



HINDS COUNTY BAR ASSOCIATION

MAKING OUR CASE FOR A BETTER COMMUNITY

JANUARY 2007



President's Column

by John C. Henegan

In October and November, nearly 500 people attended HCBA's three diversity events. The November 16 Diversity Roundtable was possibly the largest event ever held by HCBA with over 300 business leaders, public officials, and attorneys from several states attending. As an attorney from Texas said, the lineup for the Roundtable was not what you would expect for a meeting in a state capital but what you look for in New York City or Washington. Our guest speakers told us afterwards that they were gratified not only with the turnouts and the cross-section of professions represented but also, as one panelist later wrote, the "attention, focus and courtesy" of the audience. This response suggests that the dialogue about diversity should continue.

First, some back story. Our guest speakers and panelists for these events are highly sought after, successful leaders - women and men from across the country - who gave

generously of their time in preparing for these events. Organized by Sharon Bridges, HCBA Diversity Committee Chair, the moderators for the Roundtable held multiple conference calls with their respective panelists before coming to Jackson and a joint working supper on the eve of the Roundtable.

Meticulously planned, we still had to deal with the inevitable last minute "crisis." Three days before the Roundtable, the moderators for one panel called on different days, saying that neither would be able to come to Jackson due to emergency family matters. First, Blake Wilson, Executive Director of the Mississippi Economic Council, one of our Co-Hosts, and then, Stacey Dixon, Diversity Director and Litigation Counsel for Baxter International, Inc, graciously agreed to step in and pinch hit.

Less than 24 hours before the event, we thought that inclement weather might ground several of our panelists and our keynote speaker who were flying in from Atlanta. All were able to come in by Wednesday evening.

The next day, Blake and Stacey carried off their new roles with great skill and high praise from those who attended their panel. The same holds true for all of our guest speakers and

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October Membership Meeting



Presenting the program at the HCBA October Membership Meeting was Pamela Roberts, Chair of the ABA's Women in the Profession Commission. Roberts was introduced by Constance Slaughter-Harvey. Pictured are: Joy Lambert Phillips, Past President of The Mississippi Bar; John Henegan, HCBA President; Roberts; Slaughter-Harvey; and Laura McKinley, HCBA Board Member.

SPECIAL HCBA LUNCHEON MEETING

Tuesday, January 16, 2007 Capital Club Noon \$15.00

Speakers: Senator Charlie Ross and Representative Percy Watson

HCBA Calendar of Events

January 16, 2007

HCBA Membership Meeting.

Capital Club. Noon

Speakers:

Senator Charlie Ross and
Representative Percy Watson

February 20, 2007

HCBA Membership Meeting.

Capital Club. Noon

Speakers:

U.S. Magistrate Judge
Linda Anderson and
Jim Keith

April 20, 2007

HCBA Appellate CLE Seminar.

MS College School of Law.

Time to be announced

May 8, 2007

**HCBA/JYL Evening Honoring
the Judiciary Dinner.**

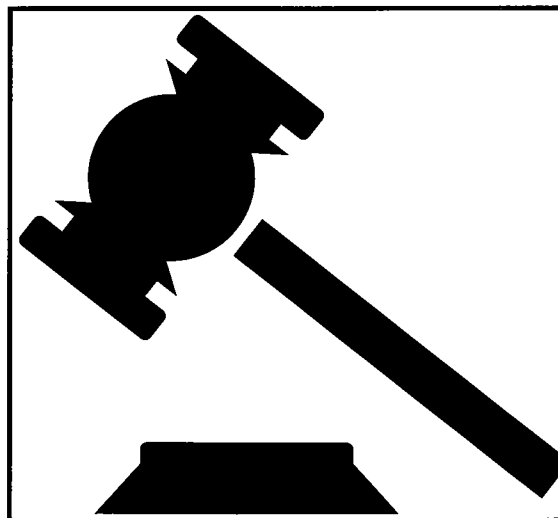
Old Capitol Inn. 6:30

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Dan Jordan Assumes Federal Bench

by Steve Ray



[*Editor's Note:* Following is the second in a series of HCBA Newsletter articles on the remarkable changes taking place in 2006 and 2007 in the federal judiciary in Mississippi. These articles are designed to give practitioners some introduction and insight to the lawyers serving as judges.]

Daniel Porter Jordan III is Mississippi's newest federal district judge. Nominated by

President Bush in April, he was unanimously confirmed by the Senate in July, received his commission in August, and began handling cases. His formal investiture was November 20, 2006, his 42nd birthday.

The Judge. Dan Jordan (pronounced "Jurdan") grew up in Virginia, but "returned" to the University of Mississippi for college. His father, a native of Philadelphia, was a basketball and baseball standout and president of the Student Body at Ole Miss. His mother, a Jackson native and Murrah High School graduate, was Miss Ole Miss.

Jordan, who describes himself as a "poor" high school student at Douglas Freeman Public High School in Richmond, Virginia, nevertheless found a niche. Like his predecessor Tom Lee, reputed to have wowed crowds at Mississippi College with his dunking abilities, Judge Jordan loved basketball. "Basketball was the first time in my life I really focused seriously on something." He went on to serve as high school team captain and was selected Most Valuable Player. Jordan says that basketball "taught me a work ethic, discipline, and team work."

Amending his academic ways as he pursued his degree in Economics at Ole Miss, Jordan graduated *cum laude* in 1987 and was elected to the Hall of Fame and Omicron Delta Kappa. He took his law degree from the University of Virginia in 1993. Between undergraduate and law school, Jordan worked in Washington, D.C., most of that time on the staff of U.S. Senator Trent Lott.

Jordan joined Butler, Snow, O'Mara, Stevens & Cannada, PLLC, in Jackson, in 1993, became a partner in 1997, and conducted a complex litigation practice with that firm until being nominated to the bench by President Bush.

Dan and his wife, the former Teri Dallas, have two children and live in the metro-Jackson area.

Preparation for Judging. In any conversation with Jordan about his new role, the notion of fairness surfaces quickly, and he credits the early influence of his parents. "My dad is an

entirely fair person. He taught me at an early age to listen to both sides." And the elder Jordan also had lessons in solving problems. Judge Jordan reminisces that, "as a junior high student, I seemed to have trouble raking the leaves when the Redskins were on television. Dad didn't send me straight to the yard, but put the onus back on me with what became a family saying: 'Find a way to solve the problem; don't look for an excuse.'"

Robert Khayat, then vice chancellor and now chancellor of the University of Mississippi, convinced young Jordan to go to law school. Khayat persuasively pointed out that "legal training will teach you to think critically and prepare you for whatever you want to do."

At Butler Snow, Jordan's practice group leader, Bobby Miller, says Jordan always wanted to be in the courtroom. "My first day at Butler Snow, Dan introduced himself, saying, 'I hear you try cases; I'd like to help whenever you need it.'" Miller took the offer seriously, and soon had Jordan handling cases from routine to complex to mass tort. Miller recollected one series of cases centered in Alabama on which Jordan took the lead. "He had a good relationship with counsel on the other side; my sense was that he became the 'peacemaker' among a lot of lawyers."

This is a theme that Judge Jordan also sounds when asked why plaintiffs in his courtroom should be comfortable with a former defense lawyer as their judge. "I enjoyed good relationships with counsel opposite when I practiced. I worked hard to ensure that my word could be counted on." He also points to the benefits of being an Article III federal judge with life tenure. He and all such judges are free from obligation to anyone.

The Judicial Experience So Far. Although he had a wealth of civil case experience from his private practice, Judge Jordan had no real criminal experience. From the moment he was nominated, he began to read criminal law treatises (which must prompt all Mississippians to say, "Bless his heart"). But he really did. He read transcripts and sat in on criminal trials. (Jordan quotes Yogi Berra: "You can observe a lot by watching.") Judge Jordan met with all the active district judges, several senior status judges, and a number of the magistrate judges, who, he says, were "incredibly generous with their time." He peppered them with questions about behind the scenes matters: "how is your office set up"; "what's your philosophy on handling motions"; "what's an effective way to handle sentencing"; "what have you found works and what doesn't work." He met with the public defenders' office, the U. S. Attorney's office, the marshal's service the court reporters, all in an effort to devise solid, fair, and efficient procedures for his chambers.

Fresh from private practice, Jordan well knows the

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Captain Equity In '08: Is He America's Next Decider?

by Captain Equity

Longtime readers might recall that my last column urged the electorate to repudiate incumbents and set a new course in American governance. In light of November's election returns it apparently worked. Yes, yes, I know that skeptics will remind me that all Mississippi incumbents were re-elected. You guys just don't get it, do you? While technically true, it is clear that my column found a wider audience among the nation's voters. Obviously, the results speak volumes clearly discrediting my critics. I mean, do you guys remember a little thing called proximate cause from your law school days? In light of my unprecedented political success, I have reluctantly been convinced to shed my customary modesty so as to allow me to share my considerable talents in the national arena of public service. Accordingly, I am forming an exploratory committee as the first step to gaining either the Republican or Democratic nomination for the Presidency of the United States. Following my idols, "Bull Moose" Teddy Roosevelt, Ross "Alright, Here it Is" Perot and Democratic/Republican/Independent Senator Joe Lieberman, I seek to bring America together in the spirit of Big Tent populism that will allow me to maximize the support of all Americans without regard to artificial party labels. It also doubles my chances to win the White House in 2008. What Republican or Democrat can say the same?

To those who ask "why me" I say simply, "why not?" It is true that I am not as well known as some candidates, but I think all would agree that I am funnier than John Kerry that imperious jokester of wind sail fame who has convinced himself that he can follow in the footsteps of Adlai Stevenson and lose two Presidential campaigns in a row. Or how about Al Gore who has the soul of an elementary school tattletale and all the charisma of a stalk of broccoli. And then there is America's repeatedly divorced, pro gay rights albeit favorite mayor, Rudy Guiliani who can count on the fingers of his "right" hand votes from the Republican base that will determine their party's nominee. And how about all the other non-household names who have already declared: Sam Brownback, Mike Huckabee, Duncan Hunter, Mitt Romney, Tom Vilsack. I mean, come on. America could do better by picking names at random from the Des Moines phone book.

I will grudgingly admit that John McCain and Hillary Rodham Clinton are the early respective front-runners for their party nominations. To that I say just look back on the non-administrations of high profile candidates including those of non-presidents Tom Dewey, Ed Muskie, George Romney, Gary Hart, Bob Dole et al. As I have mentioned before in this space, the last U.S. President not from the South or the Sunbelt was JFK way back in 1960. Despite countless well financed Presidential campaigns, narcissistic, ego centric U.S. Senators almost never cross over to the top job in the executive branch of government. Have I mentioned John Kerry? Again, the last to pull it off was JFK 46 years ago. The final piece of the puzzle that spells President Equity is the fact that this will be the first open seat election since 1952 where no incumbent or sitting Vice President will be on the ballot. I predict that my biggest competition will be Mississippi Governor Haley Barbour who fits the bill in every respect. However, based on my

most recent column and the national election, the Governor will probably win the Magnolia state vote while I sweep the rest of the country.

Captain Equity and the Issues

My lack of name recognition is more than offset by my stand on the issues. As all successful politicians and voters know, it never pays to go into much detail on a platform, so here goes.

Permanent Moratorium on Presidents from Texas

Cut Taxes To Zero

Triple Social Security and Medicare Benefits

Increase Military Spending

Stay The Course In Iraq While Bringing Our Troops Home

Never Admit a Mistake While Blaming Others For Problems

(Note: Only the first proposal is original, but I suppose you already knew that. Just checking.)

Contingency Plan For Scandal

While I have no plans to consort with gay prostitutes and buy crystal meth to enhance the experience, proposition congressional pages via e-mail, have an affair with a White House intern, or lose nine million dollars to slot machines, you just never know. Should any of these things happen, I plan to:

#1. Announce that I am an alcoholic and immediately go into rehab somewhere in California.

#2. Join an inner city church and/or Colorado megachurch while seeking out spiritual advisors such as Jesse Jackson and/or Focus on the Family's James Dobson depending on which party gave me the most votes.

#3. And if things get really bad, just deny everything until they prove something then say "I misspoke." As a last resort, apologize by "taking full responsibility," and admitting that I "let a lot of good people down," followed in short order by # 1 & 2 above.

And If All Else Fails...

The worst that can happen is that I lose. I will still get tons of free publicity while having my campaign pick up the cost for a chartered jet and high price hotel suites. In this event, I plan to:

#1. Cash in on my newfound celebrity with \$100,000 a pop for speeches paid for by well heeled corporations not to mention a slot on the 2009 season of "Dancing With The Stars."

#2. Become a lobbyist and a millionaire in that order.

#3. Then become President of Halliburton and a multimillionaire, in that order.

#4. Appear in "Let's Go Walking" public service spots with Marsha and Haley followed by a good cigar, off camera of course

#5. All of the above while going back to writing my column and getting hate mail from Jackson area attorneys.

So in the spirit of politicians everywhere, no matter the result in 2008 I will be just fine. And after all, isn't that the entire point of public service these days?

“The Gandy” - A Brief History

by Carol West

A chance encounter with Lynn Fitch at the Mississippi Department of Employment Security on Monday started me thinking about the Evelyn Gandy Lectureship and the impact that it has had on almost a generation of women lawyers. I had to pull out the big box of old program notebooks to figure out what year it began, but I needed no memory prodding to remember how it came about.

In early spring 1993, Women in the Profession Committee Chair Lynn Fitch called a committee meeting and no one showed up except the two of us. The big meeting room of the Bar Center felt pretty vacant, but we started talking about the special programs that the Bar could sponsor to help network women lawyers. We came up with a two day CLE that would begin on a Friday afternoon and end at noon on Saturday. Women lawyers with family responsibilities would be able to get home on time to run their Saturday errands. We decided that we wanted to have it at the nicest place in the state and we wanted the program to focus on CLE subject areas of particular interest to women. We would have lots of breaks for networking opportunities, a cocktail party, a fabulous dinner, and a great breakfast. Cedar Grove in Vicksburg seemed the perfect venue. The speakers would be Mississippi women lawyers who had achieved success in both the public and the private sector.

We filled Cedar Grove that year and the event was a tremendous success. Three women who later served in the judiciary credited the support and encouragement they got at the meeting as a major force in convincing them that they should run for public office. We were such a success that I was invited to the Young Lawyers meeting in Portland OR to tell others about the innovative program that Mississippi had begun.

The next year, we built on that foundation to have an even better program, still at Cedar Grove. The year that Tammy Harthcock was committee chair, we asked Evelyn Gandy if we could name the CLE after her in recognition of the role she plays as a model for Mississippi women lawyers. She graciously allowed us to use her name with one condition - we must include a program that encourages women lawyers to enter the public sector. Each year we honor that commitment by having a panel or a speaker to focus on public service. Lenore Prather, Mary Libby Payne, and Kay Cobb are but three of the stellar women who have taken this responsibility.

There's a nice contingent of women from all corners of the state who have not missed single year. Women law students are encouraged to come and the committee works to provide some scholarship assistance to defray their expenses

The venue moves every couple of years, but is always at one of the state's top accommodations. We have been to Natchez, Old Waverly, Gray Center, The Golden Moon, The Alluvian, and - this year - we are going down to the Beau Rivage on the Coast.

If you are in a large firm, come yourself and encourage the other women lawyers to attend. If you are a solo practitioner, arrange your schedule to be there. You will find it to be one of the best professional experiences of the year. In addition to top quality CLE, you will enjoy the networking that takes place when judges, legislators, law professors, and practicing lawyers in a wide variety of fields meet on common ground. Mark your calendar for Friday/Saturday, February 23-24, 2007. The brochures will be sent after the first of the year.

See you at “The Gandy!” It's at “The Beau” this year!

Special HCBA Membership Luncheon on January 16, 2007

On Tuesday, January 16, 2007, the Hinds County Bar Association will have a membership meeting at 12 noon at its usual venue - the Capital Club - where two influential members of the State Legislature will be our guest speakers.

State Senator Charlie Ross, Chair of the Senate Judiciary Committee, and Representative Percy Watson, Chair of the House Ways & Means Committee, will talk about the principal issues facing the 2007 State Legislature, including any pending legislation of particular interest to the legal profession. Both are attorneys and active members of the

Mississippi Bar.

Senator Ross is a graduate of the U.S. Air Force Academy and Harvard Law School. He has served in the State Legislative since 1997, being first elected to the State Senate in 1998. Representative Watson is a Phi Beta Kappa graduate from the University Of Iowa and a graduate of the University Of Iowa Law School. He has served in the House since 1980.

We hope that you will make plans to be with us.

