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PRESIDENT TERRY'S SWAN SONG



We will salute President Terry and his year at his Swan Song this week in a program filled with music and laughter.

THE YEAR IN REVIEW

Fellow Rotarians,

Thank you for a great year. Standing before our Rotary Club to lead the pledge or the Four-Way Test, or to introduce guests or deliver an invocation can be daunting, but the responsibility of running the weekly club meetings and the monthly board meetings, appointing committee chairs, attending District events,

making sure the office is functioning properly, monitoring committee activities, etc., can be downright overwhelming. You men and women made it easy for me - and you made it fun.

In addition to having a good time, we had some significant

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*Crawfish Etouffee &
Chicken/Sausage Jambalaya*

IT'S BACK! IT'S BEAUTIFUL! IT'S BETTER THAN BEFORE!

**HOLIDAY INN BEAUMONT PLAZA
3950 I-10 SOUTH
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409-842-1913 • Fax: 409-842-5613
rotarybmt1@yahoo.com
Meets Wednesdays at Noon
MCM Elegante' Hotel • International Ballroom
2355 IH-10 South

Future Programs

July
5th NO MEETING
12th President Gerald's Installation

Make-ups

Monday:

No. Port Arthur.....Holiday Inn Hwy 69
Vidor.....Hibernia National Bank

Tuesday:

Spindletop.....Holiday Inn 11th St.
Orange.....Sunset Grove
Port Neches.....Pompano Club

Wednesday:

Groves.....Pompano Club

Thursday:

Port Arthur.....Holiday Inn Hwy 69

Friday:

Nederland.....Sanderson's

On-line: www.rotaryclubone.org
(limit 3 times in each quarter)

REVIEW

Before we criticize lawyers, the courts, judges and especially, juries, we should consider the dramatic importance of the jury system to our country, our Constitution and our way of life. That was the message brought to us Wednesday by our own **Jay Old**, President-Elect of the 2,200 member Texas Association of Defense Counsel.

Jay, a partner in the Germer Gertz law firm, pointed to a number of disparate factors which have conspired to reduce the number of cases going to trial which, ironically, has contributed to a lack of experience for judges as well as lawyers.

One factor cited by Jay is the cost of litigation, which has sky-rocketed in the past 20 years. In addition to normal inflationary pressures, inefficiencies by lawyers, and by some courts; as well as huge increases in fees by expert witnesses, have contributed to the higher costs. Jay told us that the help of an expert witness in 1990 might have cost \$2,000 and now could be close to \$40,000 for exactly the same work.

A second factor is the perception that the jury system is unpredictable. Media attention goes to those verdicts which seem unreasonable and the result is the belief that juries are dumb or don't try, Jay said. He assured us that various studies have shown that jurors work hard and want to reach fair conclusions.

Nevertheless, he said, one reason so many cases settle without a trial is the fear of what the jury might do. That may lead to a lack of preparation by some lawyers, Jay told us. "If the case probably won't go to trial," some lawyers may think, "why spend the long hours and money necessary to be fully prepared."

With more lawyers than ever, and fewer trials, lawyers do not have as many opportunities to develop their expertise, Jay said. And the same applies to judges. He said the average federal judge spent less than 300 hours in trial in 2004. That is an average of about an hour a day.

Another negative factor is the target that many have painted on the backs of lawyers and

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achievements:

- Our club's Show Your Colors Flag Project topped the 400 subscriber mark this year.
- Thanks in part to a major donor contribution from **Chuck and Becky Mason**, and the success of the flag project, our club contributed more than \$30,000 to the Annual Fund of the Rotary Foundation.
- For the first time, we were able to partner with a Rotary District in another country to qualify for a Rotary International Matching Grant which will provide almost \$40,000 in funds to build a sanitary system and repair an irrigation system for a village in India.

It was a joy and a pleasure each week to look out and see so many friends...the people who make our community a great place to live and work.

What an extraordinary group of people you are! Be proud that you are a Rotarian!

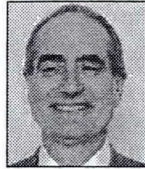
*Terry Bourdier
Soon-to-be Past President*

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juries. "There has been a lot of what I call jury bashing,"

BIRTHDAYS

6th Phil Dunlap (98)
Partner, Wells, Peyton,
Greenberg & Hunt
Born in Dallas, he is a graduate of Lamar University and the University of Texas School of Law. He and his wife Georgia are the parents of Max, Caroline and Clay, and are members of St. Stephens Episcopal Church. He enjoys running and occasionally playing golf. Phil is a Paul Harris Fellow.



Jay said, citing attacks by those in the system as well as out. He mentioned tort reform and politicians as two sources of the criticism.

And judges are not spared either. Jay quoted Karl Rove, Tom Delay and U.S. Senator John Cornyn as attacking certain judges and their decisions in a manner which could be interpreted as inciting hatred.

Finally, Jay warned about the increasing use of arbitration agreements in brokerage account contracts, credit card applications, and elsewhere. "We are waiving our right to a jury trial without even realizing what we

7th Tom Lamb, Jr. (53)
Retired
Born in Beaumont, he is a graduate of The University of South (Sewanee). He and his wife Elizabeth are the parents of Janey, Tommy, Linda and Marshall, and are members of St. Marks Episcopal Church. He enjoys playing tennis. Tom is a Paul Harris Fellow.



8th Bob Burns (69)
President,
Burns Properties
Born in Houston, he is a graduate of Rice University. He and his wife Colleen are the parents of Karen, Steve, and **Andy**, and are members of St. Andrews Presbyterian Church. Bob is a Paul Harris Fellow.



are doing," he said.

He quoted Thomas Jefferson and Alexander Hamilton on the importance of maintaining our jury system and agreed with U.S. District Court Judge Royal Ferguson who said: "The jury is our nation's greatest institution of Democracy."

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