



# FBA TODAY

Newsletter of the Montgomery Chapter of the Federal Bar Association

Volume 2, Issue 2

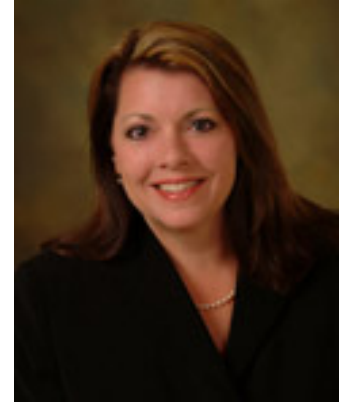
Fall 2010

## Terrie Biggs takes over as new president

**P**rattville resident Terrie Scott Biggs is the 2010-2011 president of the Montgomery Chapter of the FBA. Biggs, who had previously served as both first and second vice president, succeeds R. Austin Huffaker, Jr.

A 2002 graduate of Faulkner University's Jones School of Law School, Biggs is an attorney with Capell & Howard, P.C., in Montgomery. She practices in the areas of employment law, white-collar defense, domestic relations, business disputes, personal injury and serves on the CJA Panel in the Middle District of Alabama.

Biggs earned her bachelor's degree in music education from the University of North Alabama and taught music before becoming an attorney. Her husband, Greg, is a prosecutor with the Alabama Securities Commission and their oldest child, Casey, is an assistant district attorney in Elmore County in Alabama's 19<sup>th</sup> Judicial Circuit. Terrie is a member of the First Baptist Church Montgomery and Prattville Chamber of Commerce.



This year's officers also include:

- First vice president J. Matt. Bledsoe is an assistant attorney general with the Alabama Attorney General's office. A 2005 graduate of Cumberland School of Law, Samford University, he primarily handles cases in areas of civil litigation and administrative law. He previously served as second vice president.

**SEE "NEW OFFICERS," CONTINUED ON PAGE 4**

*The Montgomery Chapter of the Federal Bar Association  
Invites you to a Reception Honoring the Federal Judiciary*

On Tuesday, October 26, 2010, the Montgomery Chapter of the Federal Bar Association will host a reception for the Federal Judiciary of the Middle District of Alabama. **Senior Judge Truman M. Hobbs and Judge Myron H. Thompson will be honored and recognized for serving 30 years on the bench.** We also will welcome and introduce this year's new law clerks. The reception will be from 5:00 – 6:30 p.m. at the Frank M. Johnson United States Courthouse Complex, One Church Street, Montgomery, Alabama.

Beer, wine and heavy hors d'oeuvres will be served.

FBA members may attend for free, while the cost for all others is \$20.00. All attorneys practicing in the Middle District are invited. Please RSVP by October 21<sup>st</sup> to Terrie Biggs at 334-241-8091 or [tsb@chlaw.com](mailto:tsb@chlaw.com)

# In Memoriam: Robert A. Huffaker



Robert A. Huffaker, a prominent Montgomery attorney and the father of former chapter president Robert A. Huffaker, Jr., died Sept. 23, 2010 after a short illness. Mr. Huffaker, 65, was a shareholder with Rushton, Stakely, Johnston & Garrett, P.A., where he had practiced since 1971.

He earned his bachelor's degree in 1966 and his J.D. in 1969, both from the University of Alabama. He graduated first in his law school class, served as editor-in-chief of the *Alabama Law Review* and was named to the Order of the Coif. After law school, Mr. Huffaker served in the U.S. States Army and then became a law clerk to Alabama Supreme Court Justice James M. Bloodworth. At his death, he was the editor of the *Alabama Lawyer*, a position he had held for more than 27 years.

Mr. Huffaker is survived by his wife of 42 years, Katherine; son, Robert Austin (Cecily) Huffaker, Jr. of Montgomery, daughter-in-law, Caroline Voitier Huffaker of Homewood, Alabama; and sister Susan (Mike) Huffaker Dunham of Oklahoma City, Oklahoma. He is also survived by four grandchildren, Mary Virginia Huffaker and Robert A. Huffaker, III of Montgomery; and Ann Katherine Huffaker and Matthew Lee Huffaker, Jr. of Homewood; and a nephew, Michael Drew Dunham of Oklahoma City. He was preceded in death by his parents, Katherine Austin and Robert Lee Huffaker, and his son, Matthew Lee Huffaker, who was a shareholder with the Birmingham law firm of Maynard, Cooper & Gale, P.C.

He served as a member of the Administrative Board at First United Methodist Church of Montgomery and also was a founding member and past president of the Good Morning Kiwanis Club. Donations may be made in his memory to the First United Methodist Church, 2416 West Cloverdale Park, Montgomery, 36106, or the Alabama Law Foundation, P.O. Box 671, Montgomery, 36101.

## ACT NOW TO SAVE ON FBA DUES!

The FBA Board of Directors has approved an annual dues increase effective January 1, 2011. According to the FBA, the additional dues will cover increased operating expenses and enhanced online services. FBA President Ashley Belleau notes that the FBA hasn't had a substantial dues increase since 2004-05. The increased rates will be as follows:

<b>Active Membership</b>	<b>Private Sector</b>	<b>Public Sector</b>
Member Admitted to Practice 0-5 years	\$95	\$75
Member Admitted to Practice 6-10 years	\$155	\$130
Member Admitted to Practice 11+ years	\$195	\$160
Retired Member (fully retired from the practice of law)	\$95	\$95
<b>Associate Membership (Law Student Associate)</b>	\$30	\$30

However, before the increase takes effect, the FBA is offering a chance to renew your membership for the upcoming year at current 2010 rates. Through December 15, 2010, you can prepay your FBA 2011 dues at the current rate. If you choose to renew early during this limited-time offer, you will avoid the new dues rates until you renew for 2012. To take advantage of this offer, *you must* call the FBA Membership Department at (571) 481-9100 and mention the "Prepay Option." The Prepay Option is not available online. The FBA membership department staff will provide the amount due and can accept payment with a credit card or give you the address for mailing a check. This one-time opportunity is for memberships coming due between January 1, 2011 and December 31, 2011.

# **FEDERAL PRACTICE SEMINAR**

Sponsored by the Montgomery Chapter of the Federal Bar Association

**Date: Friday, December 17, 2010; 8:30 a.m. to 4:45 p.m.**

**Location: Renaissance Hotel, 201 Tallapoosa St., Montgomery, Alabama**

**CLE Credit 6.3 hours pending in Alabama, including 1 hour ethics**

**Cost: If registered by November 30, 2010: \$175 FBA Members & \$275 non-FBA Members;  
Otherwise, \$225 FBA Members & \$325 non-FBA Members**

## **Agenda**

### **MORNING SESSION** (Joint; Begin 8:30 am)

**7:30-8:30 a.m.:** Registration

**8:15 a.m.:** Welcome & Invocation

**8:30- 9:30 a.m.:** *Ethics:* Sam Partridge, Assistant General Counsel, Alabama State Bar

**9:30-9:45 a.m.:** Break

**9:45-10:45 a.m.:** *State of the District/News/Courthouse updates:* Hon. Mark E. Fuller, Chief Judge, M.D. Ala.

**10:45-11 a.m.:** Break

**11 a.m.-noon:** *Appellate Issues/Pointers-Panel Session:* Hon. Joel F. Dubina, Chief Judge, 11<sup>th</sup> Circuit Court of Appeals, & Hon. Ed Carnes, Judge, 11<sup>th</sup> Circuit Court of Appeals; Dave Boyd, Balch Bingham, Moderator

### **LUNCH** (On your own, noon – 1 p.m.)

### **AFTERNOON CONCURRENT SESSIONS**

#### **Concurrent Session #1**

##### *Emerging Trends in Prosecution:*

Louis V. Franklin, Sr., Assistant U.S. Attorney, M.D. Ala.

##### *Sentencing & Drug Court:*

Hon. W. Keith Watkins, District Judge, M.D. Ala., &  
Hon. Susan Russ Walker, Chief Magistrate Judge,  
M.D. Ala.

##### *Emerging Trends in Defense:*

Christine A. Freeman, Esq., Executive Director,  
Federal Defenders, M.D. Ala.

#### **Concurrent Session #2**

**1 p.m. to 2 p.m.**

*Federal Civil Practice: The Five Pillars of Trial:* Hon.  
Myron H. Thompson, District Judge, M.D. Ala.

**2 to 2:15 p.m. Break**

**2:15 p.m. to 3:30 p.m.**

##### *Updates in Employment Law:*

Constance S. Barker, Commissioner, Equal  
Employment Opportunity Commission, Washington,  
D.C.

**3:30 to 3:45 p.m. Break**

**3:45 p.m. to 4:45 p.m.**

##### *E-Discovery:*

Hon. Charles S. Coody, Magistrate Judge, M.D. Ala.

**Register now to save \$50 and reserve your seat! Contact a chapter officer or download the registration form from the web site**

**<http://www.fedbar.org/Chapters/Montgomery-Chapter.aspx>**

Contact the FBA National Headquarters at:

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Arlington, VA 22201

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Contact local leaders

President Terrie Scott Biggs

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[mbledsoe@ago.state.al.us](mailto:mbledsoe@ago.state.al.us)

2<sup>nd</sup> Vice-President Kelly Pate

[kpate@balch.com](mailto:kpate@balch.com)



## ***News from the Federal Courts***

The following is taken from *The Third Branch*, the newsletter of the federal courts, and press releases from the federal judiciary. Sign up for e-mail updates and the newsletter at <http://www.uscourts.gov/Home.aspx>

### ***Judiciary Approves Pilot Project for Cameras in District Courts***

The Judicial Conference, at its biannual meeting in September 2010, approved a pilot project to evaluate the effect of cameras in federal district courtrooms and the public release of digital video recordings of some civil proceedings. Chief Judge Joel F. Dubina of the 11<sup>th</sup> Circuit Court of Appeals, who is scheduled to speak at our Federal Practice Seminar in December, is a member of the Judicial Conference and its Executive Committee.

The pilot, which will be national in scope, will last up to three years. It will evaluate the effect of cameras in district court courtrooms, video recordings of proceedings, and publication of such video recordings. Details of the development and implementation of the pilot will be determined by the Conference's Committee on Court Administration and Case Management (CACM).

Courts that participate in the pilot will, if necessary, amend their local rules (providing adequate public notice and opportunity to comment) to provide an exception for judges participating in the pilot project. Participation will be at the trial judge's discretion.

Under the pilot, participating courts will record proceedings. Recordings by other entities or persons will not be allowed. Recording of members of a jury will not be permitted, and parties in a trial must consent to participating in the pilot.

The Federal Judicial Center will conduct a study of the pilot, and produce interim reports at the end of its first and second years. The Administrative Office will provide funding for equipment and training as needed by a participating court.

Electronic media coverage of criminal proceedings in federal courts has been expressly prohibited under Federal Rule of Criminal Procedure 53 since the criminal rules were adopted in 1946 and by the Judicial Conference since 1972. In 1996, the Conference rescinded its camera coverage prohibition for courts of appeals and allowed each appellate court discretion to permit broadcasting of oral arguments. To date, two courts of appeals—the Second and the Ninth—allow such coverage. In the early 1990s, the Judicial Conference conducted a pilot program permitting electronic media coverage of civil proceeding in six district courts and two courts of appeals.

## ***New Officers, continued from page 1***

- Kelly F. Pate, an associate in the Montgomery office of Balch & Bingham, LLP, is second vice president. Also a graduate of Cumberland School of Law, her practice focuses on general litigation and state and federal employment issues. She previously served as secretary-treasurer.
- Last year's president, R. Austin Huffaker, has graciously agreed to serve as treasurer. He is a Montgomery resident, a graduate of the University of Alabama Law School, and a shareholder with Ruston, Stakely, Johnston & Garrett, P.A.
- Susan L. Turley is the new secretary, after serving as a member of the executive committee for several years. She is a retired Air Force judge advocate and now works as an acquisition attorney for the Air Force Legal Operations Agency on Maxwell Air Force Base.