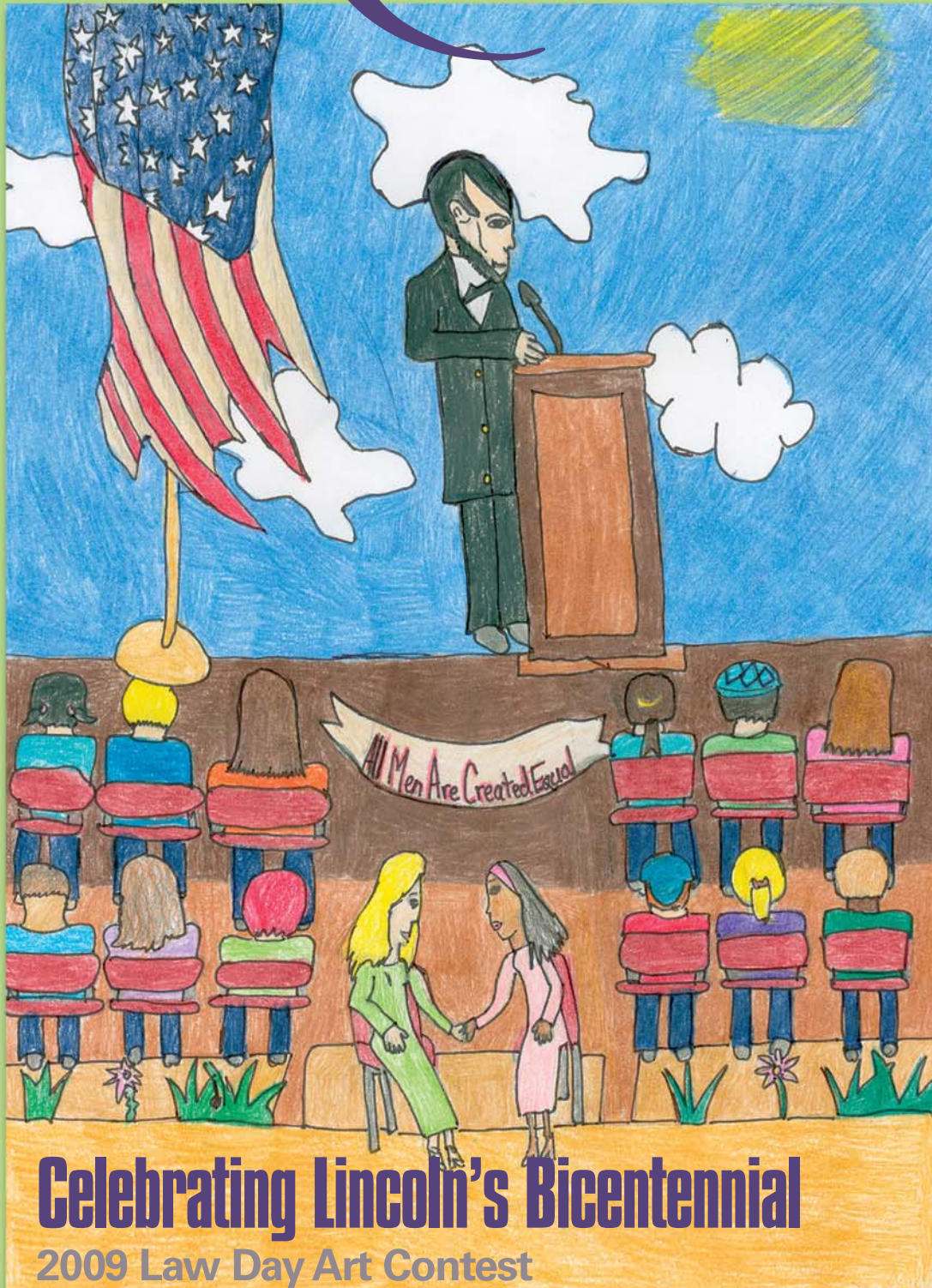


TENNESSEE BAR JOURNAL

JUNE 2009 | VOLUME 45, NO. 6

TBA.ORG



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Miles to Go Before We Sleep

"The woods are lovely, dark, and deep, but I have promises to keep, and miles to go before I sleep, and miles to go before I sleep."
— Robert Frost



"I have also seen firsthand the amazing willingness of people to volunteer countless hours to this profession and to the ideals for which it stands."

— Former TBA President Pam Reeves

We have come, gentle readers, to our last visit together. The great American poet Maya Angelou once said, "People will forget what you say, they will forget what you do, but they never will forget how you make them feel." Well, in July, November and January, with

"Leave a Proud Enduring Legacy," "Thanksgiving in Tennessee" and "If Not Now, When? If Not Us, Then Who?," I hope I made you feel proud to be a Tennessee lawyer. In September, December and May, with "Struggling to Be More Like Malinda and Frank," "An Imperfect Christmas" and "Redefining Success," I hoped to make you feel that although all of us have our challenges, our colleagues stand ready to catch us when we fall and cheer us on with each new journey. In August and April because some lawmakers remained poised to dismantle a judicial selection system with so many obvious virtues and plunge us into the problems we have seen in West Virginia, Georgia, Alabama and Mississippi, I tried to mobilize you and maybe even make you feel indignant with "What's All the Fuss About the Tennessee Plan?" and "It's a Mighty Short Drive from the Harman Mine to the Tennessee Line." In October, February and March, with

"Courage and the Rule of Law: Adams, Brock, and O'Connor," "What's So Great about Diversity?" and "A Tribute to Short Building Lawyers," I tried to make you feel empowered by the realization that any lawyer from any background can make important contributions and can advance the core values that unite us as a profession.

The 4ALL Campaign

Because of the volunteer spirit that many, many of you embody, our 4ALL Access to Justice Campaign has succeeded beyond belief. More than 5,000 viewers have seen our Access to Justice video. More than 40 law firms have adopted written pro bono policies, which means that 20 percent of our members now practice in firms with formal pro bono policies. Our bill to remove the prohibition for pro bono work done by lawyers employed by the state of Tennessee has been signed into law by Gov. Bredesen. Our Supreme Court has boldly stepped up its fight for equal access to justice and has created its first Access to Justice Commission. The court has adopted three new access to justice rules proposed by the TBA as well as our proposed amendment to the class action rule.

On April 4, more than 800 volunteers in 45 locations across the state served more than 1,500 Tennesseans who could not afford a lawyer. Aside from the obvious good that has been done for fellow Tennesseans, we have strengthened collaborative bridges to local bar associations, other statewide bar associations, and the judicial branch. We have given many new participants a taste of how rewarding pro bono service can be. We have emboldened some local bar associations to start regular pro bono legal clinics or hold them more regularly. The statewide media coverage, which

continued on page 4



Clients being served at one of the 45 "4ALL" events on April 4.

also exceeded our expectations, struck a strong positive chord for the image of our profession.

None of this would have been possible without the skills and ingenuity of our executive director, the work of our entire staff, the support of our Young Lawyers Division, our officers, the Board of Governors and House of Delegates, and the enthusiastic involvement of our Access to Justice Committee, pro bono coordinators, and program directors from throughout the state. I have never been as proud to be a Tennessee lawyer as I was on April 4, 2009.

Talk Memphis

Our convention in Memphis June 18-20 will be fun and fascinating. You remember fun, don't you? It's what you used to have before the proliferation of laptops, cell phones, Blackberries, text messages, Twitter and tweets. The music will be spectacular — The Jimmy Church Review and The Bouffants on Thursday night at The Peabody followed by The Dempseys in the Elvis Car Museum on Friday night. (Don't worry. We'll pass out Aspercreme to ease the stiffness on Saturday morning!) The Bench Bar CLE on Thursday morning and the CLE on Jury Selection and Electronic Discovery on Saturday morning will be important to your practice, and Coach Fulmer's lunch speech promises to be inspiring. Friday brings an opportunity to hear from our attorney general, former Supreme Court justices, former Sen. Howard Baker and former Congressman Harold Ford Jr., the lawyers who brought ethics charges against the Duke LaCrosse team prosecutor, and ABA Spirit of Excellence Award winner Caesar Alvarez. Our annual convention is the only opportunity for judges and lawyers from across the state to come together as a community. Don't miss the entertainment and programming that our underwriters and sponsors have made possible. You can register at www.tba.org/convention2009/.


Memphis will not be an ending, but a

new beginning. Gail Vaughn Ashworth brings experience as a leader in the Young Lawyers Division, as a leader in the Nashville Bar Association, and as a leader in the ABA. She has a wealth of experience in many roles within the TBA. Gail has a strong commitment to access to justice, to the mentoring of young lawyers, and to the rule of law. We are lucky she will be our next president and I look forward to cheering her on next year.

Thanks for Enhancing the TBA's Proud Enduring Legacy

Ten years ago this month, in her last President's Perspective, Pam Reeves wrote, "It has been both a wonderful and challenging experience serving as your president. I have seen the importance of having an organization that can speak for the legal profession as a whole. I have also seen firsthand the amazing willingness of people to volunteer countless hours to this profession and to the ideals for which it stands." Amen, Pam. Ten years later, I can't say it any better.

This year has been the most profoundly rewarding year of my life. It would not have been possible without the support of my law firm, Baker

Donelson, my legal secretary, Lucy Woods, and my paralegal, Debby Harbison. But, most of all, it would not have been possible without the girl with the million-dollar smile. My wife Malinda contributed a wealth of good ideas on everything ranging from judicial selection to access to justice to the Memphis convention. She clipped news stories, packed, drove, responded to e-mails, made cell phone calls, checked us in and out of hotels, wrote thank you notes, bought birthday cards for the staff, and reminded me to acknowledge the hundreds of lawyers and judges who helped on dozens of projects and events all year long. Her million-dollar smile was the first thing I saw every morning and the last thing I saw every night. Thanks to her and to all of you, our association has enhanced its proud enduring legacy this year. But when it comes to the fight for the core values that unite our profession, we will always have promises to keep, and miles to go before we sleep. 

"And to make an end is to make a beginning. The end is where we start from."

— T. S. Eliot