

# Mississippi Courts

April 2014

Published by the Administrative Office of Courts

## Federal and state officials organize Reentry Council



U.S. District Judge Keith Starrett and Chief Justice Bill Waller Jr.

Officials spanning the spectrum of the criminal justice system as well as religious and civil liberties organizations began work in December on a program to help former inmates become productive, law abiding citizens and to reduce prison recidivism.

U.S. District Judge Keith Starrett, Mississippi Supreme Court Chief Justice Bill Waller Jr., U.S. Attorney Greg Davis and Attorney General Jim Hood met with more than 50 people to begin work toward organizing a Reentry Council. In attendance at the organizational meeting at the

Mississippi Supreme Court were state and federal judges,

state and federal prosecutors and public defenders, a representative of the Lieutenant Governor, legislative leaders, Jackson city officials, church leaders, the American Civil Liberties Union, the NAACP and the Pew Charitable Trust. Leaders of the Department of Mental Health and Department of Employment Security joined the Council in April.

A core group of organizers at meetings in February and April began work to address basic needs such as housing, employment, education, transportation and health care.

People who leave prison often have few skills and no resources as well as a felony record. "It is a very difficult time. A bus ticket and \$25 and

an admonition to do right will not turn someone's life around," Judge Starrett said. "We are sending people home without the tools and without the resources they need to succeed as law abiding citizens. We are setting them up for failure."

Davis, U.S. Attorney for the 45-county Southern District of Mississippi, said about 95 percent of people who are sentenced to prison will get out some day. "When people get out...they need help with housing, they need help with transportation, they need help with employment."

Department of Mental Health Executive Director Ed LeGrand said, "It doesn't ma-

*Continued, page 2*



Reentry Council members are, left to right, Attorney General Jim Hood, Chief U.S. Probation Officer Carolyn Romano, U.S. District Judge Keith Starrett, Dr. Jimmy Porter, Corrections Commissioner Christopher Epps, and U.S. Attorney Greg Davis.



**Corrections Commissioner Christopher Epps, center, talks about the state's increasing prison population. At left is Dr. Jimmy Porter, and at right, U.S. Attorney Greg Davis.**

ter what else you do. If you don't have a place to live, it exacerbates other problems."

State Parole Board Chairman Steve Pickett said that release from confinement is delayed for some inmates who would otherwise be freed because they have no place to go upon release. "They are set aside because they don't have an address to go to....The need for a reentry program is dire in this state."

One of the stumbling blocks to employment is something that has turned out to be not as simple as it sounds: acquiring a valid identification card from the Department of Public Safety, a birth certificate and a Social Security card. Prospective employers can't legally hire someone without ID.

The Reentry Council at an April 1 meeting sat down with Commissioner of Public Safety

Albert Santa Cruz, Mississippi Highway Patrol head Col. Donnell Berry and other MHP officials to work out logistics for issuing state ID cards to inmates upon their release from prison. Corrections Commissioner Christopher Epps asked MHP to go to the prisons to handle applications for and issuance of ID cards. Santa Cruz and Berry said sending staff to prison facilities was preferable to having MDOC officers transport large numbers of soon to be released inmates to MHP stations.

The Reentry Council will work toward developing practices for evaluating prisoners and providing appropriate rehabilitation when they enter correctional systems, and identifying resources and connecting former inmates with those resources that can assist them after they leave prison.

Epps said, "I'm on board 100 percent with what we are trying to accomplish." The state prison population has increased 455 percent since the 1980s and the Department of Corrections budget has grown 1,255 percent.

About 9,500 people are released from MDOC each year, Epps said. More than 77 percent have alcohol and drug problems; 15 percent have mental health problems. On average, their education skills are at a sixth grade level.

Work toward an inmate's reentry to the community has to start from the time a person is sentenced, Judge Starrett said. Inmates need to be directed into intervention which will help them, not make them worse. "Evaluation is crucial. It's not cookie-cutter," Judge Starrett said.

Betty Lou Jones of Meridian,

a member of the State Parole Board, said she agrees with the front-end approach. "When we see them at the Parole Board, they have been in prison...wasting that time not really doing anything to prepare."

Alabama, Arkansas, Georgia, Kentucky, Oklahoma and Texas are among states which have Reentry Councils. Texas, which was running out of inmate bed space, was able to close some prison units after it adopted the comprehensive and focused approach, Judge Starrett said.

The Reentry Council is patterned after a program started by U.S. Attorney General Eric Holder in 2011. The Federal Interagency Reentry Council, made up of 20 federal agencies, works to:

- make communities safer by reducing recidivism and victimization;
- assist those who return from

prison and jail in becoming productive citizens;

- save taxpayer dollars by lowering the direct and collateral costs of incarceration.

U.S. Attorneys in each of the 94 districts nationwide have a reentry coordinator.

Jeremy Sherer, Reentry Coordinator for the Northern District of Alabama, speaking at the organizational meeting of Mississippi's Reentry Council, said the growing prison population and cost to the state budget are unsustainable.

"Alabama prisons were strangling every other general fund institution," Sherer said. At the same time, court dockets were backlogged and prosecutors and probation officers dealt with staggering caseloads.

Two years of work in Alabama has produced reentry pilot projects. Work is underway to expand. "We are in the process of implementing better practices," Sherer said.

Alabama has the fourth highest incarceration rate in the country. Mississippi is second.

Judge Starrett said, "We are over-built. Too many people are looking for healthy inmates that they can put out to work. Prisons shouldn't be industrial development. We are locking up too many people."

The same people commit crimes repeatedly. Judge Starrett said that 40 percent of state prison inmates have been there before on previous convictions. "We need to have a goal to reduce recidivism."

"It will require funding and it will require a culture change,"

## Legislature passes criminal justice reform

Gov. Phil Bryant on March 31 signed into law House Bill 585, a comprehensive criminal justice reform package that aims to protect public safety, control corrections costs and restore clarity to sentencing.

"We pledged to Mississippians that we would make this the 'public safety session,' and we have worked hard to develop this 'Right on Crime' research-based plan that is tough on crime while using resources wisely where they make the most impact. As a former law enforcement officer, I have no tolerance for career criminals or violent offenders, and this legislation will allow Mississippi the resources to hold these offenders accountable," Gov. Bryant said. "I thank Lt. Gov. Reeves, Speaker Gunn, the Legislature, judges and justices, the Task Force and all of the stakeholders who had a part in this ef-

fort. I will continue to work with law enforcement officials to ensure the strength of Mississippi's criminal justice policies."

The bill emerged from an exhaustive audit of Mississippi's corrections and sentencing systems by a bipartisan task force chaired by Corrections Commissioner Christopher Epps. The Task Force received intensive technical assistance from The Pew Charitable Trusts' Public Safety Performance Project as part of the Justice Reinvestment Initiative. Pew and its partners have assisted two dozen states, including Texas, Georgia, and South Carolina, with similar data-driven analyses and consensus-based policy recommendations.

Chief Justice Bill Waller Jr. said, "I personally want to thank Pew for its work on House Bill 585, which I think is one of the most important criminal justice reforms passed in modern history."

said Judge Starrett. Some may not embrace the concept immediately, he said, recalling that some people were not receptive to treatment-based drug courts after he started the state's first felony drug court program in 1999. But he views directing funding to reentry programs as an investment in improving public safety and reducing the drain on the public treasury.

The Reentry Council has six work groups. Chief Justice Wal-

ler leads court involvement; Attorney General Hood, law enforcement; Commissioner Epps, prisons and community corrections; U.S. Attorney Davis, federal partners; Carolyn Romano, chief probation officer for the Southern District of Mississippi, community resources; and Dr. Jimmy Porter, executive director of the Mississippi Baptist Christian Action Commission, faith based initiatives.

"Prisons are necessary for serious and violent offenders, but the research tells us that they are not the best option for every offender," said Chief Justice Waller. "HB 585 will deliver better public safety outcomes by expanding research-proven alternatives to incarceration, such as drug courts and rigorous drug treatment programs, as well as enhancing our reentry efforts to ensure offenders leave prison with the support they need to get their lives back on track."

Speaker of the House Philip Gunn agreed. "HB 585 is the single largest improvement to Mississippi's criminal justice system in a generation. The recommendations made by the task force are truly transformative and bode well for the future of Mississippi. I applaud the work of everyone involved in this legislation – Task Force members, legislators, judges and justices, and stakeholders from across our state – for their dedication to this successful process. This was a huge undertaking."

Reforms are expected to avert prison growth over the next 10 years and are expected to save the state at least \$266 million in prison costs over the coming decade. The legislation seeks to reserve prison beds for serious and career offenders while strengthening community supervision and other sanctions for less serious offenders.

A provision to be codified as Section 97-3-2 lists offenses defined as crimes of violence, and requires offenders convicted of violent crimes to serve at least 50 percent of the sentence imposed by the court. Other

*Continued, page 4*

## Children's Commission calls for uniform Youth Courts

The Mississippi Commission on Children's Justice recommended creation of a state funded, uniform youth court system and called for a comprehensive review of all state laws related to child protection and foster care under the jurisdiction of youth courts.

Those are among numerous recommendations made by the Commission in December 2013 after it completed more than three years of study of the state's child protection systems.

Supreme Court Justice Randy G. Pierce of Leakesville, co-chair of the Commission, said, "The Commission's goal is to have better outcomes for children. The report contains recommendations that will ensure the judiciary is accountable and that we work with the other branches of state government to achieve a model sys-



**Commission on Children's Justice members include, left to right, Rankin County and Youth Court Judge Thomas Broome, Special Assistant Attorney General Jean Vaughn, Court of Appeals Judge Virginia Carlton, and Supreme Court Justice Randy Pierce.**

tem. Our children deserve the best we have to offer. I believe the implementation of these recommendations will result in a more efficient and responsive

child protection system."

Youth Court structure, staffing and resources vary greatly across the state. In the 21 counties which have a county court, a county court judge oversees the youth court. The chancery court has jurisdiction over youth court in those counties which do not have a county court. The chancery court may either hear the youth court cases, or appoint an attorney as a part-time youth court referee to preside over youth court. In 60 counties, youth court cases are heard by youth court referees. Carroll County is the only county in which a chancellor currently presides in youth court.

"We need to get some uniformity in our youth court system of justice," said Rankin

County Court Judge Thomas Broome, co-chair of the Commission on Children's Justice and chair of the Council of Youth Court Judges.

Some of the other recommendations of the Commission include:

- enact legislation to give indigent parents a right to a court-appointed attorney in court proceedings in which parents may face termination of parental rights. Mississippi is the only state in the country which does not statutorily authorize appointed counsel. Adams, Forrest, Harrison and Rankin counties currently provide counsel for indigent parents under a pilot project. Before the pilot began, Madison County was the only county in the state which appointed

code sections create targeted drug offense and property crime penalties that require tougher sentencing.

In addition, the legislation:

- Restores certainty and clarity to Mississippi's sentencing system by establishing minimum percentages of sentences that inmates must serve before becoming eligible for release;
- Expands judicial discretion to impose research-proven alternatives to incarceration;
- Creates statewide standards for drug courts and establishes a veterans court system;
- Creates an oversight council and requires tracking of out-

comes.

HB 585 encompasses 19 recommendations unanimously forwarded to the Mississippi Legislature last year by the Corrections and Criminal Justice Task Force. The lead House sponsor of HB 585 was Representative Andy Gipson; the lead Senate sponsor was Senator Brice Wiggins. Both legislators were members of the Task Force.

HB 585, as signed by the Governor, is available at this link: <http://billstatus.ls.state.ms.us/documents/2014/html/HB/0500-0599/HB0585SG.htm>.

## First class graduates from Rankin County Project Impact



**Juvenile Detention Administrator  
Michelle Rhodes**

Five Rankin County teens who landed in Youth Court last year graduated from a youth leadership program on March 28. They were honored at a ceremony and reception at the

Juvenile Justice Center in Pelahatchie.

The goal of Rankin County Project Impact Youth Leadership is to identify at-risk youth and provide them with experiences and direction which can help them develop leadership skills and discover their own potential.

Rankin County Juvenile Detention Administrator Michelle Rhodes modeled the program on a similar Rankin County youth leadership program started for high achievers. "The fact that kids have been in the juvenile detention center does not mean that they can't be successful," Rhodes said. "A lot of programs are out there for kids that make A's or are doing everything right, but there's not

much out there for the kids that we deal with. There are not a whole lot of opportunities for them."

The Rankin County Sheriff's Department, Youth Court, Chamber of Commerce, School District and community sponsors partnered to fill the void. Three local businesses funded the youths' expenses after efforts to secure a grant were unsuccessful. No government funds were used.

Rhodes said, "We are trying to give them opportunities that they would not normally get." Two found part-time jobs while in the program. One completed a half marathon. All participants' grades improved.

One of the participants told those gathered for the ceremony that the program had given her self-discipline, independence, and direction. She also found a job. "It helped me to get more of an idea of where I am going to go, and how I am going to get there," she said, reading from an essay she had written. "When you mess up, there are consequences....We all need a little help straightening up the mistakes in our lives."

Rhodes said, "I would like to thank the Sheriff and Judge Broome for letting us think outside the box again."

The Rankin County Chamber of Commerce scheduled

and coordinated the trips. The six-month program started with a retreat at Twin Lakes with motivational speaker Dr. Jim Cook. Students learned about academic and technical programs, scholarships and job opportunities on trips to the Mississippi Air National Guard base and Hinds Community College. Hinds CC recruiters talked to the youths about what they need to be doing now to prepare for college, and discussed technical programs and financial aid.

Rankin County Chamber Executive Director Mandi Arinder said, "A lot of these children feel like there's no hope, there's not a way out." The college exposure was intended to raise their expectations for what they can attain.

They saw law enforcement training and the prison system on trips to the Mississippi Law Enforcement Officers Training Academy and the Central Mississippi Correctional Facility. They visited the Governor's Mansion and met with Chief Justice Bill Waller Jr. during a tour of the Supreme Court. They toured the Capitol and had lunch with Sen. Dean Kirby of Pearl, Sen. Perry Lee of Mendenhall, Rep. John Moore of Brandon, Rep. Ray Rogers of Pearl, and Rep. Tom Weathersby of Florence.

Arinder said, "They feel like they are a part of something important, part of an elite group."

counsel for indigent parents facing termination of parental rights in abuse and neglect cases.

- create a permanent staff position in each chancery court district for a guardian ad litem.
- establish 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.

- evaluate youth court case loads assigned to prosecutors and public defenders.

- seek funding and statutory authority to create positions for in-house counsel to advise case workers in MDHS regions.

- establish a court performance improvement program in local youth courts in collaboration with DHS.

The Commission's complete report is available on the Mississippi Judiciary website at this link: <http://courts.ms.gov/reports/ChildrensJusticedoc.pdf>.

## What will happen when \$\$\$ runs out for indigent parent representation?

Having attorneys representing indigent parents has shortened the time that children and parents are separated, and has led to more reunifications of families in Department of Human Services investigations of allegations of abuse and neglect, according to Youth Court judges supervising four pilot programs.

But private foundation money and a federal grant that fund the pilot programs are set to end in December. Judges from Adams, Forrest, Harrison and Rankin counties, representatives of the Attorney General and Department of Human Services and other stakeholders met April 17 with representatives of grant provider Casey Family Programs to assess progress, and discuss whether Casey would continue funding.

No other funding source has been identified to continue to provide attorneys for indi-

gent parents in the pilot counties, much less expand the program statewide.

“Our question is, is our investment enough, and is it working in the right way,” said Casey Family Programs Senior Director Isabel Blanco. “If we don’t figure this out, we are going to come to a screeching halt because there just isn’t enough money.”

Forrest County Court Judge Michael McPhail said, “If you remove the attorneys, we just go back to our old way.”

Mississippi is the only state in the country that does not statutorily provide an attorney for indigent parents facing possible termination of parental rights in allegations of abuse and neglect. Termination of parental rights means that the children are taken away and placed in foster care, and put up for adoption. Before the pilot program began, Madison



**Isabel Blanco of Casey Family Programs, at right, talks about funding for parental representation. Special Assistant AG Patricia Marshall is at left.**

County Youth Court was the only youth court which appointed attorneys to represent parents.

Seattle-based Casey Family Programs in 2012 gave a \$100,000 grant for a two-year pilot program that pays for attorneys to represent indigent parents in cases which could lead to termination of parental rights. Harrison County, which has the largest number of cases, received \$50,000 in Casey Family Programs funding for a full-time attorney. Adams and Forrest counties received \$25,000 each to pay for attorney representation. The Administrative Office of Courts provided \$45,000 through a Court Improvement grant to fund the Rankin County program.

The grant period is set to end in December. Blanco said it is possible that an extension of funding could be requested.

Grant money was intended to be a start-up, not permanent funding, judges acknowledged.

Judges who approached legislators regarding possible funding for parent representation found little interest. Parents accused of abuse and neglect get no sympathy, said Adams County Court Judge John Hudson.

Casey Family Programs requested data that will show the impact on the pilot counties, including comparing the outcomes of cases in which there was attorney representation with cases in which parents were unrepresented. Judges in the pilot counties say that they



**Forrest County Court Judge Michael McPhail talks about the impact of parental representation on children’s best interests.**

# Language interpreters to speak at Judicial Conference

Involvement in a court proceeding can be an intimidating experience for anyone. Imagine trying to navigate the complexities of the legal system without understanding a word anyone else is saying.

Administrative Office of Courts Deputy Director Ta’Shia Gordon and language interpreters Georgina Barvie’ and Arlin Lang will present an overview of Mississippi’s Court Interpreter Credentialing Program at 9 a.m. Thursday, April 24, during the Mississippi Trial and Appellate Judges Spring Conference in Biloxi.

Barvie’, of Gulfport, has more than 20 years of experience in the language service industry. Her work has included teaching English and Spanish as second languages to chil-

dren and adults, language program development in academic and business settings, and marketing consulting. She attended the Southern California School of Interpretation and worked as a court interpreter in California. She was certified as a court interpreter in Alabama in 2010, and in Mississippi in 2011.

Lang, of Gulfport, has a bachelor of arts degree in sociology from Colorado State University and was certified as an addictions counselor through Denver Mental Health Institute. She has worked as an interpreter in medical and legal settings. She is a certified court interpreter in Spanish.

The conference will cover:

- Constitutional implications, federal law and caselaw regarding language

have seen a great improvement with attorney representation.

Judge McPhail said, “In the end, we are shortening the stay of children in custody,” and that saves money.

Having attorney representation early in the process may enable parents to show that there is no need to remove a child from the home at all, said Rankin County Court Judge Thomas Broome.

Judge McPhail said, “The critical stage is when the children are taken.”

Avoiding placement of a child in Department of Human Services custody results in thousands of dollars in savings in DHS staff time, court time, housing, health care and other expenses, said Harrison County

Court Judge Margaret Alfonso. And it’s far better for the child.

The Department of Human Services regards having parental representation as beneficial. Department of Human Services Deputy Director Mark Smith said, “In most cases, it’s really helped us a lot.”

Mississippi’s status as the only state that does not statutorily provide attorneys for indigent parents has drawn national attention, including from civil rights entities, Judge Broome said.

“The question is whether we manage the changes, or someone else manages it for us. It may become a federal civil rights case,” Judge Broome said. “I think if we don’t get something in place, they are going to sue us.”

interpretation;

- determining whether someone needs an interpreter;
- locating an interpreter;
- AOC’s Court Interpreter Credentialing Program;
- best practices;
- cost factors.

AOC has developed a Judicial Bench Card to assist judges. Also, the U.S. Census Language Identification Flashcard, covering 38 languages, can help identify the language of a person of limited English proficiency.

Appointing an interpreter is

within a judge’s discretion. The judge should examine a party or witness on the record when a party or counsel requests an interpreter, or when it appears to the court that the party or witness may not understand and speak English well enough to participate fully in the proceedings. The court’s conclusion should be stated on the record. The fact that a person for whom English is a second language knows some English does not prohibit that individual from being allowed to have an interpreter, according to Gordon.

**2004 Census Test** **United States Census 2010**  
**LANGUAGE IDENTIFICATION FLASHCARD**

<input type="checkbox"/>	ضع علامة في هذا المربع إذا كنت تقراً أو تتحدث العربية.	1. Arabic
<input type="checkbox"/>	Խնամազ հեղձեց իր անուշահոտ սուր շառավիղներով, եղծի խոստով կամ կարգավճի հը հայրենի:	2. Armenian
<input type="checkbox"/>	যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	3. Bengali
<input type="checkbox"/>	ឈ្មោះអញ្ចាត់អ្នកប្រមាថនេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	4. Cambodian
<input type="checkbox"/>	Motka i kahhon ya yangin úntúngu' manaitai pat úntúngu' kumentos Chamorro.	5. Chamorro
<input type="checkbox"/>	如果你能读中文或讲中文, 请选择此框。	6. Simplified Chinese
<input type="checkbox"/>	如果你能讀中文或講中文, 請選擇此框。	7. Traditional Chinese
<input type="checkbox"/>	Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8. Croatian
<input type="checkbox"/>	Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
<input type="checkbox"/>	Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
<input type="checkbox"/>	Mark this box if you read or speak English.	11. English
<input type="checkbox"/>	اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.	12. Farsi

8-3339 U.S. DEPARTMENT OF COMMERCE

# 23 trial courts using MEC, 20 more on waiting list

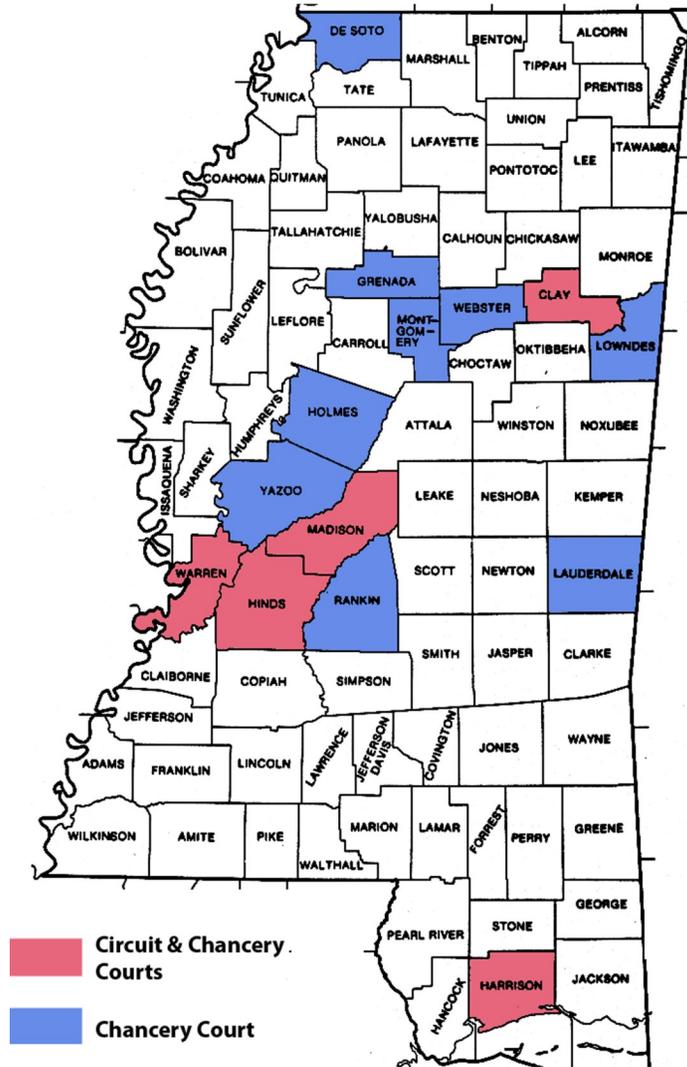
Electronic filing is currently utilized in 23 Mississippi trial courts in 14 counties. E-filing trial courts include the Chancery Courts in DeSoto, Grenada, Holmes, Lauderdale, Lowndes, Montgomery, Rankin, Webster and Yazoo counties; Chancery and Circuit Courts in Clay County; and all trial courts – Chancery, Circuit and County Courts – in Madison, Harrison, Hinds and Warren counties.

Lowndes County Chancery Court is the most recent to go live. Voluntary e-filing began there on April 7. Mandatory e-filing goes into effect May 7 in Lowndes Chancery Court.

Rankin County Circuit Court will begin voluntary e-filing May 1, and will implement mandatory e-filing June 1, said Mississippi Electronic Courts Director Lisa Counts. E-filing implementation in Rankin Circuit will make e-filing available in all state trial courts in all three counties of the Jackson metropolitan area.

Fourteenth District Chancery Judge Dorothy Colom said that electronic filing and docket management gives her greater records access and helps her with docket management in three counties of the six-county district. Clay and Webster counties began Chancery e-filing last year.

“I’m able now to access the cases from Lowndes County, Webster County and Clay County online, so it doesn’t matter what county I’m in.”



Circuit Courts that are expected to implement e-filing next include Lauderdale and Marion counties. They are among about 20 trial courts that are waiting to get the MEC system.

Supreme Court Chief Justice Bill Waller Jr. said, “At this point we are taking counties into the system as fast as we can and the resources allow.”

MEC Counsel Clint Pente-

cost told the Lauderdale County Bar on Dec. 4, “You can see that the system is starting to build out, from DeSoto County in the north to Harrison County in the south, and points in between.”

At that Dec. 4 meeting, the reserved restaurant dining room filled up, and staff brought in more tables to accommodate Meridian area lawyers who wanted to know

about MEC. Attorney Bill Ready Jr. said it was the largest crowd he could remember attending a local bar meeting.

Ready, a member of the Mississippi Bar Technology Committee since its inception, signed up for e-filing when the pilot project began in Madison County Chancery Court. He is extremely eager to see e-filing added to Lauderdale County Circuit Court.

“It’s just a tremendous benefit to be able to e-file, rather than having to walk to the courthouse, or get in the car and drive to the courthouse. It’s a tremendous time and cost saver, not only for the lawyers, but for their clients,” Ready said.

As of mid-April, about 4,400 attorneys, about two-thirds of the attorneys who practice in Mississippi, were registered to use the MEC system. Seventy of those are out-of-state attorneys who represent Mississippi clients in state trial and appellate courts. Non-attorney use is also increasing. More than 1,700 non-attorneys were registered in MEC.

Twelfth District Chancellors Jerry Mason and Lawrence Primeaux signed an order starting voluntary e-filing on Feb. 3 and mandatory e-filing on March 3 in Lauderdale Chancery Court. Judge Primeaux said, “I am proud that Lauderdale County is in the first wave of counties implementing this advanced system. When fully in force, it will save parties mon-

ey, and will be a major convenience for lawyers.”

The Tenth Chancery District became the first court district in the state to undertake district-wide implementation of MEC. Work is underway in Marion County Chancery Court, and will expand later this year to Chancery Courts in Forrest, Lamar, Pearl River and Perry counties.

Tenth District Senior Chancellor Johnny Lee Williams of Hattiesburg said, “Our judicial system should utilize the available technology, as both the federal courts and neighboring states have done, to optimize the efficiency and productivity of the court system. The public deserves the best that we can give, so we intend to use these resources to make the court system proficient and responsive to the needs of the public.”

Tenth District Chancellor Dawn Beam of Sumrall, who is coordinating e-filing implementation in that district, said, “We certainly want to run our courts as efficiently as possible, and



**MEC Director Lisa Counts explains features of e-filing to Lauderdale County Deputy Clerks Donna Googe and Vicki LaShane.**

technology allows us to better track our cases. We want litigants to be served as quickly and efficiently as possible.”

Pearl River County Bar Association President Claiborne “Buddy” McDonald of Pica-yune said, “It’s a positive thing and a step ahead. We need to make certain we grow with the

times. When technology makes it better for the attorneys, the courts and the public and less costly for all the people involved, we need to move into that area and take advantage of the changes and technology.”

The MEC program, under the supervision of the Mississippi Supreme Court, is adapted from the electronic filing system used in federal district courts. MEC technology and training are provided free to counties. The only cost to local courts is computer hardware and Internet access.

Most Circuit Courts that use e-filing do so only in civil cases at this time. Clay and Hinds County Circuit Courts currently provide electronic access to criminal as well as civil cases.

The Mississippi Supreme Court made e-filing mandatory for appellate briefs and motions

on Jan. 1, after allowing voluntary e-filing for six months. More than 3,300 appellate motions have been filed electronically since July 1, 2013, said Supreme Court Clerk Kathy Gillis. More e-filing capabilities are expected to be implemented in phases. Eventually, trial court records, including transcripts, will be submitted electronically on appeal.

It is expected that MEC development will eventually include data interfaces with state agencies.

Representatives of the Mississippi Workers Compensation Commission met with MEC staff on Feb. 28 to ask questions about MEC. The Workers Compensation Commission is in the second phase of implementing its own e-filing system, said Administrative Law Judge



**Chancellor Dorothy Colom**



**Circuit Judge William Chapman**

## Andy Taggart to speak at 8th Circuit Drug Court graduation

Madison County attorney Andy Taggart and his wife Karen have turned their personal anguish at the suicide of their son Brad into a mission to reach others before drugs drag them down the same path.

Andy Taggart will be the guest speaker May 8 in Walnut Grove at the 8th Judicial District Drug Court graduation. The ceremony is scheduled for 2 p.m. at the Pine Grove Pentecostal Church, 3379 Pine Grove Road, Walnut Grove.

Drug Court Coordinator Marcus Ellis said 15 participants are expected to graduate. About 170 people from Leake, Neshoba, Newton and Scott counties are enrolled in the Eighth District Drug Court program under the supervision of Circuit Judge Vernon Cotten.

Ellis said, "These gradua-

tions represent a long, hard struggle to gain control of addictions, both drug and alcohol related. They are the culmination of rehabilitation programs, extensive aftercare programs, Narcotics and Alcoholics Anonymous meetings, significant staff intervention via random and frequent drug testing, and intensive judicial supervision."

Since their son Brad Taggart's death, Andy and Karen Taggart have spoken at churches, high schools and colleges. He spoke to a Drug Court for the first time on Oct. 22, 2013, during the 17th Circuit Drug Court graduation in Hernando.

"We were so impressed with the program, and with the need to continue to expand drug court services," Taggart said.

Taggart, an attorney, author, political commentator and for-



Andy Taggart

mer chief of staff to Gov. Kirk Fordice, is angry. He is determined to do something about it.

"Don't believe this can't happen to you," he said. "This scourge is going to continue taking lives until we are willing to beat it back."

"The message is, hear the alarm of the series of bad choices our son made that ended up ultimately in his death. We are very hopeful that by telling our story, that we can have an effect on other people's decisions," Taggart said.

"He was 21. He took his own life July 10 (2012). He had been involved in drugs for about a year," Taggart said. "He shot himself in our front yard and we didn't know anything about his drug use. Brad sort of suffered it silently without us ever knowing about it."

Taggart said that a toxicology report showed his son had no drugs in his system when he died. But the letter he left for

his parents laid out the devastating psychological toll of his addiction and the downward spiral of the past year.

The two-page letter began, "I hate that I'm putting you through this. The last thing I want is to bring you all grief but I cannot go on living any longer. I've lost my mind due to drugs. I have no emotion, I cannot be happy ever and I'm empty inside. Drugs have robbed me of my memory and knowledge that I've gained. I have zero reading comprehension skills and my attention span is about 10 seconds. I spend the majority of the day staring off into space."

The letter outlined a progression from marijuana use to LSD, which Brad Taggart wrote of as "a way that I could escape into an alternate reality, one that was euphoric and free of problems. I also began using mushrooms, MDMA, cocaine and nitrous oxide. My drug use didn't seem to affect me. I actually felt as though I was improving as a person somehow. I knew myself better and was outgoing and it was nice. My view of reality was skewed by drugs." He concluded the letter with, "I love you."

Circuit Judge Jimmy McClure of Sardis has heard similar stories repeatedly in 17th District Drug Court, although not with such a heart-wrenching end. "This can happen to any family. It can happen to young and old, rich and poor, black and white. Drugs are the great equalizer."

## Workers Comp uses e-filing



D Denise Lott. The Attorney Transmittal Online System, ATOS, allows registered attorneys to electronically file certain types of documents in claims.

More than 100 attorneys are registered to use the Workers Compensation Commission's ATOS system.

**Workers Compensation Administrative Law Judge Denise Lott asks questions at a meeting with MEC staff.**

## Judge Margaret Carey-McCray named Bar Foundation Fellow

Circuit Judge Margaret Carey-McCray of Greenville was inducted as a Fellow of the Mississippi Bar Foundation on April 17. Judge Carey-McCray was among 16 inductees recognized at a dinner ceremony at the Old Capitol Inn in Jackson.

Being named a Fellow is the highest honor given by the Bar Foundation. Recipients reflect the highest level of competence, professionalism and leadership, and are respected in their communities, said Bar Foundation President Stephen Rosenblatt of Ridgeland.

Judge Carey-McCray said, "It is an honor to be recognized by your peers. I'm appreciative of the nomination and I thank the Foundation for honoring me with induc-



**Circuit Judge Margaret Carey-McCray, at left, is accompanied at the Bar Fellows ceremony by daughter Le-Kendra Washington, niece Kimberly McCray, and Court Administrator Angela Howard.**

tion into its fellowship. Whatever I've done or if I've done anything that's deserving, it's been with the help, support and

inspiration of many people."

Tiffany M. Graves of Jackson, executive director and general counsel of the Mississippi Volunteer Lawyers Project, was honored with the Law-Related Education Award.

Former Gov. William F. Winter, who has been a powerful force for public education and racial reconciliation, was honored with the Bar Foundation Professionalism Award.

Winter gazed down at the list of former award recipients listed in the program and said, "How in the world did I get up here?"

Winter has been a member of the Bar for 65 years. "I have regarded it as a noble profession," he said.

He began his career of public service in 1947, while still in law school, with his election to

the House of Representatives.

Others inducted a Fellows of the Bar Foundation are: Secretary of State Delbert Hosemann Jr., Jackson; Mississippi College School of Law Dean James H. Rosenblatt, Ridgeland; U. S. Magistrate Judge Michael T. Parker, Hattiesburg; former U.S. Attorney J. Bradley Pigott, Jackson; former District Attorney Lawrence L. Little, Oxford; Tom P. Calhoun III and John P. Henson of Greenwood; Sharon F. Bridges and W. McDonald Nichols of Jackson; Walter W. Dukes and William L. McDonough Jr. of Gulfport; Robert D. Gholson, Laurel; Charles F. Johnson III, R. David Kaufman and Ann P. Veazey of Ridgeland.

Hinds County Chancellor Denise Owens is among new trustees of the Bar Foundation. *Additional photos are on Page 12.*



**Former Gov. William Winter signs program for Dean Jim Rosenblatt.**

## Retired Chancellor Dennis Baker died Feb. 10, 2014

Retired Chancellor Dennis M. Baker, 86, of Batesville, died Feb. 10, 2014.

Judge Baker served for more than 24 years on the bench of the Third Chancery District of DeSoto, Grenada, Montgomery, Panola, Tate and Yalobusha counties. He was appointed to the bench in 1978, and served until December 2002. He heard cases as a senior status judge after retirement.

Chancellor Vicki Cobb remembered him as a mentor and close family friend. She served as his court administrator for six and a half years.

He served two terms in the

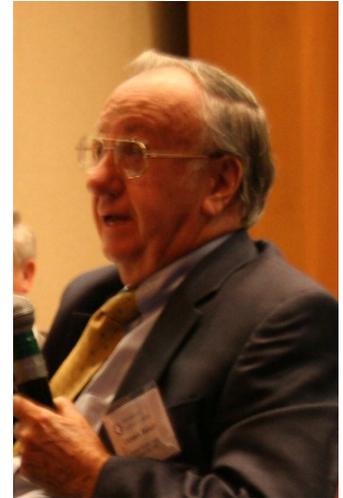
Mississippi House of Representatives and one term in the Senate. He also served as Batesville city attorney, and attorney for the Batesville Housing Authority and the Panola County Board of Education. He was a member of the Mississippi State Park Commission.

Dennis Murphree Baker was born July 1, 1927, in Pope, to the late Noah Frank Baker and Dora Carlean Flowers Baker. He graduated from Enid High School, where he was valedictorian. After serving in the U.S. Army during World War II, he attended Northwest Junior

College and the University of Mississippi, where he earned a law degree.

He supported the University of Mississippi School of Law as a member of the Lamar Order. He was a Fellow of the Mississippi Bar Foundation. He belonged to the Batesville Rotary Club, where he was a Paul Harris Fellow.

He served as king of the Junior Auxiliary Charity Ball and was chairman of the Official Board of the First United Methodist Church, as well as a lay speaker and member of the Methodist Men. For many years he taught the adult Sunday



School class.

He enjoyed performing various acting roles on stage at the Panola Playhouse.

## 2014 Mississippi Bar Foundation Fellows and Trustees honored



Justice Jim Kitchens visited with retired Circuit Judge Joe N. Pigott and his son Brad Pigott at the Bar Foundation dinner on April 17. The younger Pigott was

inducted as a Fellow of the Bar Foundation. Judge Pigott preceded Justice Kitchens as district attorney of Copiah, Lincoln, Pike and Walthall counties.



Hinds County Chancellor Denise Owens was among new Trustees elected April 17 to the Mississippi Bar Foundation.

## Retired Chancellor Thomas Zebert died Nov. 22, 2013



Judge Thomas Zebert, 77, of Pearl, died Nov. 22, 2013, after a brief illness.

He served on the bench for more than 37 years. Judge Zebert was the first Youth Court judge for the City of Pearl, serving from 1973 through 1994. He was elected 20<sup>th</sup> District Chancery Judge in November 1994 and took office for the first time Jan. 3, 1995. He served as chancellor

until his retirement Dec. 31, 2006.

As a chancellor, his concern for the welfare of children and families led him in 1999 to set up classes for divorcing parents of children ages 6 to 17. The program, Focus on Children in Separation, or FOCIS, was intended to prepare them for life apart. He wouldn't sign divorce papers and simply send people their separate ways. He believed it was important for parents and their children to discuss and prepare themselves for how the court orders would affect their daily lives.

He said in a 2001 interview, "We are the last bastion between the children and the parents going out into the world. The whole issue is how to make the transition bearable."

His work served as a model for other similar programs.

Chief Justice Bill Waller Jr. said, "I have rarely known

someone who had the almost universal respect that Tom had among lawyers, litigants and fellow judges. Tom will be deeply missed."

Judge Zebert could have hung up his robe and played golf when he retired from the chancery bench, but he continued to hear cases as a senior status judge out of a commitment to public service. At the April 2012 Trial and Appellate Judges Conference, Chief Justice Waller noted that Judge Zebert had already exceeded the hours that state law allowed him to be paid as a retired senior status judge, but that he continued to work for free.

Judge Zebert told the conference that he and the 17 other senior status judges there that day were committed to their public service. "It is, we think, a good service and a less costly service than you can get anywhere else," he said. "We like

for you to know that we do it because we care, not for the money."

Judge Zebert was among 11 senior status and special judges appointed in October 2008 to handle a Katrina case docket on the Gulf Coast. Judge Zebert continued to hear special judge appointment cases until shortly before his death. He submitted his last time sheet in August 2013.

Thomas Zebert was born on July 6, 1936, in Indiana and moved to Flowood, Mississippi, at the age of 2. He earned an A.A. degree from Hinds Junior College and an L.L.B. degree from Mississippi College School of Law. He was admitted to the practice of law in 1963. He practiced law in Pearl 1963-1994. He was Rankin County Prosecuting Attorney 1968-1972.

## Retired Circuit Judge Mike Smith died Jan. 1, 2014

Retired Circuit Judge Mike Smith, 73, of Summit, died Jan. 1, 2014, at Franklin County Hospital in Meadville after a lengthy illness.

Judge Smith served as county attorney for Pike County before being elected to the bench. He was first elected circuit judge of the Fourteenth Circuit District of Lincoln, Pike and Walthall counties in November 1994, and took office in January 1995. He retired from the

bench June 30, 2006. He continued to hear cases as a senior status judge.

Defendants called him "Iron Mike," District Attorney Dewitt Bates said in an interview with the Brookhaven *Daily Leader*. "A lot of times people like to sit back and criticize a judge's decisions, but all you can ask for in a judge is that he do what he thinks is right."

Pike County Chancery Clerk Doug Touchstone said Smith

"believed in a man having some punishment if people did a serious crime."

Drennen Michael Smith was born July 4, 1940, in Birmingham. He was the son of the late Drennen Raymond Smith and Katherine Szabo Smith. He was a graduate of Auburn University and Mississippi College School of Law. He was a member of Summit First Baptist Church, a Mason and a Shriner.



# Mississippi judges teach civics in the courtroom



The Mississippi Supreme Court and Court of Appeals are committed to educating citizens about the judicial branch. Top left, Chief Justice Bill Waller Jr. hosted a visit from about 50 Davis Magnet School second graders on March 19. Judge Tyree Irving, at left, and Justice Leslie King, at bottom left, talked one-on-one with Davis Magnet students on March 26 and March 28. Judge Donna Barnes, bottom right, gave an overview of court operations to 21 fourth graders from Adams County Christian School, her alma mater, on March 6. Students delighted in giving an unofficial rap with the gavel.



# Legislators, lawyers and law students get view from bench



Top, about 40 attorney legislators heard from bench and bar leaders about court programs and budget needs in a Jan. 23 visit to the Supreme Court Center, Mississippi College School of Law students practiced role playing in the En Banc Courtroom on March 21. Bottom, about 20 members of the Mississippi Bar Leadership Forum got an overview of court operations and some practice tips from Chief Justice Bill Waller Jr. on March 20.



## Irrepressible Sgt. Doug Arp shines spotlight on crime prevention



Douglas Arp, at far right, holds a photo which he presented to Chief Justice Bill Waller Jr., second from right. Arp and the Warren County Sheriff's Department were among the nation's top promoters of National Night Out 2013. Also pictured are, left to right, Court of Appeals Judge Ceola James of Vicksburg, Warren County Sheriff's Office Detective Sam Winchester, and Warren County Sheriff Martin Pace.

He's been called Vicksburg's zaniest crime fighter, but he gets results. Douglas Arp's work promoting community involvement in crime prevention efforts helped the Warren County Sheriff's Department win a national award for participation in the thirtieth annual National Night Out.

Warren County was rated in the top one percent of the nation for National Night Out events in 2013. Warren County was among 47 top participants in September 2013 crime prevention activities in the category of 15,000 to 50,000 population, according to the National Association of Town Watch.

Laurel also was recognized in the 15,000 to 50,000 category, and Hattiesburg was among the top 33 cities in the 50,000

to 100,000 population category. Claiborne County was honored among 48 communities in the category of population under 15,000.

Chief Justice Bill Waller Jr. congratulated Arp, Warren County Sheriff Martin Pace and Detective Sam Winchester at a presentation at the court on March 5. Court of Appeals Judge Ceola James of Vicksburg joined them for the presentation.

"The only way we will be able to affect crime is to involve our citizens. Everyone joins together for the common good," Chief Justice Waller said.

Arp has been bringing the community together in crime prevention activities for about 25 years. He used vacation time from the Vicksburg Police De-

partment to organize National Night Out activities for many years. After her retired with the rank of sergeant, he volunteered to coordinate National Night Out for Warren County.

Pace said Arp uses bizarre stunts to call attention to the cause. He has camped out on a billboard and in a dumpster to raise community awareness. Last year's program included a fire truck to "put out the crime fire." The Vicksburg Fire Department and Vicksburg Police Department worked together with the Sheriff's Department.

Arp said he wasn't sure he would even be able to participate in last year's program. He suffered a mild stroke a few days before National Night Out. Despite frail health, he helped propel community in-

volvement.

Arp is an avid collector of law enforcement memorabilia and other souvenirs, as evinced by his trinket-covered hat.

Chief Justice Waller presented Arp with the National Night Out plaque. Always one to give back, Arp gave the Chief Justice a framed photo from the National Night Out event. *Vicksburg Post* reporter Josh Edwards had photographed Chief Justice Waller and Mayor George Flaggs Jr. talking to Arp at the fire station.

On his way out of the courthouse, Arp handed bystanders black and gold lapel pins. Encircling the image of a rose and badge were the words National Law Enforcement Officers Memorial.