GEORGIA DEFENSE LAWYERS ASSOCIATION NEWSLETTER

Number 6 *April, 1994*

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The President's Column

Hendley V. Napier

The Annual Meeting of the Georgia Defense Lawyers Association will again this year be at Ponte Vedra where we meet every third year. Our plans next year will be to go to Point Clear, Alabama, and the following year tentatively we are considering meeting at Grand Cayman Island, south of Florida in the Caribbean.

The Annual Meeting is designed to attract as many members of our Association as possible. We try to make it a working meeting where approximately six hours of CLE credits are earned in areas of interest to all members. Also adequate time is allowed for social events and free time to enjoy the area where the meeting is held. We encourage each member to bring their spouse, for during the time of our meeting there are always places of interest and things to do which will be enjoyed by all of those in attendance.

Through the efforts of Dick Richardson we have been able to obtain favorable rates at the locations where these meetings have been held.

We now have approximately 440 members of the Association. We hope to have at least 25% of our membership attending these meetings.

All of you have by this time received brochures sent out by Dick Richardson and we encourage you to make reservations as early as possible for there is a certain limitation on space and while the space may be limited as far as a guarantee for a period of time, space can not be held by the host facility beyond certain deadlines.

At the Annual Meeting we will elect officers, make changes in the by-laws where needed and conduct whatever

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Coverage For John Doe Accidents

By Arthur H. Glaser & Douglas T. Lay
Drew, Eckl & Farnham
Atlanta, Georgia

Prior to 1983, physical contact was required to prove the involvement of a John Doe vehicle with the person or auto of the insured in order for an uninsured motorist claim to be successful. Since 1983, without the contact, the insured can recover, if an eyewitness other than the insured can corroborate the "description by the claimant of how the occurrence occurred." O.C.G.A. § 33-7-11(b)(2).

Early corroboration cases seemed to require that the insured have personal knowledge of John Doe's involvement in order to meet the "description by the claimant" requirement of the statute. Under these cases it appeared an insured could only recover UM benefits in a no contact case, if two (2) criteria were met:

(1) John Doe's involvement was within insured's personal knowledge; and
(2) another eyewitness (not necessarily "independent") could corroborate the insured's description of John Doe's involvement.

Later cases in the development of the "corroboration" requirement held that the UM policy could broaden the coverage afforded by the statutory language and that "personal knowledge" was not necessary. In the cases involving this broader policy language, eyewitness testimony was sufficient to allow the insured to recover UM benefits without personal knowledge of John Doe's involvement.

The Court of Appeals has now begun applying the "no personal knowledge necessary" standard to cases arising under the statute as well. The UM insured can plead in the alternative, if personal knowledge or the lack of it is an issue, but the insured must not plead contrary to the version which would permit recovery under either the statute or the policy. This creates a trap for the unwary.

EYEWITNESS CORROBORATION

Early "Personal Knowledge" Requirement

Early corroboration cases required the UM claimant to have personal knowledge of John Doe's involvement in order to meet the "description by the claimant" requirement of O.C.G.A. § 33-7-11(b)(2).

In *Hoffman v. Doe*, 191 Ga. App. 319, 381 S.E.2d 546 (1989), the plaintiff brought suit against Rickey Singley and John Doe. Singley testified in his deposition that John Doe pulled out in front of him and caused Singley to swerve to avoid a collision, causing Singley to collide with the plaintiff. The plaintiff testified that she did *not* contend the collision was caused by an unidentified vehicle pulling in front of Singley. The *Hoffman* court held that:

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The Newsletter is a regular publication of the Georgia Defense Lawyers Association. Please direct any inquiries, articles, or black and white photos for the Newsletter to

Greg Spicer
Ga. Defense Lawyers Ass'n
P.O. Box 1863
Macon, GA 31202-1863
(912) 742-2201
Fax: (912) 742-4989

Innisbrook at Tarpon Springs, Florida

Board Meeting Minutes

February 26, 1994
Tarpon Springs, Florida

Present

Hendley V. Napier, *President*
David T. Whitworth, *Executive Vice President*
R. Clay Porter, *Secretary-Treasurer*
Gregory J. Spicer, *Executive Secretary*
Steve Kyle
Greg Melton
Ken Moorman
J. Bruce Welch
Wiley Wasden
Jerry Buchanan
Charlie Goetz
George Duncan
Hank Scrudder
Willis J. Richardson
Melburne McLendon
Salty Forbes
Bill Pinson
Bob Travis

The meeting was called to order by the President and, after status reports from the officers, the following committee reports of substance were given:

I. Membership approval committee by Dick Richardson

The following applicants were approved for membership:
Edward H. Lindsey, Jr. (Atlanta)
Frederick Mills Valz (Atlanta)
Shari Sigman Miltiades (Savannah)

II. Law Journal by Joe Chambless

The journal is on track. Seven articles are in hand and two are expected shortly. The estimated cost is between $5,500 and $6,000. A spiral binding has been selected. It is anticipated that the journal may be ready in time for mailing prior to the Spring meeting. In addition, work is underway to prepare an index of all prior GDLA Journals.

III. Brief and expert witness bank by Steve Kyle

There are currently 482 entries within the database. It is anticipated that a separate computer will eventually be needed to hold all of the expected data. The estimated cost is $1500 to $2,000. The state has been divided into five separate sections in order to list experts by region. Kyle needs help in obtaining regional information and the Board authorized the use of regional board directors for that purpose. In the event that a nonmember submits a request for bank information out of the brief or expert bank, Kyle will respond with a letter suggesting that they join the Association. Kyle is authorized to cooperate with out-of-state defense lawyers in accessing our database. Kyle urged board members to submit additional data and encourage other Association members to do the same.

IV. Trial Academy by Jerry Buchanan

The 1993 Academy was a success. In the past, there has been some question about whether the program should last through Saturday. It was decided that Saturday sessions are beneficial and should continue. A reduced rate may be obtained if the Association will commit to an early registration. The next Chairman should consider this option. It was noted that the instructors and students did not believe there was enough time in the program to benefit from videotaping the closing arguments. Accordingly, the next academy will not include videotaping. A motion was made to

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Expert Witness Database Update

Steven J. Kyle, P.C.
Bovis, Kyle & Burch
Atlanta, Georgia

The GDLA is pleased to announce that we now have 482 experts entered in our Expert Witness Database. We are now available to handle your requests for information on experts. Only GDLA members in good standing and members of their firms are eligible to utilize this service. Please do not abuse this privilege by using it on a plaintiff's case.

If you need information on an expert, please contact Barbara Dunham at Bovis, Kyle & Burch at 404/391-9100, extension 104. You may fax your requests to 404/668-0878.

For the time being, there will be no charge for this service. We only ask that you do your part in expanding our database by filling out the form contained in this newsletter on every expert that is deposed or testifies at trial.

Let me encourage you to set up a system within your firm to facilitate giving us this information. Please make multiple copies of this form and distribute it to the other members of your firm and, most importantly, to all your secretaries. The time to fill out this form is right after the deposition has been taken or the expert has testified at trial, while it is still fresh in your memory. Please return all completed forms to:

Barbara Dunham
Bovis, Kyle & Burch
53 Perimeter Center East
Suite 300
Atlanta, Georgia
30346-2298

Our goal is to have 5,000 experts identified and input by the end of 1994. Won't you help us in this endeavor?

Please make an ample supply of photocopies of this blank form for your files

Georgia Defense Lawyers Association

Expert Witness Database

1. Expert's Name: _____

2. Specialty: _____

3. Office Location: City _____

   State _____

4. Expert's Status:
   - ◯ Hired by Plaintiff
   - ◯ Hired by Defendant
   - ◯ Treating Physician

5. Style of the Case:

6. Venue: ◯ Federal Court ◯ Northern ◯ Middle ◯ Southern

   Superior/State Court of _____ County

7. Year of Testimony: _____

8. Form of Testimony:
   - ◯ Deposition
   - ◯ Trial
   - ◯ Both

9. Expert's Effectiveness:

On Deposition	At Trial
◯ Exceptional	◯ Exceptional
◯ Average	◯ Average
◯ Poor	◯ Poor

10. Attorneys:

    For the Plaintiff: _____

    For the Defendant: _____

Please complete **all** information and return to:

Steven J. Kyle
Bovis, Kyle & Burch
Suite 330
53 Perimeter Center East
Atlanta, GA 30346-2298
(404) 391-9100
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Recent Developments in UM Law

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by her own admission, not only did [plaintiff] not describe the accident as having been caused by an unknown vehicle, she *could not* have so described it because the only vehicles she remembered were her own and that of Singley. She saw no other vehicles. Because claimant's description did not include a "phantom" vehicle, the statute does not apply.

Id. at 548. [Emphasis in original.]

It appeared that even if the plaintiff in *Hoffman* had made an attempt in her complaint to describe how the occurrence occurred, this panel apparently would have held that such a description was irrelevant since the plaintiff's description of the accident could not contain a John Doe vehicle. This is a very narrow view of the statute, since unconsciousness, death and numerous other circumstances would have prevented legitimate recoveries without the risk of fraud or collusion, which are the underlying reasons for a contact and corroboration provision. So, it is not surprising to see a withdrawal in later cases from this tough stance.

UM Policy Language Can Lessen The Statute's John Doe Corroboration Requirement

In a case involving one of the three *Hoffman* judges, the Court of Appeals first moved away from the *Hoffman* holding in a case involving a policy which broadens the statutory coverage and the court held that the insured may recover UM benefits, even if John Doe's involvement is not within the insured's "personal knowledge."

In *Maxwell v. State Farm*, 196 Ga. App. 545, 396 S.E.2d 291 (1990), a UM insured was struck from behind and later filed suit against two named defendants and John Doe. The two named defendants answered that the collision was caused by John Doe's actions. Plaintiff never saw the John Doe vehicle, and the actions of the John Doe vehicle were not within plaintiff's personal knowledge. The language in the *Maxwell* policy differed from the statutory language of O.C.G.A. § 33-7-11(b)(2) which provides that

> physical contact shall not be required if the *description by the claimant of how the occurrence occurred* is corroborated by an eyewitness to the occurrence other than the claimant.

[Emphasis added.] *Id.* at 293.

On the other hand, plaintiff's policy in *Maxwell* dispenses with the physical contact requirement if:

> *the facts of the accident* can be corroborated by an eyewitness to the occurrence other than [the claimant].

Id. at 293. [Emphasis added in part and omitted in part.]

The court in *Maxwell* held that:

> Although *Hoffman v. Doe*, [191 Ga. App. 319, 381 S.E.2d 546 (1989)], may hold that the statute authorizes a limitation of coverage to those instances wherein the claimant is himself a corroborated eyewitness to the asserted fact of John Doe's involvement, the policy that was issued to appellant by appellee extends coverage to those instances wherein an eyewitness can corroborate John Doe's involvement as an asserted fact by the claimant. Because the policy that was issued by appellee *does* extend broader coverage than would be required under O.C.G.A. § 33-7-11(b)(2) as construed in *Hoffman v. Doe, supra*, we need not address the issue of the continued viability of the narrow construction that was given to the statutory language in that case.

Id. at 292. [Emphasis in original.]

Later Case Dispenses With Personal Knowledge Requirement In Statutory Cases

As the law regarding "corroboration" developed, another panel of the Court of Appeals applied the no "personal knowledge" analysis to a case involving coverage under the statute, declining to adopt the narrow *Hoffman* analysis. In *Atlanta Casualty Ins. Co. v. Crews*, 197 Ga. App. 48, 397 S.E.2d 466 (1990), plaintiff was

(continued on page 8)

GEORGIA DEFENSE LAWYERS ASSOCIATION

1993-94 MEMBERSHIP APPLICATION

NAME: _____ STATE BAR NO.: _____

AGE AND BIRTH DATE: _____ SPOUSE'S FIRST NAME: _____

DATE ADMITTED TO BAR: _____ DATE BEGAN PRACTICE: _____

FIRM NAME: _____

OFFICE ADDRESS: _____

Street and P.O. Box Number

_____

City, State, and Zip Code

PHONE NUMBER: _____ FAX NUMBER: _____

NUMBER OF YEARS WITH PRESENT AFFILIATION: _____

NUMBER OF INDIVIDUALS IN FIRM PRESENTLY MEMBERS OF THE GEORGIA DEFENSE LAWYERS ASSOCIATION: _____

I certify that I am substantially engaged in trial litigation primarily for the defense in the State of Georgia, am a member in good standing of the State Bar of Georgia, and have been a member of the State Bar or a State Bar Association for a period of at least three (3) years.

_____ _____

(Date) (Signature of Applicant)

_____ _____

(Type or Print Name of Nominator) (Type or Print Name of Sponsor)

_____ _____

(Signature of Nominator) (Signature of Sponsor)

Upon completion of the form by applicant, **applicant must mail same along with letter of recommendation from the nominator and sponsor** above (who must be members in good standing of the GDLA) to the Executive Secretary of the Association, Gregory J. Spicer, c/o Georgia Defense Lawyers Association, at the following address: P.O. Box 1863, Macon, GA 31202-1863. If you need further information, contact Greg Spicer at (912) 742-2201.

If you are approved for membership, you will be notified and billed $100 covering the initiation fee plus the amount of annual dues in effect at the time of your admission to membership.

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injured when her car was struck by Richard Hewatt. While the plaintiff did not see John Doe, she pled that both Hewatt and a third party eyewitness blamed the accident on a car driven by John Doe which stopped in front of Hewatt, caused him to lose control of his vehicle and crash into plaintiff. No broader policy language was involved, and the UM coverage was determined under O.C.G.A. § 33-7-11(b)(2). Even though plaintiff did not see the actions of the John Doe driver, this panel held that the plaintiff might recover UM benefits, since the facts of the case were distinguishable from those of *Hoffman, supra.*

The court distinguished *Hoffman* by stating that the plaintiff in *Hoffman* testified that she remembered seeing only two (2) cars on the road at any given time, her own car and the car which eventually struck her. The plaintiff in *Hoffman* did not describe the collision as being caused by an unidentified vehicle. Therefore, the panel in *Crews* found that the plaintiff's testimony in *Hoffman* repudiated the John Doe averment which was contained in her pleadings. In the *Crews* case, however, the court determined that the plaintiff's testimony was not incompatible with the material averments as to the John Doe driver. This appears to be a distinction without a difference. Rather than just disavowing *Hoffman*, distinctions are drawn which make little sense except for the pleading mistake in *Hoffman*, see *Ditch, infra*, and the "independent" verification not present in *Hoffman.*

The *Crews* court went on to hold that:

> we do not believe that the legislature intended to create a rule which would arbitrarily preclude coverage, for example, of the victim injured so rapidly or so severely she could not testify as to how the occurrence happened, regardless of the number of competent witnesses available . . ..

Id. at 468. [Interestingly, the *Hoffman* panel included Judge Sognier, who wrote the opinion, and Judge Banke; Judge Sognier concurred in *Maxwell* and Judge Banke concurred in *Crews.*]

Battling Panels Leave Open Re-Establishment Of "Personal Knowledge" Requirement In Cases Involving Statute Rather Than Policy

Subsequent to *Crews*, two decisions by panels including Judges McMurray and Sognier, reaffirm the narrow holding of *Hoffman* without even mentioning *Crews.* [Interestingly, Judge Cooper concurred in *Crews* and in one of these later cases.]

First, in a case involving a plaintiff who did not see the phantom vehicle, but who was confronted at the scene by the tortfeasor's claim of a phantom vehicle, McMurray and Sognier are joined by Carley in upholding summary judgment for the insurer. *Bell v. Coronet Ins. Co.*, 197 Ga. App. 211, 398 S.E.2d 242 (1990). This case was decided one month after *Crews* but does not mention it. Instead, the *Bell* panel adopted the narrow *Hoffman* holding as follows:

> plaintiff did not include a "phantom" vehicle in his description of the accident. In fact, *by his own admission*, he saw no such vehicle. Accordingly, plaintiff was not entitled to uninsured motorist coverage . . ..

Id. at 243. [Emphasis added.]

Second, in *Curtis v. Allstate Ins. Co.*, 203 Ga. App. 25, 416 S.E.2d 359 (1992), McMurray and Sognier, this time joined by Judge Cooper, adopted the narrow *Hoffman* holding in an action where John Doe's role was witnessed by an interested and disinterested person. Plaintiff brought suit against an unknown John Doe motorist for injuries she received. Kathy Bembry testified that she collided into the rear of plaintiff's vehicle because she was attempting to avoid a John Doe "white pick-up truck . . .." Also, Robert Kimbrough, a disinterested witness, deposed in an affidavit that he was *also involved in the same accident* and that he saw Ms. Bembry evade the John Doe white pick-up truck and collide with plaintiff. Like *Hoffman* and *Bell*, the plaintiff testified that she did not see the unidentified John Doe white pick-up truck.

Curtis, was determined under O.C.G.A. § 33-7-11(b)(2). The court found that it was undisputed that the John Doe white pick-up truck never made physical contact with any vehicle involved in the collision and it

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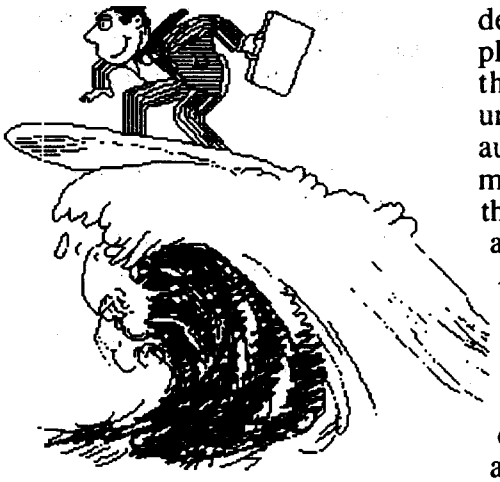

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was likewise undisputed that plaintiff never saw the John Doe white pick-up truck. Citing only *Bell* and without citing to either *Hoffman* or *Crews*, the court determined that "under these circumstances, plaintiff [is] not entitled to uninsured motorist coverage under O.C.G.A. § 33-7-11(b)(2)" since plaintiff could not "describe," within the requirements of the statute, how the occurrence occurred without having personal knowledge of John Doe's actions. *Curtis* at 360. Thus, only where there was a witness, not involved in the incident, like in *Crews* or where the policy lessened the evidentiary or pleading requirement, like in *Maxwell*, have non-witness plaintiffs been able to recover.

Pleading Alternatively In UM Cases

The suggestion that alternatively pleading might be an answer to the UM conundrum came initially from a case involving a "known" car but "unknown" driver case in which alternative pleading of the case against the known owner and the unknown driver was permitted. *Smith v. Doe*, 189 Ga. App. 264, 375 S.E.2d 477 (1988).

Relying on *Smith*, a recent decision held that although a plaintiff may plead alternatively that both a known and an unknown defendant caused an automobile collision, a plaintiff may not also expressly deny that the collision was caused by the acts of the John Doe defendant. *Ditch v. Royal Indem. Co.*, 205 Ga. App. 478, 422 S.E.2d 868 (1992) *cert. denied.*

In the full bench opinion case of *Ditch*, the plaintiff alleged that his collision was caused by the negligence of a truck driver and filed suit against the common carrier and its insurer. However, when the plaintiff learned that the truck driver claimed that the collision was caused by a phantom vehicle, the plaintiff also named John Doe and served his uninsured motorist carrier. The complaint alleged that the collision was caused *either* by the negligence of the truck driver, the negligence of John Doe, or the combined negligence of both.

However, in apparent anticipation of the truck driver's defense that the collision was caused by John Doe or in worry over a frivolous litigation claim, the plaintiff made an unnecessary statement expressly denying the existence of John Doe:

> Plaintiff denies that an unknown or uninsured motorist caused or contributed to the cause of said collision but, prophylactically, has nonetheless brought this claim against defendant John Doe so that in the event there should be a finding that John Doe caused or contributed to the cause of the collision, plaintiff's right of recovery against John Doe will have been preserved.

Ditch, at 868. The trial court granted summary judgment to plaintiff's uninsured motorist carrier.

In a 5-4 decision, the Georgia Court of Appeals ruled that the plaintiff could plead in the alternative but was bound by the judicial admissions in his pleadings. *Id.* at 869 (citing O.C.G.A. § 24-3-30). The Civil Practice Act's alternative pleading rule did not change the rule of evidence that a party is bound by its judicial admissions. *Id.* at 869. The Court stated that the plaintiff's mistake was in denying the existence of the John Doe instead of merely pleading alternatively that an unknown defendant caused the collision. *Id.*

Latest Case On "Corroboration" And Pleading Requirements

In its most recent effort to sort out the "personal knowledge" conundrum, the Court of Appeals reaffirmed its holding in *Maxwell, supra*, that plaintiff need not have personal knowledge of John Doe's involvement, if coverage is determined under the broader form UM policy. This panel, with *Curtis* author Judge Birdsong writing, specifically declined to decide whether *Hoffman* and *Curtis* correctly held that O.C.G.A. § 33-7-11(b)(2) "authorizes a limitation of coverage to those instances wherein a claimant is himself a corroborated eyewitness to the asserted fact of John Doe's involvement . . . ." *Langford v. Royal Indem. Co.*, 208 Ga. App. 128, 430 S.E.2d 98 (1993).

The UM insured had a policy which was the same broad form as in *Maxwell, supra.* In *Langford*, a truck swerved into Shirley Langford's lane, causing her to take evasive action and eventually sustain injury when

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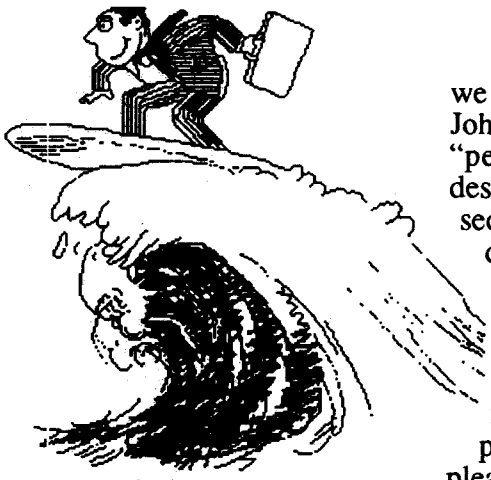

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she ran into the curb after avoiding contact with the truck. The truck driver alleged that an unknown driver stopped in front of him, causing him to bump the unidentified vehicle and slide into Langford's lane while attempting to stop. Langford did not see the "other" vehicle.

Langford asserted that *Maxwell, supra*, controlled. The carrier asserted *Hoffman* and *Curtis* controlled. The court held that

. . . claimant could rely upon eyewitness testimony *alone*, or in conjunction with the above-discussed circumstantial evidence, in prosecuting his uninsured motorist claim under the terms of his insurance contract . . ..

Langford at 104. [Emphasis added in part.]

Having rejected the narrow view requiring the claimant's personal knowledge, the *Langford* panel then went on to affirm the lower court's summary judgment to the carrier holding that the use of the word "may" to describe the John Doe's action "failed . . . to provide a statement or description representative of 'how the occurrence occurred . . .." "

This leaves us right where we started -- with two lines of John Doe cases, one requiring "personal knowledge" and/or description by the claimant and a second allowing eyewitness or circumstantial evidence to corroborate the claim. While permitting pleading in the alternative, careful draftsmanship is now required in place of notice pleading. But even the careful pleader will someday be faced with the "personal knowledge" dichotomy, which awaits Supreme Court resolution.

Summary Of Current Status Of Corroboration Requirement

In summary, if UM coverage is determined under a policy which affords coverage if "the facts" of an accident are corroborated by an eyewitness, then coverage is broader than it is under the statute. Under such a policy, a description of "the facts" of an accident may suffice, even if the claimant does not have personal knowledge of the facts. If coverage is determined only under the language of the statute, under *Crews*, the claimant can still recover UM benefits, if the circumstances of the accident are corroborated by another witness *and* plaintiff's version of the accident at least in part supports the theory of John Doe's involvement in the accident.

However, under the *Hoffman*, *Bell* and *Curtis* decisions, the corroboration requirement is not met unless the eyewitness' version is also within plaintiff's personal knowledge. This is a harsh but easier to apply bright line rule. The differences in these lines of cases await our Supreme Court.

Regardless, if a UM claimant does not have personal knowledge of John Doe's involvement, the claimant should plead alternatively:

(1) that the accident was caused by either the negligence of a known vehicle of which plaintiff has personal knowledge, or

(2)that an unknown defendant caused the accident citing sources and evidence for that contention.

If the claimant denies an unknown uninsured motorist contributed to the accident, this will defeat a UM recovery.

New Members

Albany
Stephen S. Goss

Athens
Gregory A. Daniels
Michael C. Daniel

Atlanta
Leslie P. Becknell
William P. Claxton
Michael E. Hutchins
Edward H. Lindsey, Jr.
Frederick Mills Valz, III

Macon
William H. Anderson, III

Savannah
A. Mark Lee
Shari Sigman Miltiades

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amend the bylaws to allow early association eligibility for any graduate of the trial academy. The motion was seconded and approved by the board for presentation to the membership at the annual meeting.

V. Winter CLE seminar by Charles Goetz

The 1993 seminar was favorably received. It was decided to allow the incoming committee chairperson or president to decided whether to change the date of the 1994 Winter Seminar.

V. Newsletter advertising by Greg Spicer

As discussed at previous board meetings, there have been requests to advertise in the GDLA newsletter. The board agreed to allow paid advertising as a source of revenue for the Association at the discretion of the committee chairman.

VII. New business

On motion from Dick Richardson, the registration fee for the 1995 annual meeting is set a $75.00. The motion passed by a majority vote.

Ken Moorman suggested that the Association prepare an annual budget. It was agreed that the Treasurer submit a proposed budget at the next Fall meeting.

Meeting adjourned.

Respectfully submitted,
Clay Porter
Secretary-Treasurer.

Annual Meeting

The Georgia Commission on continuing Lawyer Competency has approved the program for six hours of CLE credit, including 4.5 hours of trial practice credit. We have applied for 1 hour of professionalism credit and expect approval.

The Ponte Vedra Inn and Club and Ponte Vedra Beach features four swimming pools, a jacuzzi, and a sauna. The resort boasts fifteen rubeco tennis courts next to the Inn, including seven courts lighted for night play. GDLA members can tackle two eighteen-hole golf courses: the ocean course and the lagoon course.

The Inn offers music and dancing nightly in the Seafoam Lounge and Surf Club.

David Whitworth has lined up an excellent group of speakers this year, including internationally acclaimed lecturer Carl G. Stevens.

The President's Column

Hendley V. Napier

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business of the Association may be required.

This year David Whitworth, who is in charge of the program, has an interesting group of speakers and we think a very much needed seminar of use to all of us in the practice of our profession.

The many years in which I have served as an officer or director of the Association have been most enjoyable and they've given me the opportunity to meet and know a large number of defense lawyers throughout the State of Georgia. This has been extremely helpful in knowing who to contact when I needed help elsewhere in the State from time to time.

In our effort to be of service to our membership, Steve Kyle has spent many hours working on a brief bank and an expert witness bank. I encourage each of you to fill out the forms which have been made available in our newsletters giving Steve any information you can on experts and advising him of any briefs which you may have on a particularly interesting subject. Also, we are most appreciative of any suggestions as to how we may improve our service to our members.

The Annual Meeting marks the beginning of the change in leadership. My term of office expires 45 days thereafter and at that time the new President will take over the direction of the Association. It's been an interesting year and in all respects an enjoyable one. I have and do appreciate the opportunity of having served this Association.

Georgia Defense Lawyer Association
P. O. Box 1863
Macon, GA 31201-1863