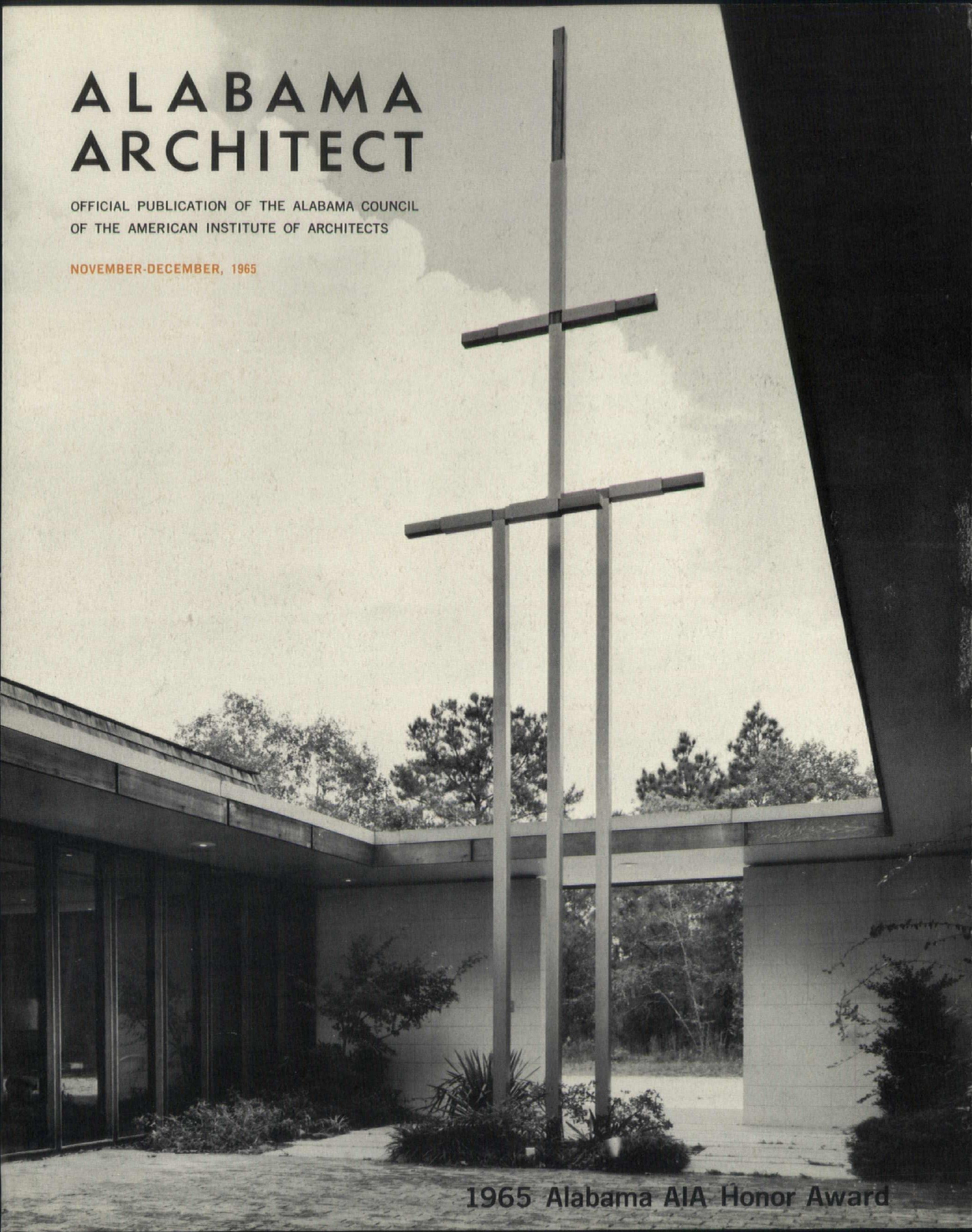


# ALABAMA ARCHITECT

OFFICIAL PUBLICATION OF THE ALABAMA COUNCIL  
OF THE AMERICAN INSTITUTE OF ARCHITECTS

NOVEMBER-DECEMBER, 1965



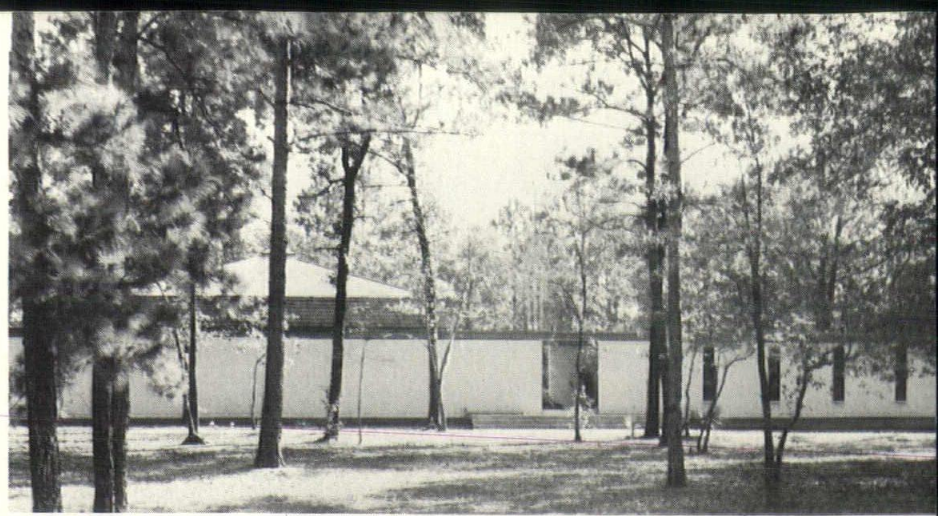
1965 Alabama AIA Honor Award





**Spanish Fort Presbyterian Church**  
Spanish Fort, Alabama

**Architects:**  
Dietz, Prince and Fischrupp,  
Mobile, Alabama



## Jury Comment

A simple unprepossing straightforward statement. We were impressed by an airconditioned school and auditorium that could be built for something slightly over ten dollars a square foot and still carry through as a strong, straightforward honest statement. By "honesty" in this particular instance, we are referring to a consistency between the simple plan and the elevation which expresses the uses in three dimensions. One thing that attracted us at first was the plan. It is very difficult to enter a simple little building like this, with a sense of going into some place, and the courtyard (which is defined and has a rather handsome grouping of crosses) substitutes for a more positive entrance and seems to belong to the building. It looks straightforward, and it looks like architecture that you spent ten dollars and a half per square foot for, and did not spend it on marble but on simplicity.

## Architect's Information:

Located 10 miles east of Mobile in the Spanish Fort community, the building was designed to house classrooms and a temporary sanctuary for a newly organized church group. The exterior walls are built of eight-inch concrete block exposed and painted inside and outside. Interior partitions and ceilings are painted sheetrock. Floors are terrazzo throughout. Roof is wood joists and plywood, and roofing is built-up tar and gravel and cedar shakes. Forced warm air, gas fired heating, and electric cooling.

The entry court encloses a small garden and gold-anodized aluminum crosses project above the surrounding roofs.

(Editor's Note: This church won first place in the Mobile Chapter AIA honor awards program earlier this year, when jurors were William G. McMinn, head of the Department of Architecture at Auburn University; Ralph K. Morrill and Newton Le Vine, associate professors of architecture at Auburn.)



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Richard Snibbe, chairman of the AIA honor awards jury, presents the Alabama Council AIA award to Marshall Fischrupp (right), while J. Frederick Dietz looks on. Other jurors were Chloethiel Woodard Smith, FAIA, Elliott Carroll, AIA, and Arthur Q. Davis, FAIA.







## New Officers for 1966



Shown at the Annual Convention of the Alabama Council AIA are the new officers, pictured with distinguished architect Edward Durell Stone, FAIA (second from left). The 1966 officers seen here are: Edward Baumhauer, AIA, Mobile, president; Stone; Donald L. Horton, AIA, Montgomery, vice president; A. Jackson Davis, AIA, Huntsville, secretary.

Treasurer for the coming year is Oscar W. Pardue, AIA, Birmingham, not present when photo above was made.



## Talk By Edward Durell Stone, FAIA, Gets Wide Coverage In State Press

The luncheon talk on Friday, November 5, stirred a minor tempest in the state press. Unequivocally, famed architect Stone made point after point, most of which were pithy as well as newsworthy.

Generally around the state, editors carried Stone's remarks placing much of the blame for "our entangled cities" on the automobile. Claimed Stone: "Automobile manufacturers have created millions of their four-wheeled monsters but have failed to plan a way for them to adapt to the modern environment." In a press conference following his address, he said that Americans are going to have to give up the idea of driving to work. "Right now, any man who owns a car in New York City is a complete nut."

Probably coming closest to capturing the essence of Stone's personality and his philosophies was Tom Johnson, editor of Montgomery's weekly *Independent*. Of his luncheon talk, Johnson said: "It was terrible oratory and a splendid speech. The architects stood and cracked the air with applause when he finished. It was not because he had flattered their profession."

Space here doesn't permit reprinting of his remarks. Suffice it to say that it crackled the architects present, it crackled the state press and news media (TV carried a full five minutes of his iron-ribbed statements), and gave those present the unique experience of having witnessed an enlivening performance by one of the great architects of our time.





Edward B. Baumhauer, AIA, receives the gavel from retiring Council president Hugh W. Ellis, AIA, on the occasion of Baumhauer's installation as president for 1966, which duties he will assume on January 1st. He has served the Alabama Council AIA as vice president during this year.

## Certificate of Merit for Governor Wallace

Present on the final night of the 1965 Convention with Mrs. Wallace, the Governor was presented a Certificate of Merit from the Alabama Council of AIA by president Hugh Ellis. The Citation was given by the architects "for his vital interest in the educational program within the state, for untiring effort and competence in the advancement of education through the Trade School and Junior College Program, for broad support in the growth and improvement of Secondary Schools and Colleges, and for his far-sighted understanding in providing facilities for these programs."



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## ALABAMA COUNCIL, AIA OFFICERS AND COUNCILORS—1965

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Vice President	Edward B. Baumhauer	1157 Springhill Avenue	Mobile, Alabama
Secretary	Donald L. Horton	1415 Adrian Lane	Montgomery, Alabama
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MOBILE—	J. Frederick Dietz, President, Mobile Chapter AIA C. Dewey Crowder, Councilor
MONTGOMERY—	Parker Narrows, President, Montgomery Chapter AIA Joseph L. Donofro, Position No. 1 William G. McMinn, Position No. 2
NORTH ALABAMA—	A. Jackson Davis, President, North Alabama Chapter AIA



## John J. Carey, FAIA, Receives A Certificate of Merit

Honored at the Convention was John J. Carey, FAIA, Mobile, "for significant contribution to the advancement of the Profession of Architecture, for long and enduring service to the Chapters and The Institute, for notable achievement in improving laws for registration of architects, for excellence as a member of the Judiciary Committee, and for outstanding service and continuing devotion to Chapter and profession." Mrs. Carey accompanied him to receive the commendation.



Dan C. Cowling, AIA, Regional Director of the Gulf States Regional Conference, introduced Saturday's featured luncheon speaker, Rex Whitaker Allen, AIA, vice president of The American Institute of Architects. Allen, shown at right, is from San Francisco. Cowling, Little Rock, Ark., attended the convention with Mrs. Cowling.

# 1965 ALABAMA A.I.A. CONVENTION

Internal Design Seminar panel (pictured below) was made up of Richard Snibbe, AIA, New York, Chloethiel Woodard Smith, FAIA, Washington D. C., Marc Goldstein, AIA, San Francisco, and (standing) Arthur Q. Davis, FAIA, New Orleans. Elliott Carroll, AIA (inset), Washington, D. C., also served on the Honor Awards Jury and introduced the Internal Design Seminar.



Greeting Governor and Mrs. George Wallace at the convention were Verna (Mrs. Parker) Narrows, left, and Parker Narrows, general chairman of the convention, and president of the Montgomery Chapter, who hosted the meeting.



Architects thronged the Products Exhibits (as seen in the photos below), to the delight of exhibitors. One entire afternoon was set aside for exhibits visitation, and all exhibitors expressed satisfaction with the attendance and interest (see Letters column on page 11 for sample comments).







*meanwhile,  
on the social side . . .*



The Discotheque a' Go Go, (which turned out to be the architects' updated version of the Beaux Arts Ball originally slated), surpassed all expectations and provided attenders with a look at what goes on in current night spots. Master-mind of the Discotheque was James Masey, AIA, pictured above as he demonstrated with one of the "Go Go" girls from Arthur Murray. A cage on each side of the band provided a handy stand for the girls to perform while architects and wives observed the gyrations and listened to music provided by two alternating bands. At right, Jennie and Howard McElhaney, who handled the superbly planned Ladies' Activities, pause for a sumptuous repast. Below, Verna and Parker Narrows, who did an unsurpassed job as general convention chairman, share a moment of relaxation.



*. . . and  
serious  
side*

William G. McMinn, head, Department of Architecture, Auburn University, presents the award for the 4th year class to Marilyn Tutwiler, 4th year architectural student, who received it on behalf of 1st place winning team composed of Samuel Donze and James Vance. Edward Durell Stone, FAIA, judged the student competition.







ALVIN B. RUBIN

# THE ROLE OF THE LAWYER FOR THE STATE ARCHITECTS' ASSOCIATION

BY MYRON A. TASSIN, EXECUTIVE DIRECTOR, LOUISIANA ARCHITECTS' ASSOCIATION  
AND ALVIN B. RUBIN, GENERAL COUNSEL, LOUISIANA ARCHITECTS' ASSOCIATION

Lawyers framed the adage, "A man who is his own lawyer has a fool for a client." Guided by motives less insulting than this aphorism, professional associations have found something to be gained by employing a lawyer to act as counsel for the association. The lawyer who serves as counsel for a state association of architects combines the functions common to lawyers for professional and trade associations generally, with functions, of course, that are unique in the representation of this specific group.

It is helpful for the executive director, the officers, and the members of an architectural association to know the ways in which their legal counsel can assist them. It is also helpful to the lawyer and to the association for the members to be aware of the economic, practical, and ethical limitations on the functions that can be served by the lawyer for the association.

## LAWYER FOR THE ASSOCIATION

Perhaps the first and most obvious role of the lawyer for a state architectural association is to be literally lawyer for the association. The lawyer is the advisor to the executive director, the officers, the Board of Directors, and the committees of the state association on legal problems they encounter as a professional association. These problems may be as pedestrian as advising on a lease for office space. They may range, however, through a wide variety of more intricate problems. Thus, the association may be confronted with the question of whether or not all of its income is tax exempt under the Internal Revenue Code, or whether only some of its income, such as income from rental of convention booths, is taxable. The committees of the association may present such problems as whether the association, or its members, may be liable for defamation if they charge a non-architect with practicing architecture illegally.

The association is itself a legal entity. Functioning in a complex society governed by an ever-growing body of legal rules, it has problems peculiar to itself that the lawyer can assist in solving.

## UNAUTHORIZED PRACTICE AND PROFESSIONAL COMPLAINTS

There are two related areas in which the lawyer can give special assistance. These are complaints regarding unauthorized practice and grievance relating to the architect's services.

Unless the amount the association can afford to devote to legal services is sub-

stantial, the lawyer cannot serve as an investigator in these matters, and he must confine himself to advising the members of the association concerning what they themselves can effectively do. It is sometimes difficult for individual members of the association to understand why the association's general counsel cannot mount his noble white charger, tilt his legal lance, and impale the "infringer" who is in fact said to be practicing architecture without a license. There are various reasons why the typical association counsel cannot undertake the entire program of the association in these areas. The retainer paid him usually does not permit him to devote the time necessarily required for prosecution of these matters. In addition, the lawyer cannot single-handedly gather the evidence necessary effectively to prosecute these complaints. Finally, in the area of so-called unauthorized practice, members of the association must understand the inherent limitations of state law.

The lawyer can, however, assist an association that wants to enforce its state law regarding unauthorized practice and wants to clean up its own profession, by giving advice concerning proper procedures, effective investigation techniques, and methods of presenting evidence.

## RELATIONS WITH OTHER PROFESSIONS

As counsel for the association, the lawyer should advise the association and its members concerning their legal relations with other professions. This includes advice concerning relations with other design professions as well as advice concerning the employment of other professions, such as assistance in preparing a standard form of employment agreement for engineers. Architects frequently work with contracts, bonds, insurance policies, and other legal documents. Zealous as they may be in their desire to avoid the practice of the design profession by unauthorized persons, they may lose sight of the fact that they may themselves encroach into the territory of another professional—the lawyer. The association's lawyer can assist the association and its members, by advice concerning general standards that should be followed to avoid such difficulties.

## LEGISLATIVE MATTERS

Legislative matters in which the association is interested are of particular concern to the association's lawyer. His assistance may include drafting statutes, or amendments to statutes, in which the association is interested, and appearing before legis-

lative committees to explain bills in which the association is interested. Similarly, it may include enlisting the aid of the association in supporting bills introduced by other associations, such as support for bills of general interest to the design profession introduced by engineers. If the association's budget for legal service permits, the lawyer can also assist by maintaining familiarity with all of the legislation introduced at each legislative session and alerting the association to proposed legislation that might be injurious to the profession. He may be of assistance in advising members of the association how to present their views to legislative committees and to the legislature itself most effectively.

## CURRENT LEGAL DEVELOPMENTS

Legislative sessions are infrequent. Most association executive directors and lawyers are thankful for this. There are daily matters, however, in which the lawyer can and should serve the association. The lawyer should keep posted concerning current legal developments that may be of interest to the association and its members, and should assist the executive director in disseminating information concerning these. These matters may range over the entire field of professional practice. For example, the passage of an amendment to the income tax statute regulating the deduction of expenses for entertainment is of particular importance to the architect and other professional persons. Dissemination of information concerning this type of legislation can be helpful. The architect is interested in knowing the general principles that determine whether he can practice in corporate form. If he may legally do so in your state, should he do so? What are the advantages and disadvantages of this form of practice?

Information on legal subjects of interest to the association can be effectively given by publication of a periodic column in the association's publication, and by special articles by the association's lawyer from time to time.

Another area in which the lawyer can be helpful is in the adaptation of AIA Standard Forms to use in a particular state and by assisting committees of the association to formulate supplementary general conditions that take local variations in law or in practice into account.

## PROFESSIONAL LIABILITY CLAIMS

The growth of professional liability claims against architects means that every association must necessarily concern itself with the principles affecting the liability of

(Continued on page 10)





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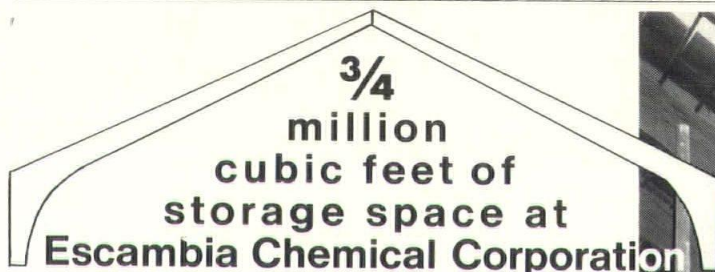
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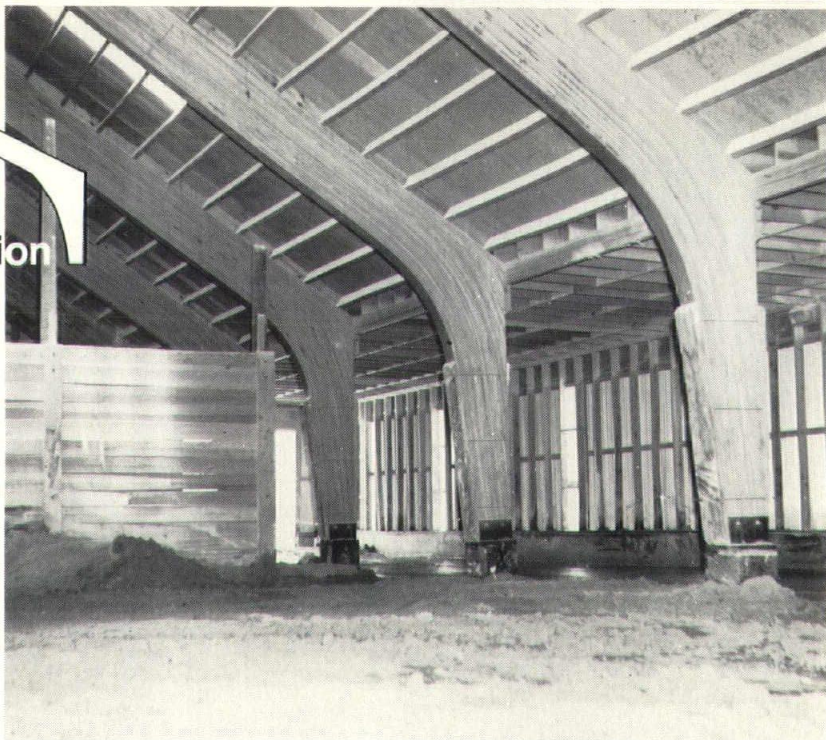
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## THE ROLE OF THE LAWYER

(Continued from page 7)

an architect for his alleged errors and omissions. The lawyer can assist the association to advise its members concerning the procedures they should follow to minimize such claims as far as possible. In some cases, the association budget permitting, the lawyer may be able to assist the association executive director in maintaining and docketing information concerning all claims that are filed against architects or other design professions in the state, the disposition of such claims, and the outcome of any litigation.

### BUDGET LIMITATIONS

Although there are many things that a lawyer can do for the association, there are many things that the lawyer cannot do. One of the limitations on the service a lawyer can render is the budget that the association can afford to pay for legal services. Like the architect, the lawyer is a professional. However, interested he may be in the problems of his client, he cannot afford to spend more time on the affairs of any client than the client can afford to pay for—except when he is rendering services on a charitable basis or as a result of a court appointment. A sound understanding between the lawyer and the association on economic matters is essential not only at the outset of the relationship, but as it continues. Dissipating the lawyer's budget of time on minor matters necessarily means

that he can afford to devote less time to problems of major significance to the association.

### LOBBYING

Many association counsel do not wish to do lobbying work. Hence, although the lawyer can be of assistance in a legislative program, in most instances, he does not want to be cast as a lobbyist. Indeed, the expenses and fees of the effective lobbyist are far beyond the budget of all but the largest state associations.

### ETHICAL PROBLEMS REGARDING ADVICE TO MEMBERS

As an ethical matter, the lawyer for the association cannot undertake to give advice to individual members of the association. This is because the lawyer should undertake to give advice only to his client and his client is the association. If an individual member of the association wants advice concerning his tax problems, his articles of partnership, or the alleged malpractice claim against him, he must retain his own counsel. If there is no conflict of interests, he may retain the lawyer for the association to act for him individually, but this must be a separate and direct arrangement between the client and the lawyer.

Both ethical and economic considerations usually preclude the lawyer of the state association from acting as lawyer for the various local chapters of the association. Most local associations will not need regular representation, although they may

from time to time need legal advice on a particular problem. They may if they wish to do so retain the same lawyer who is counsel for the state association because they feel that he is most familiar with their problems. However, this must also be by a separate and direct arrangement.

### A LITTLE "FREE" LEGAL ADVICE

Officers of the state association are sometimes tempted to ask the association's lawyer for advice concerning their personal affairs. As we have indicated, the lawyer is precluded by ethical considerations from accepting a retainer from a trade association to represent individual members of the association. If you happen to be president of your local chapter, and need a lawyer, the lawyer for the state association may be the best one to help you. However, you should retain him directly, on a professional basis, and not attempt to be a free rider on the association's retainer.

For five (5) years, the authors of this article have worked together as executive director and general counsel for the Louisiana Architects Association. We have had our good days and our bad ones, our defeats and our victories. Just as the executive director of the association needs the help of the lawyer, the lawyer needs the help of the executive director. The executive director must know how to recognize a potential legal problem and should call on the association's counsel whenever he feels the need. The lawyer must know how to utilize the professional ability and training of the executive director in communicating with the members of the association.

Almost 2,000 years ago, lawyers were criticized because "ye entered not in yourselves, and them that were entering in ye hindered." (Luke XI, 52) Assisted by the executive director, officers, and members of the association he represents, the lawyers for the state association can help the association and its members enter in—and perhaps some day he will even enter in himself.



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## BY-LAWS CHANGE

### Student Associates and Student Branches To Become Council Responsibility

By unanimous action, the Alabama Council AIA amended its By-Laws to place responsibility for Student Associates and Student Branches on the entire Council instead of on one particular Chapter. The Alabama Chapter had assumed this responsibility up until it became the Alabama Council, leaving the Auburn Chapter under the wings of the Montgomery Chapter. With full approval of The American Institute of Architects, the By-Laws were amended to make the necessary changes.

---

## LETTERS

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Sirs:

On behalf of Bodine-Bryson & Rolling, we want to say thank you for inviting us to participate in your convention, which we feel was a great success. Thank you for the fine reception we received.

CARL W. BRYSON  
DEAN THOMSON

Sirs:

We at Southern Sash Supply of Montgomery would like to take this opportunity to say that we feel that the convention was exceptionally well handled and we appreciate the opportunity to have been a part of it.

E. C. GILMORE

---

### NEW MEMBERS and Change of Status

**CORPORATE**—Arthur George Garikes, AIA, University of Alabama Hospitals & Clinics, 619 South 19th Street, Birmingham, assigned November 1, 1965 to the Birmingham Chapter, AIA.

**PROFESSIONAL ASSOCIATE**—Victor Wallis Glazner, 2102 Government Street, Mobile, member of Mobile Chapter AIA.

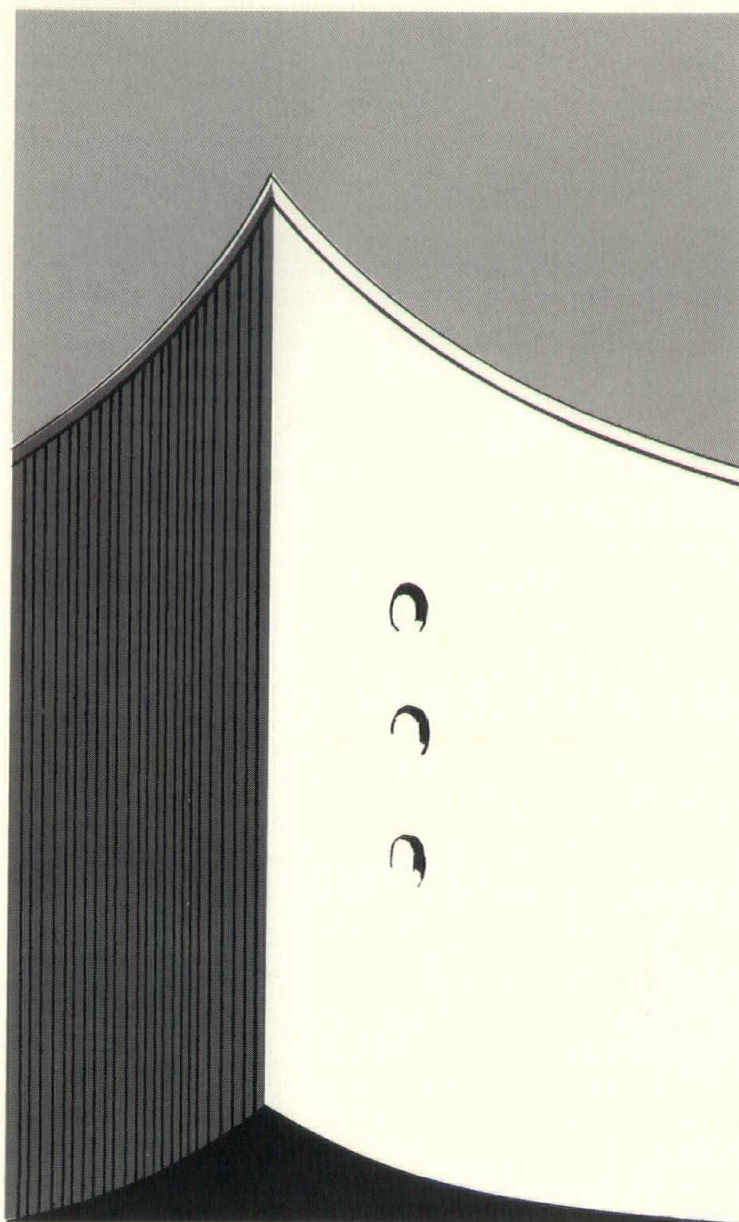
**ASSOCIATE**—Donald James Cosby, Apt. 233, Chateau Rouge, Springhill Ave., Mobile, member of Mobile Chapter AIA.

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### MORELAND G. SMITH MOVES TO ATLANTA

Past president (twice) of the Alabama Chapter AIA and well known architect, Moreland Smith FAIA has accepted a position in Atlanta effective December 1, as Director of the Urban Planning Research Project of the Southern Regional Conference, with offices at 5 Forsythe St. He and Mrs. Smith will reside at 38 Peachtree Circle, N.E. "We've got lots of room and we like visitors, so come see us," is the word that he wants passed out to their many friends in the state.

November-December 1965



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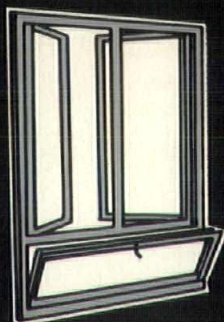
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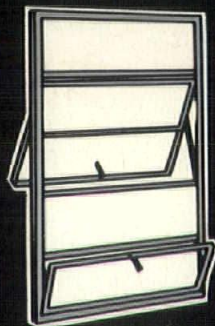
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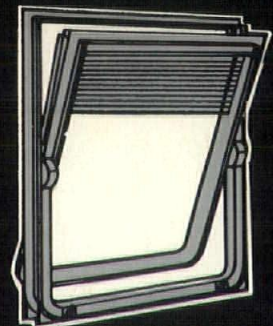
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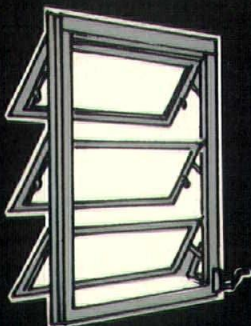
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