



SPRING 2009

From the Editor

In this latest issue of the *TBALL Times*, we provide you with updates on the TBALL Class of 2009; share with you attorney profiles on Danny Van Horn and the TBA's 2008 Harris Gilbert Award winner Charles Grant and news updates on your fellow TBALL Alumni; and give you an update on the TBA's "Justice 4ALL" Campaign – in particular the statewide pro bono day of service planned for April 4, 2009. If you have not yet signed up for a "4/4" event in your community, we heartily encourage you to do so. Besides helping out persons in your community who need and would appreciate your assistance, you also have a chance to support one of the TBA's cornerstone campaigns for this bar year and help show other members of the TBA and Tennessee's citizens one of the things that TBALL stands for: leadership in law in action, both across the State and in your own locality. See Jason Long's article below on how you can help in this great and worthy statewide effort.

Sincere thanks are due to each of you who have contributed towards our annual dues/fund drive (thanks to your support, we now have \$6,800 in our treasury) and who have signed up to assist the Social, Operations and Communications Committees. And, please also consider making your contribution towards the TBALL Endowment Fund in any amount that you deem appropriate. Any contribution to the Endowment Fund will help support the long-term financial viability of a program that has given so much to all of us.

Last but not least: hold the morning of **Saturday, June 20**, on your calendar for the TBALLA Annual Meeting (brief, but always fun, too) and that evening for the TBALLA and YLD-co-sponsored annual band party starting at 9:30 p.m. at AutoZone Park. Social Committee leaders Summer Stevens and Emily Taube are planning another excellent event that you won't want to miss during the TBA Convention in Memphis. Big fun will be had; big hair, however, is purely optional.

- Nick McCall

Fortunate Fellows Formulate Fun-Filled Frolic for 4/4

By Jason Long

If you haven't made your plans yet for the TBA's 4/4 volunteer service day, don't worry, it's not too late. Simply scroll down to the bottom of this article and you will find a link with a complete up-to-date listing of activities taking place across the state in support of Buck Lewis' "Justice 4 All" initiative. Among the events to be highlighted are: a Race Judicata 5k run/walk in Memphis to raise funds for Memphis Area Legal Services; a Legal Lines call-in program; three separate Wills for Heroes programs to draft basic estate planning documents for first responders hosted in Memphis, Nashville and Maryville; the Advanced Directive pro bono initiative to provide basic advanced directive planning for low income and elderly; and 32 separate legal clinics occurring throughout the state. If all of this were not enough, the TBA is also sponsoring the "Meet the Need Challenge" in which, in selected areas of the state, our goal is to fully staff all open pro bono cases with the Legal Aid office with a volunteer attorney. If you are unable to commit time on April 4, 2009 for any of the various service day events, a great way to participate would be to accept a case from the Meet the Need Challenge.

As you will see from the list found in the weblink noted below, TBALL is a direct sponsor of several of the events occurring throughout the state

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On Leadership

"Leaders can conceive and articulate goals that lift people out of their petty preoccupations and unite them in pursuit of objectives worthy of their best efforts."
--John Gardner

Editor's Note

Let us know if you have any ideas or suggestions for The TBALL TIMES by calling or emailing [Nick McCall](#), TBALL Alumni Secretary-Treasurer; or [Monica Mackie](#), the TBA's TBALL Director.

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(legal clinics in Chattanooga, Knoxville, Nashville, and Oak Ridge). Certainly, we hope that those TBALL alumni in the areas where TBALL is sponsoring an event will take time out of their weekend to participate. However, if one of those projects is not convenient for you, please consider the other alternatives available as the intent of this project is to collaborate amongst various legal organizations to first provide a basic need for Tennesseans and further, to raise overall awareness of the legal community's commitment to the importance of pro bono work. The event promises to be not only an historic occasion but further, the cornerstone to this bar year. Please help make TBALL's voice an integral part of this worthy project.

If you would like further information regarding any of the programs going on throughout the state, please feel free to contact the designated coordinator or Jason Long at (865) 637-0203. I hope that you will join in the fellowship of this occasion and contribute to this important work which can only be provided by members of our profession.

For updates on 4/4 events, locations, coordinators and how to help: Visit the [TBA's "4/4" Public Service Day website](#) . This website will be updated frequently as more events are added in anticipation of the April 4th Public Service Day.

Attorney Profiles

Danny Van Horn

By Kim Helper

Danny Van Horn is a 2007 TBALL graduate who practices in the areas of commercial litigation, business torts and product liability with Butler Snow O'Mara Stevens & Cannada in Memphis, Tennessee. Danny is currently running for Vice President of the Tennessee Bar Association. If elected to this post, Danny would become TBA President at the Annual Meeting in 2011.

Q: Why are you seeking the Bar Presidency?

A: I am running for TBA President because the position gives you an incredible platform from which to give back to the profession, the courts and the public. I feel incredibly blessed to have found my calling in life. When you find something that you really like doing, I think you need to give back.

Q: As TBA President, would you keep TBALL?

A: Absolutely. TBALL is a great way to bring new blood into the bar and to help train leaders for today and tomorrow. As John Tarpley likes to say, TBALL is the greatest program in the history of the TBA.

Q: What did you like most about TBALL?

A: Getting to know others from across the state. I really enjoyed the speakers we had and the chance to discuss the big issues facing our profession.

Q: Least?

A: The food at Montgomery Bell State Park. I guess I'd also like to see more interaction between the classes.

Q: Any advice for young lawyers?

A: For me there have been three keys to finding happiness practicing law: (1) pro bono work, (2) active participation in a bar organization and (3) choosing to be happy and to act civilly towards others. I'd tell all young lawyers that they have to find time to do pro bono work. It is a matter of making pro bono work a priority. Being involved in a bar organization is no less important than pro bono work. Getting involved in a bar organization will insure that you will surround yourself with some of the best and brightest the profession has to offer. Lastly, I'd say, try to enjoy the practice and be civil. Be happy and treat others with respect whether they are the lawyer on the other side of the case or your assistant or the clerk at the courthouse.

Q: Why is community service so important?

A: Community service is just part of who we are as attorneys. We are a servant profession. We help others solve their problems or right wrongs. The practice of law can consume you if you let it. Getting away from the

practice and doing selfless service for others is a great way to recharge every now and then.

Q: Tell us about your family.

A: I am married to an amazing woman, Erina. She's a high school chemistry teacher. We have two kids, Grant and Rachel. We have a terrier/collie mix, Keeper. We have an in-laws' apartment on the back of our house and my mother-in-law and father-in-law live with us. They are a tremendous help with babysitting.

Q: What do you do in you spare time?

A: Honestly, I don't have a lot of spare time. When I'm home, I like to hang out with my wife and kids and to just veg out watching shows like "Heroes," "Rescue Me" and "24."

Q: Favorite food/restaurant?

A: I really like a Tex-Mex restaurant in Texas called Pappasito's. They have the best fajitas I've ever had. I love the wings and burgers at a dive in Memphis named Alex's. Of course a Soul Burger is a must-have at 2 am when you're at Earnestine & Hazel's. I'm really spoiled because Erina, my wife, is an amazing cook.

Q: Any hobbies?

My wife would tell you that my hobby is my work. When I'm not working or doing bar work, I love college sports. I follow the Vols religiously. I like black and white photography and reading and learning about history. I love music. I love my I-Pod. One of these days I'm going to learn to play the guitar or the piano.

Q: Boxers or Briefs?

A: Definitely boxers. I usually wear conservative suits and shirts but I have more colorful ties and boxers.

Charles K. Grant

Compiled by Angelia Morie Nystrom

TBALL Class of 2004 Alum Charles Grant was recently chosen as the winner of the **2008 Harris Gilbert Award**, presented annually to the attorney who has best demonstrated dedication to the development and delivery of legal services to the poor. The award is named for Nashville attorney Harris Gilbert, who exemplifies this type of commitment. A shareholder in the Nashville office of Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., Charles has previously been recognized for his outstanding pro bono work by his firm as Pro Bono Attorney of the Year, the Nashville Pro Bono Program and the Tennessee State Conference of the NAACP.

Charles's selection for the award is based on his work in the restoration of voting rights for convicted felons who have fully served their sentences. His commitment to restoration of voting rights began in 1996 when he took a case from the Nashville Pro Bono Program to help a convicted felon win back the right to vote, a basic right of citizenship that so many take for granted. Inspired by the case, Charles looked to help others, eventually leading educational campaigns, working to pass legislation to reform the law, and establishing himself as one of the State's foremost experts on the topic of disenfranchisement and restoration of voting rights.

In 2004, Charles helped organize a rally to raise awareness of the disenfranchisement of former felons and to help educate former felons about whether they were eligible to regain the right to vote. In 2005, along with a group of Nashville pro bono lawyers, Charles began a project to restore voting rights to former felons who had fully served their sentences. They filed petitions with the court that ultimately restored voting rights to those who were eligible. That same year, Mr. Grant published an article in the Nashville Bar Journal outlining the various disenfranchisement and restoration statutes, which varied significantly based upon the date that the crime was committed. During the 2005-2006 legislative session, Charles worked with the TBA and others to secure enactment of new legislation that would streamline the process by which voting rights would be restored automatically upon pardon, completion of sentence, or completion of parole. Although the legislation ultimately passed, its final version imposed certain new impediments to restoration of voting rights, which substantially weakened the new law.

In an attempt to remedy some of the problems caused by the impediments placed in the new law, Charles initiated suit on behalf of three plaintiffs who completed their sentences but who could not have their voting rights restored because they owed child support or restitution. The suit contends that these financial obligations are the equivalent of a poll tax that, in previous cases under other circumstances, has been ruled unconstitutional. Prior to the new law, neither of these types of payments was required to obtain restoration of voting rights. Voting rights are not denied to others who owe child support or have other financial obligations.

"People most in need of exercising the franchise (of voting) are people without economic clout," Grant says. In working on these cases, he discovered that "so many of these people were homeless, and so many were veterans, who had sacrificed so much for their country." "I understand the need for punishment for crimes committed," Charles says. "But if you've served your time, you should have your rights restored. The fact is, you will always carry that felony conviction with you, but it shouldn't prevent you from voting." For many, Grant says getting the right to vote back is part of the healing process that helps integrate them back into society and make them feel like citizens again.

Charles' efforts capture the four pillars of the 4 All Campaign with his efforts to educate, collaborate, participate and legislate. Importantly, Charles's record of public service is not limited to his work on voting rights issues. Having grown up in Nashville as one of 17 children, he has strong ties to the community and is involved in a variety of professional and civic activities. He continues to champion the rights of those who otherwise have limited or no access to the legal system and legislative process.

Charles and his wife, Terri, have two teenage sons. He enjoys spending time with his family and serving in a variety of capacities at St. Edward Catholic Church. He also is an avid tennis player when his schedule permits.

TBALL Class of 2009 Update

By Sarah Henry

It's TBALL season again, and this year's class is in full swing. This talented group of attorneys has had three sessions thus far, with three more to follow. The opening retreat at Montgomery Bell State Park highlighted fried catfish as a crowd-pleaser yet again [Editor's note: Are we at all surprised?] and the group square-danced the night away — presumably, to burn off some of those calories. Legendary attorneys Jim Neal and Byron Trauger schooled the class on what it's like to be truly talented and truly humble. Local hot spot "The Cave" in Burns, Tenn., was the sight for the after-hours crowd. Some may remember its predecessor, "The E Club." There doesn't seem to be any correlation between the name change and the activities of previous TBALL classes, but the official documents are under seal.

The legislative session was again entertaining as the class was coaxed into getting serious about their future by Senator Cooper. Insight into the legislative process proved thought-provoking for most. Some class members then hit the local Nashville hot spots, and during a karaoke rendition of Lionel Richie's "Hello," one TBALL class member was overheard proclaiming: "Now, this is bonding for life..." — presumably referring to the Cone of Silence. (The Cone was hereby just broadened to include all the TBALL classes.) March 17 found the TBALL class in Nashville for "Issues in the Courts." With three more sessions to go, the fabulous 2009 TBALL class is in for more bonding opportunities, so stay tuned.

The remaining sessions for the TBALL Class of 2009 are as follows:

- **April 14/15 — ISSUES IN COMMUNITY SERVICE**, Chattanooga (Required reading: "Contempt of Court: The Turn-of-the-Century Lynching That Launched a Hundred Years of Federalism" by Mark Curriden and Leroy Phillips)
- **May 13 — LEADERSHIP IN ACTION**, Nashville

TBALLA in Action

Nashville-Area TBALL Alumni and the NBA Leadership

By Anne C. Martin

Once again TBALL alums are distinguishing themselves with extraordinary bar service. We are all such a bunch of joiners, we just can't stand it!

The Nashville Bar Association ("NBA") installed its new members and officers in December at its annual banquet. TBALL was well represented among the new officers, who include:

Trey "Iron Man" Harwell, President
Judge Angie "Cool Jurist" Blackshear, First Vice-President
Richard "Gun Toting" Littlehale, Treasurer

In addition to the officers, the NBA added some terrific alums as board members, including:

Martha "GI Jane" Boyd
Emily "Gearhead" Shouse

Last but not least, this year's TBALL member Jonathan "Political Animal" Cole, spouse of fellow TBALL Alum Lisa "Cool Mom" Cole, was elected to be next year's President.

We are so proud of the service all of our TBALL alums are providing to the NBA and look forward to many more joining their ranks!

"Sip the Wine" – Charles H. Warfield

Introduction by Nick McCall

Recent TBALL classes may have not had the pleasure of meeting a true "Jedi Knight" of the Tennessee and Nashville legal communities, Charles H. Warfield. Known simply as Warfield, he is a World War II U.S. Navy veteran and was one of the founders of Farris, Warfield & Kanaday, the linear successor of which is now the Nashville office of Stites & Harbison. Warfield is the recipient of numerous honors and awards for his legal and community service and civic activities. Among others, these include service as President of the Nashville Bar Association; Vice-Chair of the Board of Trustees of Fisk University; Chair of the Board of Trustees of Battle Ground Academy; and Board member of the Tennessee Supreme Court Historical Society. Warfield is a Fellow of the American College of Trial Lawyers, a devoted family man, and an avid outdoorsman.

In 1990, as Vanderbilt Law School's commencement speaker, Warfield recited a free-verse poem of his own composition, "Sip The Wine," which he has also recited to several incoming TBALL classes at their opening retreats. The poem is best summarized as being Warfield's ode to making all one can out of life and to the thought that one can be both a great lawyer and a great person by seeking to experience as much as one can in life and by saving time for things extending outside and beyond the daily stresses of practicing law and making money. With Warfield's kind permission, we reprint it here in full.

Live life deeply, richly, completely,
fully, joyfully
Taste all of life...
See a trout strike a fly on the Wind River
Hear the booming of the Sage Grouse and the
"witchety" of the Common Yellowthroat
Hold political office, show up--
Make a difference.
Read great books: "Markings" by Dag Hammarskjold, "Options"
by Norman Cousins. Keep them in your office.
They will help you look on the wider world.
Hike the Chattahoochee in North Georgia.
Watch rocks grow.
Take time to *Dance* with your darlings—This is for Don Hall.
Lead a protest march — even if you are wrong.

Write poetry
Grow flowers and friendships
Cry with your loved ones
Clasp babes to your breast
Love old people
Involve yourself in hopeless causes
Paint landscapes
Love yourself so you can
Love others
Laugh at yourself and others as
part of the human comedy.
Lose your pompousness
Gain your selfhood
And so taste all of life
For this you'll be a greater lawyer
But—you'll be an even greater person.

Sip the Wine.

News and Notes

Recent Awards, Recognition and Kudos

- Numerous TBALL Alumni have recently been elected to serve in various roles for the Nashville Bar Association. (See Anne Martin's article above for details.)
 - Jason Long received special recognition from TBA President Buck Lewis for his role in coordinating the statewide "4/4" service day activities at the TBA-sponsored Public Service Luncheon on January 17, 2009.
 - Heidi Barcus and Tasha Blakney were elected in December 2008 to serve three-year terms on the Board of Governors of the Knoxville Bar Association. They join fellow TBALL Alumni Mike King (currently serving as the KBA's Treasurer), Ursula Bailey, Hillary Jones and Greg McMillan.
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Thanks for Helping

Thanks to all who contributed to this issue of *The TBALL Times*: Sarah Henry, Kim Helper, Jason Long, Anne Martin, Angelia Morie Nystrom and, as always, Monica Mackie. A special note of appreciation goes to Charles H. Warfield for his permission to republish "Sip The Wine."

Coming in the Next Issue of *The TBALL Times*

- Updates on Committee and TBALL Alumni activities;
 - Updates on the "4ALL" campaign, the TBALL Alumni Annual Meeting, and the annual band party at Convention;
 - New Attorney Profiles of your TBALL Alumni colleagues; and
 - Any other articles or matters deemed worthy of inclusion in *The TBALL Times* as determined by the editor and the Communications Committee. Suggestions and submissions are actively encouraged!
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NOTICE: The information available in this newsletter includes basic legal information and is not a substitute for legal advice or professional alternative dispute resolution advice. The information is provided for general information only. It should not be considered legal advice or other professional advice. You should consult an attorney if you have questions concerning any specific situation.
