

# Mississippi Courts

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## Tallahatchie County Courthouse restoration finished

The bench is tiny, and the jury room has two doors, one wooden and the second a screen door. When juries deliberated in the days before air conditioning, the judge would clear the courtroom and open the wood door on the jury room to bring in a breeze, leaving only the screen door to keep out the mosquitoes.

Recently completed renovation of the Tallahatchie County Courthouse in Sumner returned the second floor courtroom and jury deliberation room to the way it looked in September 1955, when an all white, all male jury deliberated for a little more than an hour before acquitting Roy Bryant and

J.W. Milam of murder in the slaying of Emmett Till. The Emmett Till Interpretative Center across the street captures the history of the slaying and the trial.

The Emmett Till Memorial Commission, which moved the courthouse restoration and interpretative center from idea to reality, hosted a ceremony at the courthouse on March 21.

Sen. Thad Cochran told the packed courtroom, "It is important to reflect on its history, what has the courthouse done and seen." Till's story "helped galvanize the Civil Rights movement across the nation, and especially in the

South," Cochran said.

Till, 14, of Chicago, was visiting relatives in the Delta when he and his cousins went to a country store near Money. Till whistled at Bryant's wife as she tended the store. Till was awakened in the middle of the night and dragged from his uncle's house, beaten and dumped into the Tallahatchie River. Mamie Till Mobley insisted on an open casket funeral for her only child so that the world could see what had happened. A few months after they walked free with an

acquittal, Bryant and Milam admitted in a paid magazine interview that they had beat and shot Till, tied a gin fan around his neck and dumped his body into the Tallahatchie River.

Airicka Gordon Taylor, founding director of the Mamie Till Mobley Memorial Foundation, was somber. She vividly remembered Mobley's grief over the loss of her only child. And she remembered the powerful love and determination of the woman who helped raise her.

"Coming here this time was very difficult and emotional because of the reason," she said. She bristled at others' characterization of the event as a celebration. "How



can you celebrate this?" But sadness was tempered by the spot's place in history. "Mamie didn't want Emmett to die in vain," she said. "How can you reform without knowing where you came from? We have to remember the past in order to educate our children."

Commission member Jessie Jaynes celebrated the memory of Jerome Little, the man who started the effort to restore the courthouse, and moved the effort forward. The dedication was the realization of Little's dream. "He was very passionate about it until the day he died."

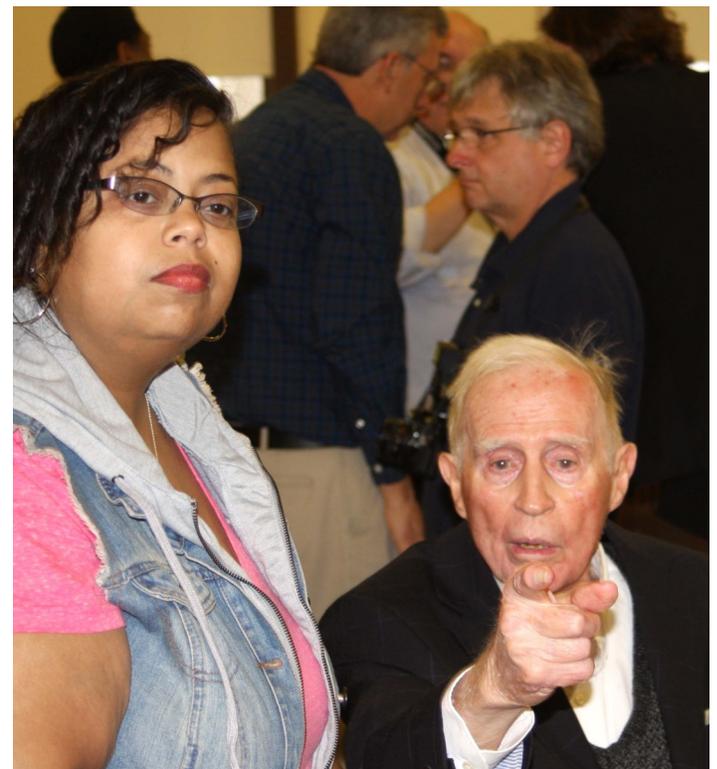
Commission member Frank Mitchener said that Little, the first African-American president of the Tallahatchie County Board of Supervisors, wanted to create a memorial to the life of Emmett Till and the legacy of the Civil Rights era. "He thought, and he was right,

that if we could have cooperation of both races to restore the courthouse, it would build relations. It's obvious that Jerome Little was a man of vision."

Longtime newspaper columnist Bill Minor sat close to the spot from which he reported the 1955 trial for the



Sen. Thad Cochran speaks during dedication ceremony. Frank Mitchener is seated at right.



Journalist Bill Minor, at right, talks to Airicka Gordon Taylor after the dedication ceremony.

New Orleans *Times-Picayune*. He looked over the mingling, diverse crowd after the ceremony and remarked on what a different picture it presented. Sixty years ago, “that was unthinkable.” During the Bryant and Milam trial, the county sheriff didn’t want to let African-American journalists into the courtroom.

“All of us are together and that’s the way it needs to be,” Jaynes said.

Thacker Mountain Radio Hour recorded its weekly music program from the courtroom before the dedication. Mississippi music legend Dorothy Moore wowed the audience with her famous “Misty Blue” and two other hits. The Tutwiler Community Center Student Blues Band and the Thacker Mountain band, the Yalobushwhackers, performed.

“It’s nice to see the courthouse in better repair,” Circuit Judge Smith Murphey V said before he and three of

his children came in the judge’s entrance and squeezed into a spot along the wall to watch the program.



**Music legend Dorothy Moore sings “Misty Blue” before courthouse dedication March 21.**

“I grew up around and played in this courthouse.” He recalled ringing the courthouse bell to watch the pigeons fly out of the tower. His parents’ home is down the street.

He convened court there for the first time after the renovation, empaneling a grand jury.



**The jury deliberation room stands empty at the Tallahatchie County Courthouse in Sumner.**



**Chancery Clerk Anita Greenwood, at left, talks to John Lamar and Justice Ann Lamar. Circuit Judge Smith Murphey V is at back, left.**

## Court language interpreter certified after AOC training

Russian-born Galina Lobodina came to Jackson State University in 2004 to teach English as a second language to international students. In February, her bilingual mastery earned her a spot as the first court interpreter to be trained and certified under the state's own program.

Lobodina, 36, who was born in Volzhsky, Russia, is the state's only certified Russian language court interpreter. Court of Appeals Chief Judge Joe Lee administered the court interpreter's oath to Lobodina on Feb. 11 during a ceremony in the Supreme Court En Banc Courtroom.

"We are honored that you have successfully completed this program and that you are here today," Judge Lee said before administering the oath.

"This is just such a pivotal moment here in Mississippi for our courts," said Administrative Office of the Courts Deputy Director Ta'Shia S. Gordon, who oversees the court interpreter certification program. "I'm just happy that we have such great, qualified interpreters here in Mississippi."

Twelve interpreters are currently credentialed by the Administrative Office of Courts. Among the others, 10 speak Spanish, and one speaks Mandarin Chinese. Seven interpreters who were certified earlier were original-



**Chief Judge Joe Lee administers the court interpreter's oath to Galina Lobodina.**

ly trained and credentialed in other states, then accepted through reciprocity in Mississippi. Among those was Hernan Augusto Silva Zetina, who drove from his home in Memphis to attend the ceremony. Three other interpreters certified in Mississippi also live in Tennessee.

Four recently registered court interpreters also were recognized at the ceremony. They are Luis E. Diaz of Jackson, Herminia Leal of Gulfport, Blanca Love of Brandon and John D. Mora of Noxapater. All are registered Spanish language interpreters.

Mississippi Electronic Courts Director Lisa Counts,

who preceded Gordon as coordinator of the interpreter program, said that Mississippi saw a 105 percent increase in Spanish speakers and a more than 40 percent increase in Asian language speakers between 2000 and 2010.

"We are a growing, diverse state and we need this" interpreter program, she said.

Counts said she experienced what it might be like to be a person of limited English proficiency when she put on a training seminar for prospective interpreters. During lunch, she was surrounded by about 30 people. Everyone chatted in Spanish – except her. "It was very humbling to me," she said. "At that mo-

ment I realized what it might be like to be someone who cannot speak English, who has a limited knowledge of the English language, sitting in the courtroom having their fate decided for them and they are not understanding what is going on."

AOC developed the Mississippi Court Interpreter Credentialing Program to assist the courts in their endeavor to provide equal access to justice for limited English proficiency individuals. The AOC program provides judges in state courts with a list of language interpreters who have demonstrated proficiency in oral interpretation of court proceedings

## Judge Roberts receives MSU Distinguished Jurist Award

Circuit Judge James L. Roberts Jr. of Pontotoc was honored as the 2014 recipient of Mississippi State University's Distinguished Jurist Award. The annual award is given by the MSU Pre-Law Society.

Judge Roberts earned a Masters of Business Administration from Mississippi State University in 1968. He has a Bachelor of Arts from Millsaps College and a law

degree from the University of Mississippi School of Law.

Judge Roberts' career of public service began shortly after he graduated from law school. He was county prosecutor for 12 years. Gov. Bill Allain appointed him Commissioner of Public Safety in 1984. He was appointed chancellor of the 1<sup>st</sup> Chancery Court District in 1988. He was elected to the Supreme Court in 1992 for a term

which would have begun in January 1993, but took office early by gubernatorial appointment. He resigned from the Supreme Court in 1999 to make an unsuccessful run for governor. He then served as Pontotoc Municipal Judge. He considered it a service to his community.

He has served as Circuit Judge of the seven-county 1<sup>st</sup> Circuit District since January 2007.



**Left to right are Hernan Augusto Silva-Zetina, Galina Lobodina, Ta'Shia Gordon, Georgina Barvier' and Luis E. Diaz.**

and sight translation of documents. The credentialing program provides two levels of proficiency: registered and certified. Becoming a certi-

fied interpreter represents the highest level of credentials issued by the state for court language interpreters.

Upcoming Ethics and Skill

Building Seminar dates are June 17-18 in Long Beach at the University of Southern Mississippi Gulf Park Campus and Oct. 7-8 in Tupelo at

the Community Development Foundation Center.

For more information, contact Ta'Shia Gordon at 601-576-4632.

## Judge Hudson appointed Jurist in Residence to assist Youth Courts

One of Mississippi's most experienced juvenile court judges has become an adviser to Youth Courts statewide.

John N. Hudson of Natchez, who retired in December after 31 years as Adams County Court and Youth Court Judge, became Jurist in Residence April 1. His job is to assist Youth Courts across the state in dealing with abused, neglected and delinquent children.

"I will be a resource person for all Youth Court judges," he said.

"The purpose is to help bring some uniform practices to the way children are treated in the courts throughout the state," Judge Hudson said. "My priority is to be a resource to help local Youth Courts become more effective and efficient."

It is hoped that the Jurist in Residence can assist Youth Courts to achieve quicker permanency for children who come into the custody of the Department of Human Services, and to ensure better outcomes for children.

Judge Hudson hopes to serve as a mentor, help with training in best practices, and to locate and access community and other resources to assist Youth Courts.

The Jurist in Residence position is patterned after a similar program created by the Texas Supreme Court to

assist its juvenile courts. Judge Hudson will visit a Texas Jurist in Residence in May to learn more about that state's program. "I'm a firm believer in replicating things that work instead of wasting a lot of time and creating things that may or may not work," he said.

Mississippi's Youth Court structure, staffing and resources vary greatly across the state. In the 21 counties which have a County Court, those judges oversee the Youth Court. The Chancery Courts have jurisdiction over Youth Court in 61 counties which do not have a County Court. Chancellors appoint local attorneys as part-time Youth Court referees.

Rankin County Court and Youth Court Judge Thomas Broome, Chairman of the Council of Youth Court Judges, said having the Jurist in Residence "will be an excellent opportunity to get some expertise developed in areas of the state which may be lacking."

The position of Jurist in Residence was created on the recommendation of the Commission on Children's Justice, which Judge Broome co-chaired with Supreme Court Justice Randy Pierce. The Commission's December 2013 report called for, among other things, establishment of a state position of Resident

Jurist to assist the Mississippi Supreme Court in performing its supervisory role with respect to effective administration of justice in Youth Courts, serve as a liaison to the Department of Human Services and other state agencies involved in child protection, and provide training to Youth Court judges.

Justice Pierce said, "I am extremely pleased that Judge Hudson will be Mississippi's first Jurist in Residence.... Judge Hudson will be an asset to our Youth Courts and to the Supreme Court as we ensure the best possible outcomes for Mississippi's children. I also want to thank Casey Family Programs for funding this position for a year and for Casey's commitment to our children."

Seattle-based Casey Family Programs has committed to provide \$60,000 to fund the Mississippi Jurist in Residence position for a year, with the expectation of providing future funding. Casey Family Programs is the nation's largest private foundation focused entirely on foster care and improving the child welfare system.

Isabel Blanco of Miami, senior director and lead strategic consultant for Casey Family Programs in Mississippi, said, "Certainly our intent is to have a longer support for this capacity. Our



intent is to continue to support what we feel is a very strong strategy."

Blanco said Judge Hudson's extensive work in the past on juvenile justice improvement initiatives makes him ideally suited to become the state's first Jurist in Residence. He has extensive experience and is well respected. "He is an invaluable resource," she said.

Judge Hudson has been a leader and innovator in Youth Court reform. On the state level, he played a significant role in the expansion of community services to meet the educational, emotional and physical needs of delinquent, abused and neglected children in the community and in the improvement of the juvenile justice systems. In Natchez, he developed one of the first five adolescent offender programs in Mississippi, the first juvenile drug court in the state, one of the

## Director of Treatment Services understands struggle

There he sat, on a hard jail bunk. It was his second arrest on a drug possession charge. His phone call to his father, a state trooper, had been short. His father said “good luck” and hung up on him.

Recounting his early difficulties to five Rankin County Family Drug Court graduates and their families in Pelahatchie on March 24, Mark Stovall clearly understood



their struggles. That had been his life until his 2002 arrest. “It had been 15 years since I had been *not* high,” he said.

Stovall also knows a lot about change and second chances. He is a living example. As Director of Treatment Services in the Bureau of Alcohol and Drug Services of the Department of Mental Health, he is in charge of the state’s public system of alco-

hol and drug abuse prevention and treatment. The man who spent his early years using drugs has made a career of directing drug treatment and recovery.

Stovall challenged the Family Drug Court graduates to be examples for others who struggle, and to extend a helping hand. The changes they have made in their own lives affect their families. Stovall urged them to reach farther.

“It’s just an amazing opportunity to change people’s lives,” he said. “I hope you change the community. What you do – it’s about helping people to live again.”

He recounted the day of his sentencing hearing, when he watched the man ahead of him get sentenced to prison. Both were charged with possession of methamphetamine. He expected that prison was where he was headed too. When it was his turn for sentencing, the Coahoma County Circuit Court judge asked if he had anything to say. By then, Stovall had been drug-free for a year. He had been talking to high school students about drug addiction. He was trying to change. To his surprise, he got probation, and a second chance.

The Rankin County Family Drug Court program had supervised and supported these parents for up to 18

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## Hudson hopes to implement uniform practices

two first family drug courts, a regional family first resource center providing parenting and character resources to children and their families, a GED program located in the Youth Court building for individuals involved in the court system, a Court Appointed Special Advocacy, CASA, program for abused and neglected children, and provisions for educational instruction of youth in detention.

He served as chair of the Mississippi Council of Youth Court Judges 1993-2000, and as legislative liaison for the Council 2000 through 2014. Recently, he led efforts to develop alternatives to detention for juveniles including a local community service program, intensive supervision

and GPS tracking. He served as chair of the Juvenile Detention Alternatives Initiative Task Force for the state of Mississippi. The task force developed alternatives to detention for juveniles statewide and developed licensing standards for all juvenile detention centers to ensure that detained youth are held in appropriate facilities.

At Jefferson Street United Methodist Church, he has served as coordinator of youth for more than 30 years, helping to develop a full annual program of spiritual development, missions and fellowship. He is state coordinator for United Methodist youth ministry. He volunteers at Habitat for Humanity, the Community Stew Pot and other local and national phil-

anthropic organizations particularly associated with children and youth.

Judge Hudson earned a Bachelor of Arts degree and law degree from the University of Mississippi. He practiced law in Natchez from 1975 until 1983, serving as public defender and city prosecutor as well as a trustee in U.S. Bankruptcy Court.

In July 1983, Governor William Winter appointed him to serve as Adams County Court Judge. He retired from the County Court bench in December 2014.

Judge Hudson is a lifelong resident of Natchez. He will continue to live in Natchez, but will travel and visit courts across the state in his new job as Jurist in Residence.

## Family Drug Court recognizes parents rebuilding their lives



**Heather Pitts, Director of Region Eight Alcohol and Drug Services, visits with a mother and child who participated in Rankin County Family Drug Court.**

months. They had pieced their families back together after losing custody of children due to problems rooted in alcohol and drug abuse.

"I believe in treatment. I believe in drug courts....I'm almost envious," Stovall said of the drug court program.

There was no drug court in Coahoma County in 2002. Stovall's chance at success depended on a mean probation officer who nicknamed him "Snowball." She once threatened to shoot him when he tried to hug her. They kept each other busy for two and a half years of probation. She hugged him when he got his conviction expunged.

It wasn't an easy transi-

tion. Before his arrest, he sold real estate. After he got out of jail, his work was more down to earth: planting flowers on a landscaping crew.

His marriage failed. "I'd have left me if I had been in her shoes," he said.

Tough breaks, family stress and the struggles of everyday life make it easy to slip back into drug use, and the availability of drugs is a temptation. He recalled finding a stash long forgotten in his own home. He called a drug treatment sponsor who was a mentor. He was vulnerable and scared.

Staying clean and sober is a choice. "I choose. Nobody makes me stay clean but me."

At the ceremony, Family Drug Court team members recognized five graduates present, and two who were unable to attend. One graduate received accolades for his absence. He had received a promotion at work. He was at training..

Heather Pitts, director of Region Eight Alcohol and Drug Services, singled out one graduate for dedication and determination. "You are the reason I come to work every day."

Not everybody sailed through. Some took 18 months. "You have starts and stops, slips and falls. That's how recovery works," said Rankin County Youth Court

Judge Thomas Broome, who supervises the Family Drug Court and a separate Juvenile Drug Court.

Judge Broome expects the struggles. "We are taking some of the most difficult cases. Those are high risk," he said. "Usually the parents come in because the children have been removed from the home due to issues surrounding drugs and alcohol....These are people who have hit the wall and know they have only one direction to go to save their families."

Family drug courts address drug and alcohol problems that are the underlying causes of abuse and neglect, delinquency, domestic strife, crime and other problems. The family drug courts deal with juveniles, parents and their extended families in efforts to address substance abuse without separating children from their families.

The March 24 graduates included a husband and wife. Another graduate's spouse is still working through the program. The seven graduates are parents of 11 children ranging from 14 months to age 17, said Drug Court Counselor Donna Smith.

Sixteen adults remain in the program. They are parents of 28 children. Eleven more people are currently being assessed through Region Eight Mental Health.

## Court of Appeals Judge Larry Roberts to retire June 30

Mississippi Court of Appeals Judge Larry Roberts of Meridian will retire June 30.

"I think as of right now I am the longest continuously serving judge in the Mississippi judiciary," said Judge Roberts. "It's just time."

"I'm about to be 66. I just want to spend time with my family," he said. "My wife and I have decided it's time to go home."

"I've been really blessed. I'm a strong Christian and I believe the Lord has blessed my life beyond measure. I'm just honored for the opportunity to have served."

Court of Appeals Chief Judge Joe Lee said, "During his entire term on the Court of Appeals, Judge Roberts has consistently been punctual, productive and professional. His legal expertise, especially in criminal matters, will be sorely missed. He never declined to participate or to serve the court in any manner when the need arose. We are proud to claim Judge Larry Roberts as a member of the Court of Appeals."

Judge Roberts' career of nearly 37 years includes nine and a half years on the Court of Appeals, 19 years as a Circuit Judge of the 10th Circuit District that includes Clarke, Kemper, Lauderdale and Wayne counties, and eight years as a Lauderdale County Court judge.



He was the youngest judge of a court of record in state history when he was elected Lauderdale County Court Judge in 1978. He took office in January 1979. He joked that he barely met the office requirement of having been a lawyer for five years when he ran for the judgeship. That was his only contested election.

Then-Gov. Haley Barbour appointed Judge Roberts to a vacancy on the Court of Appeals on Jan. 4, 2006.

"I just feel very honored to have had the career I've had. I've steadfastly tried to be a good judge, to make decisions based on what the facts are and on the law as I understand it, and to do it fairly and properly."

Asked what his contribution to the court has been, Judge Roberts said, "To try to add the aspect of a seasoned trial judge to the appellate deliberative process. There have been times and cases

where my knowledge and experience of how things operate at the trial court level have been helpful to the court's understanding of why it occurred the way it occurred."

Judge Roberts is the only former Circuit Court judge on the Court of Appeals. Two former Chancellors serve on the 10-member court.

Judge Roberts served on two committees which laid extensive groundwork for changes in criminal law and rules of criminal court practice. In 2011, the Uniform Criminal Rules Study Committee, with Judge Roberts as co-chair, submitted its report and recommendations to the Supreme Court after more than six years of work. The proposal, pending before the Supreme Court, would create a uniform set of rules which would address every aspect of criminal proceedings from initiation of charges through post-trial motions. Judge Roberts also served on the legislatively created Corrections and Criminal Justice Task Force in 2013. The Task Force was charged with developing policies that improve public safety, ensure clarity in sentencing, and control corrections costs. The Task Force reviewed sentencing, corrections, and community supervision data to formulate recommendations to

the Legislature. The recommendations led to passage of criminal justice reform in House Bill 585, signed by Gov. Phil Bryant on March 31, 2014.

"It's an honor to be asked" to serve on those committees, he said. "I think my work and effort was rewarding and, hopefully, helpful."

He does not have specific plans. He is considering serving as a senior status judge. The avid duck hunter will have time to enjoy the season. He enjoys a hunting camp in the Delta. He and his wife will have time to travel.

Judge Roberts was born in Cleveland. His family moved to Pachuta and later to Meridian. He earned Bachelor of Business Administration and law degrees from the University of Mississippi. He was admitted to the Mississippi Bar May 1, 1973. He engaged in the general practice of law in Meridian from May 1973 until December 1978.

Judge Roberts served as a U.S. Army reservist for 20 years. He served on active duty for almost a year during Operation Desert Storm in 1990 and 1991. He was assigned to the 1181st USA Transportation Terminal Unit in Meridian. He retired in 1994 with the rank of lieutenant colonel.

## Circuit Judge Robert Bailey plans to retire June 30

Circuit Judge Robert W. Bailey of Meridian plans to retire June 30.

Judge Bailey, 69, has been a Circuit judge for more than 27 years in the 10th Circuit District that includes Lauderdale, Clarke, Kemper and Wayne counties. "The time is right," he said.

He enjoys good health, and looks forward to spending time with his wife of 41 years, Missy Bailey, and with their two children and their families. They have five grandchildren.

"The support of my family has been great in doing this job. A lot of times it's frustrating, and you go home frustrated. They had to tolerate me."

While he may apply to hear cases as a senior status judge, he hasn't made any plans. "I'm going to fish and golf a lot more than I've been able to," he said.

He may trade his note pad for an artist's pad. He used to enjoy pen and ink drawing, but set that aside when his children were young. "It's something I want to dabble in again," he said.

"I've got too many hobbies. I used to dabble in art work. I work out, try to stay healthy. We travel to Ole Miss football games. We have a lot of things to do."

He will miss the court. "I will miss the people I work

with. We have a great district attorney staff and public defender and circuit court staff. I'll miss them. We are civil to each other and get along, but every department stands their ground. They do a good job. They all respect each other."

"I would like to be remembered as being fair, giving everyone a fair shot, and being strong in my decisions. I tried to explain my opinions so everybody would understand," he said. "I've tried to be hard on the hard criminals, and have given the maybe not so smart criminals a second chance."

Judge Bailey majored in biology at the University of Mississippi. He earned a law degree from the University of Mississippi School of Law. He was in private law practice for 17 years before he was appointed to the Circuit Court on Jan. 1, 1988.



## Gov. Bryant seeks applications for 3 vacancies;

### Application deadline is May 15

Gov. Phil Bryant is seeking applications for three judicial vacancies: judgeships of the Court of Appeals District 3; the 10th Circuit of Clarke, Kemper, Lauderdale and Wayne counties; and the 20th Chancery Court of Ran-

kin County.

The Governor's Judicial Advisory Selection Committee will make recommendations for appointment.

The application deadline is May 15.

Applications should be

mailed to Governor's Judicial Advisory Committee, c/o William L. Smith, Balch and Bingham, P.O. Box 22587, Jackson, MS 39225. Applications may be sent via e-mail to Smith at [bsmith@balch.com](mailto:bsmith@balch.com).

## Chancellor Dan Fairly died April 3; death ruled suicide

Twentieth District Chancery Judge Dan Fairly, 58, of Brandon died April 3.

His death has been ruled a suicide, the Mississippi Bureau of Investigation said on April 9. An autopsy showed that he died of a self-inflicted gunshot wound. His body was found around 4 p.m. April 3 on Mississippi Highway 43 near the Natchez Trace, west of Barnett Reservoir in Madison County.

Chief Justice Bill Waller Jr. said Judge Fairly "was one of the most dedicated, hard-working, selfless public servants that I have known. He assumed a very heavy docket with diligence, impartiality and scholarship. His passing

will be a tremendous loss to the judicial branch of government."

Gov. Phil Bryant said, "Deborah and I are saddened to learn of the untimely passing of Judge Fairly. I have known him for many years during my time living in Rankin County. Deborah and I are praying for his family."

Judge Fairly had taken medical leave recently.

Chief Justice Waller had appointed Senior Status Judge William R. Barnett, a retired Hinds County Court Judge, to hear cases in Rankin County Chancery Court Jan. 20 through March 31. Judge Barnett was reappointed as a special judge for Rankin Chancery Court after Judge Fairly's death. Gov. Bryant is expected to make an appointment later.



Daniel Hendrick "Dan" Fairly was born in Jackson on Oct. 26, 1956. He attended Jackson Preparatory School,

and graduated from Belhaven College and the University of Mississippi School of Law. He was admitted to the practice of law in January 1981. He was a partner in the firm of Wells, Marble and Hurst before his election to the bench. He was sworn in as a Rankin County Chancery Judge for the first time on Jan. 2, 2007. He was one of two judges of the 20<sup>th</sup> Chancery District.

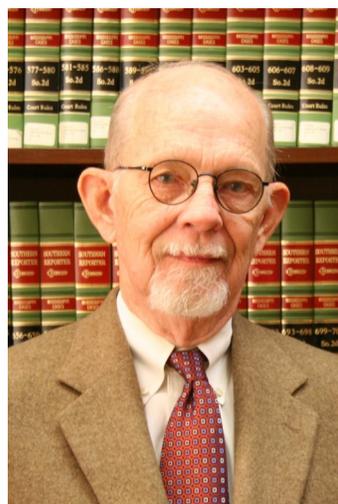
Survivors include his wife of 36 years, Jennifer Fairly; son Daniel Hendrick Fairly Jr.; daughter Christina Fairly Burrage; a grandson, Knox McClain Fairly; a granddaughter, Jane Graham Fairly; and brother Ken Fairly.

## Retired Supreme Court Administrator Jack Pool died March 6

Retired Supreme Court Administrator and Counsel Jack Pool, 77, died March 6, 2015, at his home in Dallas, surrounded by his family.

A graveside service is scheduled for May 2 at 3 p.m. at Natchez City Cemetery.

Mr. Pool retired March 15, 2011, after serving for 11 years as director of the Central Legal staff, then more than five years as Supreme Court Administrator and Counsel. He served under six chief justices during his 16 years at the court. The late



Chief Justice Armis Hawkins hired him as director of the Central Legal staff in 1994.

He served under Chief Justices Hawkins, Dan Lee, Lenore Prather, Edwin Lloyd Pittman, Jim Smith and Bill Waller Jr. His work for the Court earned him the Chief Justice Award in 2003 and 2005.

His work included drafting major rule revisions while managing daily operations of appellate courts which dispose of more than 1,000 direct appeals and 7,000 motions annually. He was the point person for the court in the construction of the new

Carroll Gartin Justice Building, which was occupied by the courts in 2008 and completed in 2011.

At the time of his retirement, Mr. Pool said he felt the most satisfaction from helping the court catch up on a backlog of cases, revise the Code of Judicial Conduct and establish the offices of Capital Defense Counsel and Capital Post-Conviction Counsel.

After he retired from the court and moved to Dallas, he volunteered in the Court Appointed Special Advocates

## Former Chief Justice Roy Noble Lee died Jan. 21

Former Chief Justice Roy Noble Lee, 99, who served on the Mississippi Supreme Court for 16 years, died Jan. 21 at his home in Forest.

A funeral service was held Jan. 26 at Forest Baptist Church with burial in Eastern Cemetery in Forest. Ott and Lee Funeral Homes, where he served as chairman of the board, was in charge of arrangements.

Chief Justice Lee's leadership resulted in significant advancements for the judicial system and for legal education.

Chief Justice Bill Waller Jr. said, "Some of the most significant advancements for the judicial branch of government during the 20<sup>th</sup> Century were implemented under his leadership. He gave leader-

ship to the enactment of legislation that created the Administrative Office of Courts and the Court of Appeals. The Court of Appeals, as he predicted, has been an excellent solution to allow timely disposition of cases and eliminate the backlog that had long plagued the appellate court."

The Court of Appeals began hearing cases in January 1995. The intermediate appellate court hears cases assigned by the Supreme Court.

Justice Jim Kitchens said that Justice Lee "was out in the forefront of progressive thinking as far as moving the court forward."

"He was universally respected. He was a very well balanced lawyer and a very well balanced judge."



### Jack Pool obituary, *continued from Page 11*

(CASA) program of Collin County. He served as guardian ad litem for minors.

Mr. Pool grew up in and spent most of his adult life in Natchez. He graduated from Natchez High School, Millsaps College and the University of Mississippi School of Law.

His legal career spanned nearly 55 years. He began practicing law in Natchez. After the death of his father,

he took over management of ADCO drilling company and ran an early computerized data archive for local businesses.

Survivors include wife Margaret Pool of Dallas; brother Gary Pool of New Orleans; son Christopher Pool of Lexington, Ky.; daughters Leslie Pool DeShazer of Dallas and Bridget Pool Broadley of New Orleans; and three grandchildren.

Justice Lee helped bring about the acquisition of the former Jackson School of Law by Mississippi College. Former Court of Appeals Judge Mary Libby Payne, who was the first dean of Mississippi College School of Law, said Lee was a member of the board of directors in 1974, when negotiations were made for Mississippi College's acquisition of the law school, and was chairman of the board in 1977 when the American Bar Association

made its first inspection. The law school earned ABA accreditation in 1980. "He was intimately involved with the transition and the continued progress of the law school," Judge Payne said.

Justice Kitchens said, "The fact that we have a fully accredited law school that attracts people from other states is so important for Jackson, and is important for Mississippi. It just makes all the sense in the world for there to be a law school in the

capital, which is the legal nerve center of the state. Chief Justice Lee recognized that and saw the potential. His vision has materialized in a very real way.”

“He saw a need and he saw an opportunity. He helped lead the charge of making that happen. That certainly has proved to be a wise and insightful decision. I really appreciate it because I have three sons who graduated from law school there,” Justice Kitchens said.

Roy Noble Lee was born Oct. 19, 1915, in Madison County. He graduated from Mississippi College in 1938, and in 1939 earned an LL.B. degree from Cumberland University School of Law. He was admitted to the Mississippi Bar in 1939.

Justice Lee came from a family of lawyers and judges; he and his father, Percy Mercer Lee, are the only father and son ever to serve as Chief Justices of the Mississippi Supreme Court. Percy Mercer Lee served on the Supreme Court 1950-1965. Roy Noble Lee served on the Supreme Court 1976-1993. He is the brother of Senior Judge Tom S. Lee of the U.S. District Court for the Southern District of Mississippi.

In a June 4, 2003, oral history interview, he said, “From the time I was 9 years old I wanted to be a lawyer; never thought of anything else.” He watched court proceedings from the age of 7 or

8, going to the courthouse after school. “My father was practicing law then and later became district attorney, and I just grew up, you might say, in their law office and it was a part of my life then.”

Justice Lee’s public service career spanned 50 years. From 1942-1944, he worked as an F.B.I. agent. He joined

the U.S. Naval Reserve in 1944, saw battle in the South Pacific, and was honorably discharged May 4, 1946. He followed in his father’s footsteps as district attorney and circuit judge. From 1951 to January 1964, he was district attorney for the 8th Judicial District. He served as circuit judge from the same district

from Jan. 1, 1975, to March 8, 1976, when Gov. Cliff Finch appointed him to the Supreme Court. He became Chief Justice on Oct. 1, 1987. He retired at the end of his term on Jan. 4, 1993, after 16 years of service.

## Judge Ray Montgomery died December 14, 2014

Retired Chancery Judge Ray H. Montgomery, 79, of Canton, died Dec. 14, 2014, after a brief illness.

A funeral service was held Dec. 17 at First Baptist Church in Canton. Burial was in Cato Cemetery in Johns, Mississippi.

Chief Justice Bill Waller Jr. said that Judge Montgomery performed important service as a senior status judge long after he retired. “He retired from the bench 20 years ago, but kept abreast of the law and was active among his colleagues. He continued to hear cases as a senior status judge until a few years ago. He was among 11 senior status judges whom the Supreme Court called upon to hear cases on the Gulf Coast related to Hurricane Katrina. The courts could not operate efficiently without the assistance of our senior status judges.

“I appreciate Judge Montgomery’s willingness to assist

the court long after he retired. I commend his distinguished career of public service,” Chief Justice Waller said.

Judge Montgomery began his public service as Madison County tax assessor, serving 1964 to 1971. He served in the Mississippi Senate 1972 to 1978. He took the bench as chancellor of the 11<sup>th</sup> Chancery District on Jan. 1, 1979, serving until he retired Dec. 31, 1994.

Ray Hilman Montgomery was born Jan. 18, 1935, in Forest Grove. He graduated from Canton High School, Hinds Junior College and Millsaps College. He earned a law degree from Jackson School of Law, now Mississippi College School of Law, in 1969, and was admitted to the practice of law in 1970. He began practicing law in Canton in 1971.

Judge Montgomery, who contracted polio at 15, was a longtime volunteer and sup-

porter of the March of Dimes, and former president of the Mississippi Easter Seal Society Board of Directors. He was a member of the Mississippi Bar, a Mason, Wahabi Shriner, and lifelong member of Canton First Baptist Church.

He is survived by his wife of 41 years, Dorothy Gill Montgomery; brother, Alvin Douglas Montgomery Jr.; and many nieces, nephews and friends.



## Retired trial court judges honored for public service careers



Chief Justice Bill Waller Jr., at left, recognized the service of retired Chancellor Janace Harvey-Goree, Circuit Judge Betty W. Sanders, Circuit Judge Robert Elliott, Hinds County Judge Houston Patton, and Adams County Judge John Hudson.

Five trial court judges who did not seek re-election were honored for their public service careers at the October 2014 Trial and Appellate Judges Conference.

**Chancellor Janace Harvey-Goree** of Lexington served the 11<sup>th</sup> Chancery District for 12 years. She participated in the pilot project that paved the way for implementation of electronic filing in the 11<sup>th</sup> District. She served as a professor at Jackson State University for more than 25 years.

**Circuit Judge Betty W. Sanders** of Greenwood served as a judge for 25 years. She was appointed in 1989 as a special magistrate to hear cases filed by prisoners at the Mississippi State

Penitentiary at Parchman. She became Circuit Judge of the 4<sup>th</sup> Circuit District in 1995. She helped establish a Drug Court in June 2002. She served on the State Drug Court Advisory Committee and as president of the Mississippi Association of Drug Court Professionals. She is former chair, vice-chair and secretary-treasurer of the Conference of Circuit Judges. She is a member of the Board of Directors of the Mississippi Volunteer Lawyers Project. She served on the Commission on Judicial Performance, the Complaint Tribunal and Ethics Committee of the Mississippi Bar, and as secretary of the Magnolia Bar Association. She served on the Mississippi Model Jury

Instructions Commission.

**Circuit Judge Robert W. Elliott** of Ripley served for eight years on the 3rd Circuit. He began practicing law in Ripley in 1962. He is a past president of the Third Circuit Court District Bar Association. He served two terms as a trustee of the Mississippi Bar Foundation, and he is a former member of the Board of Bar Commissioners. The Mississippi Supreme Court appointed him to two terms on the Bar Complaint Tribunal. He served on the staff of the Naval War College from 1958 to 1960, acquiring the rank of lieutenant.

**Hinds County Court Judge Houston J. Patton** of Jackson served for 25 years on the bench. His early law

practice included five years as staff attorney and deputy director of the Legal Services office in Jackson.

**Adams County Court Judge John N. Hudson** of Natchez was the state's longest serving County Court judge, having been appointed Aug. 3, 1983. He served as chair of the Mississippi Council of Youth Court Judges 1993-2000, and as legislative liaison for the Council 2000 through 2014. He was chair of the Juvenile Detention and Alternatives Task Force. He created the state's first juvenile drug court in 2001. He started one of the two pilot family drug courts in 2010. He is a member of the National Council of Juvenile and Family Court Judges.

## New County, Circuit, Chancery judges participate in orientation



Supreme Court Chief Justice Bill Waller Jr., at far right, took new judges on a tour of the Gartin Justice Building during their December judicial training. Judges are, left to right, Hinds County Court Judge LaRita Cooper-Stokes, 18<sup>th</sup> Circuit District Judge Dal Williamson, Bolivar County Court Judge Hunter Nowell, 13<sup>th</sup> Chancery District Judge Gerald Martin, Coahoma County Court Judge C. Kent Haney, 16<sup>th</sup> Chancery District Judge Michael Fondren, 4<sup>th</sup> Circuit District Judge Carol White-Richard, 11<sup>th</sup> Chancery District Judge Robert Clark III, 2<sup>nd</sup> Circuit District Judge Christopher Schmidt, 3<sup>rd</sup> Circuit District Judge Kelly Luther, and Adams County Court Judge Walt Brown. Photo by Ramey Smith, Program Coordinator, Mississippi Judicial College.

Nine new trial court judges took office in January 2014, and two were appointed to vacancies in 2014.

**Adams County Court Judge Walt Brown** of Natchez served as assistant district attorney for the 6<sup>th</sup> Circuit District for ten and one-half years before he was elected to the bench. He had a private law practice for 14 years. He grew up in Natchez and graduated from Cathedral High School. He earned a

Bachelor of Arts degree in history from Mississippi State University and a law degree from the University of Mississippi School of Law.

**Eleventh Chancery District Judge Robert G. Clark III** was an associate of the Jackson law firm of Byrd & Associates 1997-2001, and practiced law in Lexington 2001-2014. He served as Holmes County Youth Court referee 2004-2014, and Municipal Judge for the City of

Lexington 2005-2014. He is former public defender for the Holmes County Youth Court, former board attorney for the Holmes County Board of Supervisors, and former attorney for the town of Cruger and city of Tchula. He is a member of the Commission on Children's Justice and the Mississippi Department of Human Services Youth Court Judges Advisory Committee. He grew up in Holmes County and graduat-

ed from McClain High School in Lexington. He graduated from Holmes Community College. He earned a Bachelor of Arts degree from Stillman College and a law degree from the University of Mississippi School of Law.

**Hinds County Court Judge LaRita Cooper-Stokes** of Jackson previously served as a councilwoman for the city of Jackson's Ward 3. She worked as a staff

## 9 new trial court judges took office in January; 2 appointed in 2014

attorney for the Department of Human Services 1990 to 1996. She is a graduate of Lanier High School, Jackson State University and the Thurgood Marshall School of Law at Texas Southern University.

**Sixteenth Chancery District Judge Michael Fondren** served as a Pascagoula city judge for almost 16 years. He is a graduate of Pascagoula High School, Millsaps College and Washington and Lee University Law School. He is licensed to practice law in Mississippi and Alabama.

**Coahoma County Court Judge C. Kent Haney** was appointed to a vacancy on July 1, 2014. He previously served for 26 years as Coahoma County Attorney. He had a private law practice 1986-2014. He served as municipal court judge in Drew 1986-1998. He was a farmer for 15 years and owned an agricultural aviation operation from 1974-1995. Judge Haney earned a bachelor's degree from Mississippi State University and a law degree from the University of Mississippi.

**Third Circuit District Judge Kelly Luther** of Shady Grove served as an assistant district attorney for 19 years. He previously served as County Attorney for Pontotoc County, and as city judge for Pontotoc. He

graduated from Pontotoc High School and attended Itawamba Junior College. He is a graduate of Mississippi State University, and earned a law degree from the University of Mississippi.

**Thirteenth Chancery District Judge Gerald M. Martin** of Raleigh was a partner in the law firm of Eaton & Martin, P.A., in Taylorsville. He previously served as a court appointed mediator in Circuit and Chancery courts, and as a special master in Circuit Courts. He served as attorney for the Smith County Economic Development District since 1993. He was attorney and municipal prosecutor for the town of Raleigh since 2000, and attorney for the town of Taylorsville since 2005. He earned a bachelor's degree in accounting from Mississippi State University and a law degree from the University of Alabama School of Law.

**Second Circuit District Judge Christopher L. Schmidt** of Pass Christian worked as an assistant district attorney for 14 years, returning to private law practice in 2010. He earned a Bachelor of Science degree from the University of Southern Mississippi and a law degree from the University of Mississippi.

**Eighteenth Circuit District Judge Dal Williamson**

practiced law in Laurel and Jones County for 34 years. He is past president of the Jones County Bar Association, and has served as a Bar Commissioner. He also has served as president of the Laurel Exchange Club and the Jones County Cattlemen's Association. He is a graduate of Jones County Junior College and Mississippi State University. He earned a law degree from the University of Mississippi.

**Fourth Circuit District Judge Carol L. White-Richard** of Greenville practiced law as a criminal defense attorney, assistant district attorney, and in private practice. She grew up in Holly Springs. She is a graduate of Holly Springs High School and Tulane University with a

double major in English and communications. She earned a law degree from Vanderbilt School of Law. She is past president of the Mississippi Public Defenders Association. She served as part-time faculty of Gideon's Promise.

**Bolivar County Court Judge Hunter Nowell** was appointed to a vacancy May 1, 2014. He previously practiced law with the firm of Povall & Jeffreys, P.A. in Cleveland. He served as attorney for the town of Merigold 2009-2014. He also served as public defender in municipal courts in Cleveland, Rosedale and Ruleville and in Bolivar County Justice Court. He earned a bachelor's degree in finance and a law degree from the University of Mississippi.

## Redistricting creates 7 new judgeships

Seven new trial court judgeships created by the 2015 Legislature will be filled by special elections this fall, with new judges taking office in January 2016.

The redistricting legislation calls for the addition of three new chancellors and four circuit judges.

One new judgeship each was created in the Fourth Chancery of Amite, Franklin, Pike and Walthall counties, the 11th Chancery of

Holmes, Leake, Madison and Yazoo counties; and the 20th Chancery of Rankin County.

One new judgeship each was added to the 12th Circuit of Forrest and Perry counties; the 13th Circuit of Covington, Jasper, Simpson and Smith counties; the 15th Circuit of Jefferson Davis, Lamar, Lawrence, Marion and Pearl River counties; and the 20th Circuit of Madison and Rankin counties.