episcopal Church on February 12, 2011. A reception followed at the Country Club of Mobile, and the couple will reside in Mobile.

**DIED:** MBA member **BARBARA HOLLEY REID** died on January 28, 2011. She was a 1980 graduate of Cumberland School of Law, and practiced in Bayou La Batre. She was active in environmental and cultural preservation, and is survived by her husband, **DR. KENNETH J. REID**, and two daughters.

**DIED:** **WILLIAM MAURY LYON**, father of MBA member **B. J. LYON**, died in Mobile. He served in the U.S. Navy during WWII, and was a successful businessman and real estate developer, and served on many corporate and community boards. He is survived by his wife **PATRICIA**, two sons, four daughters, nineteen grandchildren and two great grandchildren.

**DIED:** **MARY FRANCES GOODMAN ALEXANDER**, mother of MBA member **RICHARD ALEXANDER**, died on February 13, 2011 surrounded by her children. She was born on May 11, 1913 and was a native and lifelong resident of Mobile; attended the Convent of Mercy School; and worked as a social worker during the great depression. She is survived by one daughter, three sons, eleven grandchildren, and ten great-grandchildren.

## ATTENTION

### VETERANS AND FRIENDS OF VETERANS:

We are planning a special feature for **Veteran's Day** this year that will recognize our many MBA members who are veterans of the armed forces. Please email your photos or other memories to [sgr@cabaniss.com](mailto:sgr@cabaniss.com) or mail them to me at P.O. Box 2906, Mobile, Alabama 36602. Thank you for your service!





# YOUNG LAWYERS

TOM RADCLIFF, PRESIDENT

I would first like to thank **McDOWELL KNIGHT ROEDDER & SLEDGE** for a great February meeting at the **BAKERY CAFE**. The March meeting is sponsored by **JENNIFER BARBER** and **COURT REPORTERS, LLC** and will be at **TACKY JACK'S** on the Causeway on Thursday, March 24th. She has lined up **JASON JUSTICE AND THE HUNG JURY** to play starting at 6:00. The bar will open at 5:30.

I would also like to remind everyone that the **YOUNG LAWYERS** will again be sponsoring **FUN FEST**, at **SAINT MARY'S ORPHANAGE** in April, and we are in need of volunteers and sponsors. **FUN FEST** is always a great fundraising success as well as a great time for the children and the volunteers. If you would like to get involved with **FUN FEST**, are interested in sponsoring an up coming meeting, or have any questions, please e-mail me (tradcliff@brblawyers.co), **GLENN SMITH** (gsmith@carrallison.com), or **JOSH FRIEDMAN** (josh@bafmobile.com).



## WOMEN LAWYERS SECTION MOBILE BAR ASSOCIATION MEMBERSHIP INFORMATION FOR 2011

Name \_\_\_\_\_  
 Firm \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_  
 New Member \_\_\_\_\_ Renewal \_\_\_\_\_

**THE WOMEN LAWYERS SECTION** meets the first Tuesday of the month at noon at the **BIENVILLE CLUB**, and we usually have a CLE speaker. Anyone is welcome to join us for lunch and a CLE hour. The cost of lunch is \$17.00 and the CLE hour is free!

We encourage all **WOMEN LAWYERS** to join the section. Please submit your Membership Information with dues of \$25.00 for 2011 membership payable to **MBA WOMEN LAWYERS**, c/o Mobile Bar Association, Post Office Box 2005, Mobile, Alabama, 36652, or you may bring your dues to any monthly, luncheon meeting. All notices regarding monthly lunches, speakers, social events and legal issues of interest to the Bar are sent via e-mail, so please be sure to provide your e-mail address and to please notify us of any e-mail address changes.



251-433-9790  
www.MobileBar.com



### PLEASE GIVE

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

I want to make a donation to the Mobile Bar Foundation.

In honor/memory of: \_\_\_\_\_

Acknowledgement to: Name \_\_\_\_\_

Address \_\_\_\_\_

I want to become a member of the Mobile Bar Foundation.

Check enclosed

Bill my credit card \$\_\_\_\_\_ Visa/Master Card/Amex # \_\_\_\_\_

Life Member (\$5000, paid in up to 5 annual installments)

Partner (\$500 or more)

Associate (\$100 or more)

Regular Member (\$50 - \$99 annually,  
or if member of MBA practicing 5 years or less \$25 - \$99)

I would like information on including the Foundation in my estate planning.

Signature \_\_\_\_\_ Exp. \_\_\_\_\_

Mail to: Mobile Bar Foundation, P.O. Drawer 2005, Mobile, AL 36652



## ANNOUNCEMENTS

**ALISON BAXTER HERLIHY** is pleased to announce the opening of **ALISON BAXTER HERLIHY, P.C.**; offices located at 401 Church Street, 2nd Floor, Mobile, AL 36602. Mailing address: P.O. Box 1385, Mobile, AL 36633, Telephone 251.432.7909, website: [www.herlihyfamilylaw.com](http://www.herlihyfamilylaw.com)

**LAST WILL AND TESTAMENT:** if anyone has any information concerning the whereabouts of the Last Will and Testament of **RONALD MAURICE BROWN**, who passed away on October 14, 2010, please contact **FRANK KRUSE's** office at 251.438.9100 at your earliest possible convenience.

**LAW OFFICE SPACE FOR RENT** located at 11 S. Florida Street, high speed digital fax, scanner, copier, printer, wireless internet. Please call **GREG FRIEDLANDER** at 251.470.0303 or email [isce3@aol.com](mailto:isce3@aol.com) for more details.

**LAW OFFICE FOR RENT:** large one person office, room for a secretary, conference room, all utilities (except phones, lines installed), broadband internet, use of copy machine, \$600 per month. Contact **TERRY DARRING** at 251.438.2250

**DOMESTIC VIOLENCE TRAINING**, March 11, Brewton, AL. This program is FREE of charge – Pre-Registration required. Contact **CHRISTINE ARMSTRONG** @ 251.947.6197 for information.



## NOTICE REGARDING DIVORCE FILINGS

TACHONDA SMITH - CLERK OF DOMESTIC COURT

As a reminder to the attorneys, all original divorce cases that have been dismissed and refiled as a subsequent divorce case shall be assigned to the judge of the original divorce filed by the parties **AS SOON AS IT IS DISCOVERED**, regardless of the stage of the litigation. This has been the standing order in this jurisdiction for years. (See standing administrative order, effective July 17, 2006).

From now on, due to the electronic filing system, the party filing the divorce shall state if the parties have ever filed in this jurisdiction before and name the original judge. If any attorneys are currently handling a subsequently filed divorce with a judge other than the one assigned in the original divorce filing of the parties, then the attorney shall notify the clerk's office immediately.



## NOTICE FROM MOBILE COUNTY PROBATE COURT

ALL lawyers who practice in the probate law area should note that the Alabama Uniform Adult Guardianship and Protective Proceedings Jurisdictional Act (Ala. Acts 2010-500) became effective on January 1, 2011. The new Act is codified as Ala. Code 26-2B-101, et.seq. (1957).

This new procedural act regards protective proceedings as to incapacitated adults who may have been residents of other states or may move from Alabama to another state. In consultation with the Alabama Law Institute's committee that drafted the Act, the Court has developed two forms that must be filed with the Court in situations that come within the ambit of the Act. These forms are now available to lawyers at the Probate Court's form bank that is accessible through the Probate Court's Internet web site.

# MARCH 2011

**MARCH 3 - THURSDAY**

EXECUTIVE COMMITTEE MEETING,  
12 O'CLOCK NOON,  
BIENVILLE CLUB

**MARCH 4 - FRIDAY**

PUBLIC RELATIONS COMMITTEE MEETING,  
12 O'CLOCK NOON,  
BIENVILLE CLUB

**MARCH 8 - TUESDAY**

HOLIDAY – MARDI GRAS

**MARCH 9 - WEDNESDAY**

WORKERS COMP MEETING,  
12 O'CLOCK NOON,  
BIENVILLE CLUB

**MARCH 17 - THURSDAY**

CONTINUING LEGAL EDUCATION  
COMMITTEE MEETING,  
12 O'CLOCK NOON,  
MBA HEADQUARTERS

**MARCH 18 - FRIDAY**

MBA MONTHLY LUNCHEON,  
11:45 AM,  
ADMIRAL SEMMES HOTEL

**MARCH 18 - FRIDAY**

LAW & TECHNOLOGY SEMINAR,  
1:30 – 4:45 PM,  
ADMIRAL SEMMES HOTEL

**MARCH 23 - WEDNESDAY**

WOMEN LAWYERS MEETING,  
6:30 PM, BICYCLE SHOP

**MARCH 24 - THURSDAY**

MBA GRIEVANCE COMMITTEE MEETING,  
12 O'CLOCK NOON,  
BIENVILLE CLUB

**MARCH 30 - THURSDAY**

PROBATE COURT MEETING,  
12 O'CLOCK NOON,  
BIENVILLE CLUB

**MARCH 18 FRIDAY****LAW & TECHNOLOGY,**

1:30 – 4:45 PM, 3.0 Hrs MCLE Credits,  
Radisson Admiral Semmes Hotel

**APRIL 15 FRIDAY****DRUG COURT,**

1:30 – 4:45 PM, 3.0 Hrs MCLE Credits,  
Radisson Admiral Semmes Hotel

**MAY 20 FRIDAY****DO'S & DON'TS,**

1:30 – 4:45 PM, 3.0 Hrs MCLE Credits,  
Radisson Admiral Semmes Hotel

# CLE 2011