



Mississippi Courts

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Webster County Courthouse closed after Jan. 17 fire



The Webster County Courthouse in Walthall sits empty, its first floor boarded up, after a Jan. 17 fire heavily damaged the building.



Webster County Courthouse, as it appeared in March 2011.

An inferno engulfed the 98-year-old Webster County Courthouse in Walthall during the wee hours of Jan. 17. Firefighters battled the blaze in the midst of a winter storm.

By the time the fire was extinguished, the roof had collapsed and the second floor courtroom lay in rubble. Although most first floor offices were intact, they suffered heavy smoke and water damage. The

first floor Tax Assessor/Collector's office, where the fire is believed to have started, was charred.

All offices have moved temporarily to Eupora.

The fire was reported about 2:20 a.m. by someone going to the Walthall Post Office across the street. Nine Webster County volunteer fire departments, the Starkville Fire Department and fire-

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No decision yet on renovation or relocation for courthouse

fighters from seven surrounding counties helped fight the blaze. Firefighters working inside the burning structure were able to beat back the flames for a time, but when the fire spread into

the attic, the scene was deemed too dangerous and the order was given to leave the building.

Chancery Clerk Russell Turner hauled computers out of his office when it looked like the fire was going to be contained. "When we saw it was going, we asked the firefighters to keep the vaults as cool as possible," Turner said. "They didn't burn. They flooded. When I opened the (vault) door, water came over my boots. The shredder and garbage can floated by."

Records were placed in freezer storage the afternoon after the fire. Docket and minute books were freeze dried and digitally scanned. Some files were air dried.

Chancery Court records from the mid-1990s forward were saved. "They are smutty and smoky but they are here," Turner said. Every time we open the cabinet, we get that fresh smell of smoke." Older files which had been stored upstairs burned. "We lost everything from the mid-90's back. They were in the part that burned."

Chancery docket and minute books were damaged, but were saved. Land records were wet and smoky, but intact. Land records are going to be digitally imaged, although the project is not complete.

Old Circuit Court files stored in the second floor law library burned. More recent records were water damaged, but intact.

"Our vault did a really good job. We had lot of water damage, but we are lucky," said Deputy Circuit Clerk Wanda Robinson.

The Mississippi Electronic Courts program, which uses e-filing modeled on that of the federal trial courts, has accepted Webster County as a participant. A start date has not been set for implementing e-filing.

Turner said, "We will actually step into the current times. This is what we should have been doing for the last eight to 10 years. We thought we



Deputy Circuit Clerk Wanda Robinson, at left, and Circuit Clerk Deborah Neal recover a Bible and other items from their courthouse office five days after the fire.



Twisted beams from the roof collapsed into the burned out second floor courtroom.

Chief Justice thanks officials for aiding Webster County



Chancery Clerks Tim Kellar of Hancock County, Russell Turner of Webster County, and Chancery Clerks Association President Paula Sykes of Sunflower County were recognized for their work after the courthouse fire.

Offers for assistance on the recovery effort began coming in before the fire was out at the Webster County Courthouse.

“We didn’t have to say, ‘Hey, we need help.’ It was here before the sun came up,” said Webster

County Board of Supervisors President Pat Cummings.

Gov. Phil Bryant, Mississippi Emergency Management Agency Director Robert Latham Jr. and area Legislators called. Chief Justice Bill Waller

said. “We just want to thank everyone. There is no way possible we could have done it without them.”

Chief Justice Waller on Feb. 12 praised public officials who came to the aid of Webster County. In

Jr. met with judges and local officials. Chancery and Circuit clerks and Supervisors from other counties provided equipment and assistance.

“It’s just amazing,” Cummings

an address to the annual Chancery Court Clerks Statewide Seminar in Jackson, he paid special recognition to Webster County Chancery Clerk Russell S. Turner. He praised Hancock County Chancery Clerk Timothy A. Kellar, who spent four days in Webster County advising and assisting Turner and the Board of Supervisors.

Chief Justice Waller said that Sunflower County Chancery Clerk Paula Sykes, president of the Mississippi Chancery Clerks Association, has worked with Webster County and clerks from across the state to provide assistance.

Kellar, whose Bay St. Louis office had daylight showing through after Hurricane Katrina, shared his insight about restoring government services and saving records.

“He opened his files and his heart,” Cummings said. “He has really been a blessing”

Kellar said he is happy to have an opportunity to help. “Mine is paying back for so many people who came to my rescue.”

Kellar also gave some of the chairs, keyboards, phones and office supplies that had been donated to Hancock County after Hurricane Katrina. Retired San Diego County

Records restoration continues after fire

could not afford it. We were shown that we couldn’t afford not to.”

No decision has been made as to whether the county will attempt to restore the burned courthouse or move the offices permanently.

Most Webster County government offices temporarily relocated to Eupora. Offices reopened to the public Jan. 28. Offices of the Webster County Chancery Clerk,

Circuit Clerk, Tax Assessor-Collector, Forestry Commission and County Purchasing Clerk share space with the Webster County Extension Service and the Webster County Justice Court at 16 East Fox Avenue in Eupora. The Extension Service and Justice Court are permanently housed in Eupora. County workers made emergency modifications to the Extension Service and Justice Court

facility to accommodate those offices displaced by the fire. The Webster County Board of Supervisors meets at the Board of Education offices.

Circuit Judge Clarence Morgan III held arraignments Jan. 22 in the Justice Court Courtroom. Plans have not been finalized for the June Circuit Court term. Chancery Court and Youth Court use the municipal courtroom in Eupora.

Chancery Clerks shared equipment, assistance



Chief Justice Bill Waller Jr., at left, gave certificates of appreciation to Chancery Clerks who helped Webster County. Pictured are, front row, left to right, Mary Ruth Shelton, Noxubee County; Amy Berry, Clay County; Steve Montgomery, Choctaw County; Sherry J. Wall, Lafayette County; Talmadge "Tee" Golding, Montgomery County; back row, Larry Swales, Rankin County; Lisa Younger Neese, Lowndes County; Arthur Johnston, Madison County; Stanley Mullins, Carroll County; and Gerry Taylor, Attala County. Not pictured is Leflore County Chancery Clerk Sam Abraham.

Superior Court Judge William C. Pate delivered California surplus property to the Gulf Coast in 2005 and 2006. When the Hancock County Courthouse was renovated, it got new fixtures, so donated items went into storage.

Madison, Rankin and Lafayette counties and Mississippi State University provided computer equipment for county offices, Turner said.

"It let us get up and going within a few days rather than waiting to have new equipment come in," Turner said. "I don't know how we could have been able to get up

and going that quickly without the assistance."

Choctaw and Calhoun counties provided high-powered security light

systems outside the burned Courthouse. Montgomery and Choctaw counties sent inmate workers.

Turner said many other clerks and public officials called to offer help. He expressed deep appreciation to all.



Hancock County Chancery Clerk Timothy Kellar, at left, talks to Webster County Board of Supervisors President Pat Cummings and other supervisors about restoring records.

New chapter begins in Coleman family legacy

Justice Josiah Dennis Coleman, a third generation judge, drew praise for his scholarly work during his Feb. 26 investiture at the Lafayette County Courthouse in Oxford.

Chief Justice Bill Waller Jr. said, "Justice Coleman brings a lineage which is most impressive and I am happy to report has been carrying on with the dignity and prestige of the family."

Justice Coleman is the second member of his family to serve on the Mississippi Supreme Court. His grandfather, the late Governor and Fifth U.S. Circuit Court of Appeals Judge J.P. Coleman, served briefly as a justice of the Mississippi Supreme Court, resigning to accept appointment as state attorney general. Thomas A. Coleman, Justice Coleman's father, was one of the original members of the Mississippi Court of Appeals when the intermediate appellate court began in 1995.

His father administered the ceremonial oath of office at the investiture. Justice Coleman works at his grandfather's desk.

Circuit Judge Jim Roberts of Pontotoc, also a former Supreme Court Justice, said, "You have been born into a great family, a distinguished family....You are follow-



Justice Josiah Dennis Coleman, at left, takes the ceremonial oath of office administered by his father, Thomas Coleman, at right, while his wife Ashleigh holds the Bible.

ing some great footprints and shoes, but you are filling your own shoes....You make your own footprints with your own shoes, and you are already doing that.

"You are going to enjoy your work, and you are going to make a tremendous contribution," Judge Roberts said.

Roberts, noting that Justice Coleman still serves as a volunteer firefighter in Toccopola, said, "He does a lot of things he really doesn't have to do and we are honored and delighted to have him, and you Ashleigh and Merrimac, both in Pontotoc County and as a member of the Court."

Roberts said that Coleman is the fifth person

with connections to Pontotoc County to serve on the Supreme Court.

State Treasurer Stacey Pickering, also referring to Coleman's firefighter service, said, "That shows you this man's heart. Public service starts in your local community."

Pickering advised Coleman to seek God's guidance and listen to the wisdom of others. "You must have the wisdom to realize that you can't do it alone."

Justice Coleman thanked his wife, Ashleigh, for her encouragement and support in the campaign. She was seven months pregnant with their first child when he decided to run for office. He also thanked his par-

ents, who campaigned all over north Mississippi.

In a nod to his predecessor, Presiding Justice George C. Carlson Jr. of Batesville, Justice Coleman said that the former justice is "a heck of an act to follow."

Justice Coleman told the crowd that family history and the history of north Mississippi are a source of great pride. "It is a river of history and a river of people who have loved the state, loved its people and loved the law. It is a daunting idea in many ways to become part of that history....I thank you for the opportunity you have given me, the voters of north Mississippi have given me, to join that history."

Judge Ceola James credits faith and hard work

Mississippi Court of Appeals Judge Ceola James told those attending her investiture that she achieved her position by faith and hard work.

“My journey is a journey of faith and what God can do for you,” Judge James said.

“My grandmother was a hard worker,” she said, recalling how her grandmother, as part of a farming family of all girls, had plowed with a mule. “What my grandmother taught me is that hard work does not hurt you, even if you are a girl.”

Judge James, of Vicksburg, was elected to a four-year term in a special election in November 2012. She was sworn in and began her duties on the Court of Appeals on Jan. 7. An investiture was held Jan. 16 in the Court of Appeals En Banc Courtroom in Jackson.

Judge James previously served as Ninth District Chancery Judge from 1999 through 2002. She was appointed interim Warren County Justice Court judge in 1997, and served by appointment as a judicial special master in Warren County Chancery Court from 1992 to 1994. She earned a law degree from Mississippi College School of Law, and was admitted to the practice of law in 1977.



Supreme Court Chief Justice Bill Waller Jr., at left, administers the oath of office to Judge Ceola James as Judge James' son, Jamaal James, holds the Bible.

Former Warren County Chancery Clerk Dot McGee said James as an attorney often represented people for free because they needed help. “She loves people and...she was always willing to represent the common people,” McGee said.

Louisiana Second Circuit Court of Appeal Judge Felicia Toney Williams of Tallulah, special guest speaker, said she shared much in common with Judge James, including representing people who couldn't afford to pay. “I would represent a whole lot of people who would bring me peas and tomatoes for pay because

that's all they had. It was a type of barter system.”

Judge Williams recalled something which Judge James had told her earlier. It was, “My job is to reach down and pull others up.”

Judge Williams said, “She will pull somebody else up. They will pull someone else up, and the cycle will go on. Just make sure when she reaches down to pull you up, that you are willing to do that hard work the way she did.”

Judge Williams said those who hold judicial positions serve as examples, especially to children. “We have an obliga-

tion to them as jurists, as attorneys, as members of the community to reach out in every way we can and to help them.”

“I want the children to understand that they can strive for it, work hard for it, be honest, and have anything in this world that they so desire, that hard work will get it, prayer, belief in doing right, for there is only one right,” Judge Williams said.

“Hard work got us where we are,” Judge Williams said. “Both of us have worked extremely hard. I would be remiss not to mention that we worked hard as females with children.”

5th Circuit Drug Court completes statewide system

Creation of a drug court for the 5th Circuit Court completes statewide coverage of drug courts in Mississippi. All 22 Circuit Court districts now operate drug courts.

Circuit Judges Joseph Loper of Ackerman and Clarence E. Morgan III of Kosciusko will use the drug treatment and intensive supervision program for qualifying persons facing charges in Attala, Carroll, Choctaw, Grenada, Montgomery, Webster and Winston counties.

Supreme Court Chief Justice Bill Waller Jr., who has pushed for statewide coverage of drug courts, said, "I think it's a great day for the citizens of Mississippi that drug courts are now available in every judicial district of the state. The cost savings are significant, but the difference it makes in the lives of the participants and their families is the reason they are successful."

State Drug Court Coordinator Joey Craft said, "Those who find themselves trapped in the revolving door of the criminal justice system and drug addiction will have a chance to break that cycle."

David Bain of Kosciusko, 5th Circuit Drug Court Coordinator, said,



The 5th Circuit Drug Court team includes, left to right, Probation Officer Michael Ming, Judge Joseph Loper, Judge Clarence Morgan III, and Drug Court Coordinator David Bain.

"A lot of good people wind up in a situation where they are not strong enough. We are going to try to give them the tools they need."

After completing drug treatment, participants will meet with one of the judges every two weeks. Participants are subject to random drug testing. They must participate in a self-help program such as Alcoholics Anonymous or Narcotics Anonymous twice a week. They must have a job or be in school. If they don't have a high school diploma, they must enroll in a GED program.

Drug Court, with its intensive supervision, will deter relapses. "It's a way

of holding people accountable," Judge Loper said. "If you don't have somebody following them, it's easy to slide or slip off the wagon."

Bain and Probation Officer Michael Ming of Louisville will make house calls as well as require participants to come to the Drug Court office in Kosciusko for testing.

Judge Morgan, who has been on the bench for 17 years, said, "I've been putting folks into rehab since I've been a judge. Drug Court is a more extensive program, a lengthier program, and I think we will have more success."

One difficulty for the program is the size of the

seven-county district. That was one of the issues which made the judges reluctant to start a program. "It's 90 miles from Grenada to Winston County, which creates logistical problems, not for judges but for the people who have to come to court," Judge Morgan said. He may alternate sites for holding court.

Judge Loper said, "If we are determined to make it work, then it will work."

He said, "I hope that it will not only rehabilitate and make better citizens of the people in the court, but that it will also save the taxpayers' money."

The 5th Circuit pro-

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Chancery e-filing in Grenada, Hinds, Holmes, Rankin, Yazoo

Hinds Chancery Court began electronic filing April 3. E-filing will become mandatory June 1.

Hinds County is the ninth to utilize the Mississippi Electronic Courts (MEC) e-filing system. Rankin County Chancery Court moved to mandatory e-filing on Feb. 4. E-filing became mandatory for Chancery Courts in Holmes and Yazoo counties on March 4, and on March 18 in Grenada County Chancery Court. E-filing was implemented earlier in the Chancery Court of DeSoto County. In Madison, Harrison and Warren counties, Chancery, Circuit and County Courts use e-filing.

Supreme Court Chief Justice Bill Waller Jr. said, "The addition of Hinds and Rankin counties to MEC is a significant point of development



Chancellor Denise Owens

in moving toward the goal of a unified statewide e-filing system for the judiciary. Almost 50 percent of the lawyers in this state live in Hinds, Rankin and Madison counties."

Chief Justice Waller said that the availability of e-filing to less populous counties is another important step. "It is significant to note that a

small, rural county such as Grenada County has access to the same technology that larger and better financed counties such as Madison and Rankin have. This creates a level playing field for all counties to participate in modernization of court practices."

Chancery Courts in Lowndes and Webster counties and the Clay County Circuit Court are in the early stages of implementing e-filing systems. No dates have been set yet for those courts to begin accepting e-filing from attorneys.

E-filing is currently utilized only in civil cases. Madison County Circuit Court will be the first to use e-filing for criminal cases. Madison County Circuit Clerk Lee Westbrook and her staff began training and in-

house use of the criminal e-filing system on March 19. Dates have yet to be set to begin voluntary and mandatory e-filing in criminal cases.

Madison County was the original pilot test site. Madison County Chancery Clerk Arthur Johnston and his staff worked with MEC to adapt the federal court's e-filing system for use by the state courts.

The Harrison County Circuit Clerk's staff helped develop the criminal e-filing component. Deputy clerks worked with MEC staff to incorporate all potential criminal case events into the system.

Hinds County Chancellor Denise Owens said e-filing will be more efficient. "With the number of files we have in Hinds County, we are running

Epps says Drug Courts reduce prison population

gram is funded by \$118,000 from the state Administrative Office of Courts.

Commissioner of Corrections Chris Epps, a member of the Mississippi Drug Court Advisory Committee, welcomed expansion to statewide coverage. Drug courts reduce the prison population. It's much cheaper to supervise people in drug courts.

Epps said, "Generally a drug court can be operated with \$1,500 a year (per person), versus \$15,151.15 a year for housing an inmate."

Craft estimates that adult drug courts produce annual savings of about \$38 million.

Epps said, "Drug court is an excellent tool for users. It allows the person to be treated and at the same time to maintain

family ties. On some occasions, it allows the participants to continue to support their families."

More than 3,350 people are enrolled in drug courts statewide. Mississippi currently has 44 drug courts. In addition to 22 Circuit Court drug courts, the state has 15 juvenile programs, five misdemeanor programs and two family treatment courts.

Drug Courts Advisory Committee

Supreme Court Chief Justice Bill Waller Jr. has appointed Circuit Judges Robert P. Chamberlin, Robert Helfrich and Roger T. Clark to the State Drug Courts Advisory Committee.

Adams County Court Judge John N. Hudson and Corrections Commissioner Chris Epps were reappointed. Terms run through December 2014.

Lowndes and Webster Chancery, Clay Circuit Courts next for MEC

out of space.”

Chancellor Percy Lynchard, who has used e-filing in DeSoto County for more than a year, said, “You can certainly get an order entered much quicker this way....It saves a whole lot of paperwork, a whole lot of time and trouble, and a whole lot of miles to the courthouse.”

Grenada County Chancery Clerk John Hayward said he’s wanted the MEC system since he took office five years ago. “We are looking forward to the space savings and the efficiency of the system,” he said. “We appreciate the Supreme Court helping us with this and anticipate that this should be a very good cost savings for our taxpayers....We

are very excited and feel sure this is going to be a whole lot more economical.”

Chancellor Janace Harvey Goree has used e-filing in Madison County Chancery Court for several years. Electronic access to documents allows the judge to work efficiently and allows attorneys to expedite some matters on which both sides agree, she said. For instance, after an agreement is reached in an irreconcilable differences divorce, the divorce can be finalized without the attorneys having to appear before her to present the agreed order. The proposed order can be submitted electronically.

Judge Goree said, “They don’t have to come



Chancellor Janace Harvey Goree

in and sit and wait for an hour. They don’t have that drive time....I can do a lot of it in my office rather than having the attorney come back to court. Hopefully that will save them time. It should save the client money because they are paying

by the hour.”

Judge Goree and Judge Lynchard said they sense apprehension from some attorneys who are unfamiliar with electronic filing. “Once they get used to it, they will embrace it,” Judge Lynchard said.

Free training is provided by MEC at the Gartin Justice Building, 450 High Street in Jackson. Training is scheduled for April 18 and 23 and May 9 and 14 at 9 a.m. and 1 p.m. Register at this link: http://courts.ms.gov/mec/mec_attorney_training_mailform.html.

More than 3,400 attorneys – nearly half of those in the state – are registered to use MEC. More than 1,200 non-attorneys are registered for public access to records.



Clockwise, from left, MEC staff Brad Estess and LaKisha Jones, Harrison County Deputy Circuit Clerk Lisa St. Martin, MEC Counsel Clint Pentecost, Harrison County Deputy Circuit Clerk Jill Necaise and Sally Harrison of MEC discuss components of the criminal e-filing system.

DeSoto County Chancery starts pro se assistance clinic

DeSoto County Chancery Court held its second pro se clinic April 16 to assist low income people with irreconcilable differences divorces, child support or custody modifications, name changes and other similar cases.

The project is a cooperative effort by the University of Mississippi School of Law, the Mississippi Volunteer Lawyers Project, the DeSoto County Bar, and the DeSoto County Chancery Court.

The DeSoto County pro se clinic is modeled on one which has operated successfully in Washington County Chancery Court since September 2010. Approximately 500 Washington County residents have been assisted through the quarterly Pro Se Day, said MVLP Executive Director Tiffany Graves.

"The program has enabled residents of the Delta to receive services from pro bono attorneys at rates that would not have otherwise been possible," Graves said.

People seeking assistance must contact MVLP in advance to be screened for eligibility. Participation is limited to local residents with annual income of less than 125 percent of federal poverty level. That is individual annual income of less



Chancellor Percy Lynchard

than \$13,963, or less than \$28,813 for a family of four.

University of Mississippi School of Law Professor Deborah Bell, whose students have helped in the Washington County pro se program, suggested the project to Chancery Judge Percy Lynchard.

Judge Lynchard has seen a dramatic increase in pro se litigants in his court. North Mississippi Rural Legal Services can't accommodate all of the people who need help.

Judge Lynchard said, "There is no way somebody pro se is going to come into court and be successful at all against someone with an attorney. They are going to be boxed around by the rules. If you have all the evidence in the world but can't get it admitted, you might as well not have it."

"They will come into court on something as simple as an irreconcilable differences divorce. Both of them want it. Both of them need it. But they just can't get the paperwork done," Judge Lynchard said.

Lawyers at the pro se clinic may give legal advice, draft pleadings, help litigants get their documents in order, and may help talk them through how to file the documents. The attorneys don't have to go to court with the litigants, although some agree to do more pro bono work.

Law students interview and assist the litigants under the supervision of the volunteer attorneys. The students may help draft pleadings.

"The students get to hear the attorneys formulate the advice," Bell said. "It's a great learning experience for the students."

Helping the poor may instill a commitment to service, Bell said.

Judge Lynchard said he would consider expanding the clinic to Grenada, Montgomery, Panola, Tate and Yalobusha counties if it works well. DeSoto was chosen as the first county because it is the most populous and has the most cases.

Bell said the pro se clinic in Washington County has strong support

from local lawyers there. "There is an incredible crew of local lawyers...who show up time after time. What they have done is a model for what local attorneys might do all over the state, which would make a big difference."

Washington County lawyers kept the pro se clinic going after it appeared that MVLP would not have funding to continue, said Chancery Judge Marie Wilson of Greenville. The Washington County project started with three local attorneys. Fifteen attorneys volunteered at a March 20 pro se clinic in Greenville.

Judge Wilson schedules clinics quarterly so that pro se litigants do not have to wait long. The next ones are set for June 19 and Sept. 18.

Judge Wilson limits clinics to divorces, visitation and name changes. She handles about 30 cases per session.

Judge Wilson said dealing with pro se cases has been frustrating for the litigants and for her. She would see people return to court time after time, unable to draft documents that comply with court requirements. Volunteer attorneys help straighten out the mistakes.

"It has worked. It cleared up my docket," Judge Wilson said.

Youth Court pilot program provides legal representation to parents

Youth Courts in Adams, Forrest, Harrison and Rankin counties are participating in a pilot program which provides free legal representation for low-income parents in Youth Court hearings in which allegations of abuse or neglect could result in court-ordered removal of children from parents' custody.

Rankin County Youth Court Judge Thomas Broome said providing legal representation "helps the parties navigate a very complex system. It helps parties understand the process and get their children back home."

The goal of the program is to expedite the placement of children in a permanent home. That may mean helping the parents correct the problems which brought them into Youth Court so that they and their children may be reunited. It may mean finding suitable placement of the children with other family members. Or it can mean termination of parental rights if parental reunification is not possible.

Harrison County Youth Court Judge Margaret Alfonso said, "The hope is that parent representation will result in better outcomes for children and families. It will provide parents with a better un-

derstanding of the procedures and what is necessary to be reunited with their children."

Providing a legal advocate for the parent will curb unnecessary removal of children from parents, Judge Alfonso said. "Ultimately the goal is to prevent removal if possible. If appropriate services can be provided to prevent removal, we are obligated to attempt to provide services that prevent or eliminate the need to separate the child and the family."

Mississippi is one of only two states that do not provide free representation to low income parents statewide in Youth Court proceedings which may result in loss of custody of children.

Madison County may be the only county with a long history of providing free legal representation to indigent parents in Youth Court. Retired Madison County Court Judge William Agin said the practice dates back at least to the early 1980s.

"I didn't see how they could provide for the protection of litigants' rights without having the parents represented in abuse and neglect cases," Judge Agin said. "I just felt like there was too much at stake to ignore their rights."

Parents in abuse and



Forrest County Youth Court Judge Michael McPhail

neglect cases may face the possibility of losing custody of a child, and the possibility of criminal prosecution.

Current Madison County Court Judges Edwin Hannan and Steve Ratcliff say the system works well. If parents can afford a lawyer, they hire their own. If they are indigent, they are represented by a public defender in Youth Court.

Adams County Youth Court Judge John Hudson said, "The fact that government can come in and take a person's children away and that person has to walk into a courtroom where everyone else is represented by attorneys and that person does not have an attorney – I can't think of anything worse than that."

Judge Hudson said that judges dealing with unrepresented litigants are put in the untenable position of trying to assure

fairness without crossing the line into advocacy.

Forrest County Youth Court Judge Michael McPhail said that before the pilot program began, the Department of Human Services, the prosecutor and the court administrator might explain proceedings before a hearing, then he would explain the person's rights and the process from the bench. "These people were hearing everything about their case and their rights from somebody who does not represent them," Judge McPhail said. "They may lose because they didn't know what to do."

An attorney representing parents creates another level of accountability, Judge Hudson said. When the court sets conditions for reunification, parents may procrastinate. An attorney will push a client to comply.

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Harrison County has first court-based GED, wellness programs

Harrison County leads the state in reuniting children with families after allegations of abuse, neglect or delinquency require intervention by the Department of Human Services and Youth Court.

Court officials and staff focus on meeting families' needs and finding resources to help them better care for children. The Youth Court formed partnerships with Mississippi Gulf Coast Community College and the State Department of Health to start the state's first GED program and Wellness Clinic located on site at a Youth Court. Mississippi



Left to right, Sandra Williams, Samantha Rollison, Adica Baldwin, and Sarah Wallen

Gulf Coast Community College provides two part-time adult education teachers who conduct four classes a week. The Department of Health pro-

vides a nurse, maternal child coordinator and social worker who provide health services at the Wellness Clinic twice a month. The State Depart-

ment of Mental Health and the Harrison County Juvenile Drug Court also provide programs to assist children and families who come under Youth Court

Making it work: different models for providing parent representation

Quicker resolution will save public dollars, Judge Hudson said. "It will save money by getting them out of the foster care system quicker."

Part of the funding for the program comes from a \$100,000 grant from Seattle-based Casey Family Programs, the nation's largest private foundation focused on foster care and improving the child welfare system. Harrison County, which has the largest number of cases, received \$50,000 in Casey grant funding for a full-time attorney. Adams and Forrest counties

each received \$25,000 for attorney representation. The Administrative Office of Courts provided \$45,000 through a Court Improvement Program grant to fund the Rankin County program.

Arrangements differ. A staff attorney from Mississippi Center for Legal Services began representing poor Harrison County parents on March 1. Parents in Rankin County since October 2012 have had access to an attorney who works for Mission First Legal Aid Office. Forrest County uses two part-time con-

tract attorneys who started representing clients in October 2012. Adams County in December 2012 began appointing a local attorney to take cases on a part-time basis.

Mission First attorney Carlyn Hicks, who handles Rankin County parental representation, is there "to be that voice for that parent who may be so distraught that they may not be able to coherently tell the court their side of the story and what's really going on," said Director Patti Gandy.

"What we are trying to do is shorten the period of

time, if that child has to be taken from that home, and to determine if it is really necessary for that child to be taken from the home. Sometimes it's not necessary for the child to be removed from the home," Gandy said.

"Studies have shown if you can get an attorney involved for parents at the beginning of the proceeding, it shortens the time the child is away from home or separated from parents. It's all about making sure the child does not stay in the system any longer than is necessary," Gandy said.

Harrison leads state in reuniting children with families

jurisdiction.

Harrison County Court Judge Margaret Alfonso, who presides over the Youth Court, set up the Wellness Clinic and GED classes to address some of the underlying problems which can contribute to abuse, neglect and delinquency. Healthy and better educated parents are able to provide better care for children, she said.

Gina Kirkwood, clerical branch director for the Department of Health, said the point of contact with parents and children at the Youth Court provides another opportunity to connect needy people with health care services. Some services are provided on the spot, and appointments are made for other medical care. "It's just a great opportunity for us to come and see what are the needs of these ladies and their children and to let them know what services are available," Kirkwood said.

The programs outgrew space at the Youth Court. The Harrison County Board of Supervisors provided trailers which had housed other government services in the aftermath of Hurricane Katrina. Harrison County Supervisor Connie Rockco cut ribbons Nov. 30 on three buildings which house the GED program, Wellness

Clinic, Drug Court and Department of Human Services supervised parental visitation. Gulf Coast Mental Health clinicians will move from the original Youth Court complex to a fourth trailer when furniture becomes available. Harrison County Court Appointed Special Advocates, CASA, with 80 volunteers, works from another trailer.

Rockco said, "It takes a village (to raise a child), and that's exactly what has happened."

Department of Human Services Deputy Director Mark Smith said, "To know that Harrison County leads the state in reunification is a badge of honor for everyone here today."

Smith thanked CASA volunteers, court officials and DHS social workers for helping children. "It's not a job. It's a calling."

"As I travel around the state and visit with other judges and other jurisdictions, I always talk about Judge Alfonso and what she has going on down here," Smith said.

Department of Health Regional Director Theresa Kemp praised Judge Alfonso for leadership and support. She is a judge who "will come out, step in and wear our shoes and teach us."



Judge Margaret Alfonso

Judge Alfonso initiated a partnership with Mississippi Gulf Coast Community College to provide GED classes in July 2011. Classes grew from two nights a week in a small courtroom to four nights a week with a waiting list.

"This day marks another milestone in meeting the educational needs of the residents of Harrison County," said GCCC Director of Adult Basic Education Becky Layton.

Education benefits parents and children. Smith said, "We all know that education is the foundation of everything we do in life. Once you have it, no one can ever take it away from you. I'm living proof that an education can remove you from any kind of environment. When I grew up I was very poor."

Samantha Rollison, 26,

of Gulfport, who earned a GED with the help of the court program, was excited about becoming a full-time student at Jefferson Davis Community College. "I can't wait," said Rollison, a cashier and mother of four.

Rollison dropped out of school in the 11th grade. GED teacher Sarah Wallen provided encouragement and classroom help. Rollison earned her GED certificate within about a month and half. "When I took my GED and got the scores, it was an amazing feeling of accomplishment. I did this," she said.

Adica Baldwin, 18, of Biloxi, grew up in foster care, ran away as a teenager, and dropped out of school in 10th grade. The program gave her individualized help. She expected to soon earn a GED.

"It motivated me to keep striving for an education. It also motivated me to be a good mother so my daughter does not have to go through what I did," said Baldwin.

GED teacher Sandra Williams, a retired educator and DHS social worker, said she feels blessed to be able to help GED students. "There are going to be more and more doors to open for them," Williams said.

Former Court of Appeals Judge William Myers died Feb. 7

Retired Mississippi Court of Appeals Judge William Harbin Myers, 71, of Ocean Springs died Feb. 7, 2013.

Court of Appeals Chief Judge L. Joseph Lee said, "I am honored to have served with Judge Myers during his entire tenure on the court. He was always pleasant, kind hearted and genuinely cared for all, and was well loved by everyone on the court."

Supreme Court Chief Justice Bill Waller Jr. said, "Judge Myers performed his duties with dignity, timeliness and scholarship. His pleasant demeanor and sense of humor will be missed by all."

Judge Myers' public service spanned nearly 20 years. He served on the Court of Appeals for 11 and one-half years, and eight on the 16th Chancery Court of Jackson, George and Greene counties. He was appointed to the 16th Chancery in July 1992. Judge Myers served at various times as secretary, vice-chairman and chairman of the Conference of Chancery Judges. He also served on the Commission on Judicial Performance.

Then-Gov. Ronnie Musgrove appointed Judge Myers to a vacancy on the Court of Appeals in June 2000. He was



elected to two terms. He was a presiding judge from Nov. 1, 2005, until March 3, 2011. He retired from the Court of Appeals on Dec. 31, 2011. He also

Former Coahoma County Judge Joe Webster died Jan. 16

Former Coahoma County Court Judge Joe Webster, 65, of Clarksdale, died Jan. 16, 2013, at Northwest Mississippi Regional Medical Center from injuries sustained in an auto accident on Highway 322 in Clarksdale.

Judge Webster served as a Coahoma County Court and Youth Court Judge for 20 years. He was elected in 1982 and served through December 2002. He continued to preside over cases as a Senior Status Judge. He handled 15 cases in 2012.

Chief Justice Bill Waller Jr. said, "He is one of the outstanding trial judges who has

served on the Committee of the American Legion and the Masons.

Education and the Board of Governors of the Mississippi Judicial College.

He was in private law practice for 23 years in Pascagoula before he went to the bench. Jan. 24 marked his 44th year as a member of the Mississippi Bar.

He was named Outstanding Citizen of Ocean Springs in 1981. He was a former board member and past president of the Mississippi Gulf Coast YMCA. He was a mem-

ber of the American Legion and the Masons. Judge Myers grew up in Jackson and graduated from Murrah High School in 1960. He was a graduate of Mississippi State University and the University of Mississippi School of Law. He served in the U.S. Army from 1964 to 1966, earning the Army Commendation Medal. He was honorably discharged in 1966 as a First Lieutenant. He was a Methodist, and a fifth generation Mississippian.



served in the state since retirement. He has offered his services selflessly to assist the court in the fair and efficient administration of justice. His decisions are always sound and based on correct analysis of the law and application to the facts.

He will be missed by all of the judiciary and the citizens of the state."

Judge Webster graduated from Clarksdale-Coahoma County High School. He was a graduate of the University of Mississippi and the University of Mississippi School of Law. He was admitted to the bar in 1972, and engaged in private law practice in Clarksdale for 10 years before he was elected to the bench.

He was a member of the Mississippi Bar and Coahoma County Bar Association. He was a member of St. Pauls United Methodist Church.

Judges take active role educating about the courts



Judges take an active role teaching about the courts. Clockwise, from top left, Justice Jim Kitchens illustrates the branches of government to Jackson Davis Magnet School 2nd graders. Judge Donna Barnes lets Adams County Christian School 4th graders rap a gavel. Chief Judge Joe Lee talks to Copiah-Lincoln Community College government teacher Bob Dearing and students. Judge James Maxwell II talks to students before a Court on the Road oral argument at Mississippi State University. Judge Eugene Fair fields a question from a Davis Magnet 2nd grader.



Drug Court forum examines prescription drug abuse



By Circuit Judge Mike Taylor

The increasing problem of prescription drug abuse poses unique problems for drug courts.

While drug court participants can usually change their “people, places, and things” to avoid illegal drugs, they find it harder to avoid people and places with prescription drug abuse.

The 14th Circuit Court District Drug Court gathered medical and law enforcement personnel in Brookhaven on Feb. 21 to address the problem. The Mississippi Bureau of Narcotics, Southwest Mississippi Narcotics Unit, DEA, Mississippi Board of Medical Licensure, Mississippi Pharmacy Board, and Medical Assurance Company of Mississippi joined prosecutors and judges in addressing a group of doctors, dentists, nurses, and pharmacists.

John Douglas, Drug Court field officer and coordinator for the 14th Circuit, sees the problem from several vantage points. As a former police officer and narcotics agent, Douglas worked with

pharmacies, doctors and licensing agencies while investigating cases. In Drug Court, he sees participants struggling against the prevalence of pharmaceuticals.

District Attorney Dee Bates said, “Our young folks are choosing prescription drugs as easily as they are choosing marijuana. We need to turn the tide.”

U.S. District Judge Keith Starrett added, “We have gone backward on this, not forward.”

Representatives from the Pharmacy Board explained the Prescription Monitoring Program (PMP), a computer program that tracks prescriptions for controlled substances. Risk management and licensure representatives emphasized the importance

of physicians using PMP before prescribing controlled substances.

Tim Vanderslice, commander of Southwest Mississippi Narcotics Unit, urged cooperation between law enforcement and medical providers. “If we’re not going to work together, then this problem is not going to get solved.”

Judges Mike Taylor and David Strong cited statistics on the prevalence of prescription drug abuse in Lincoln, Pike, and Walthall counties. The judges also outlined the role prescription drugs play in the alarming increase in drug overdose deaths. Nationwide, drug fatalities exceeded motor vehicle fatalities in 2009. At least 37,485 people died,

according to a report from the U.S. Centers for Disease Control and Prevention.

Dr. Scott Hambleton, director of Mississippi Professionals Health Program, spoke about appropriate prescribing practices to combat abuse. Hambleton noted that science does not support prescribing opiates for chronic non-cancer pain.

A Drug Court participant told the audience that he hid his prescription drug abuse for six years while living with his physician parents. He cautioned doctors and pharmacists that drug addicts do not necessarily fit a profile and are skilled at getting the drugs they want.

A similar forum is being planned for Pike County this summer.



Christoph Sander, center, Germany’s Consul General to the Southeastern U.S., visited the Supreme Court on Feb. 20. Chief Justice Bill Waller Jr., at right, took Consul General Sander and attorneys Collins Wohner and Peyton Prospere, at left, on a tour of the courts.