

# Mississippi Courts

October 2011

Published by the Administrative Office of Courts

## Justice Scalia helps dedicate Gartin Justice Building



Associate Justice Antonin Scalia of the U.S. Supreme Court gives the keynote address at the Carroll Gartin Justice Building dedication May 20.

The Mississippi Supreme Court is the most important court in the day to day affairs of the citizens of the state, U.S. Supreme Court Justice Antonin Scalia said at the dedication of the new Carroll Gartin Justice Building.

“Not my court, but the court that sits in this building is the most important court for the citizens of Mississippi,” Justice Scalia told the crowd which packed the En

Banc Courtroom on May 20. “It’s really your state law that is the most important of all, and it’s your state Supreme Court that is your most important court.”

The Supreme Court and Court of Appeals convened to celebrate the dedication with addresses by Gov. Haley Barbour, Lt. Gov. Phil Bryant, former Fifth U.S. Circuit Court of Appeals Judge Charles W. Pickering Sr.,

Fifth Circuit Judge James E. Graves Jr., Presiding Justice George C. Carlson Jr., Presiding Justice Jess H. Dickinson and Mississippi Bar President Nina Stubblefield Tollison. Bishop Joseph N. Latino of the Catholic Diocese of Jackson gave the invocation, and Anderson South Pastor The Rev. Timothy Howard gave the benediction.

Gov. Barbour said, “This is an altogether fitting and proper place for us to remember that one of the greatest differences between America and so many other places in the world is our commitment to the rule of law....I am grateful to have been invited to be part of this ceremony to dedicate this building, but to rededicate Mississippi and America to one of the most important, fundamental, foundational practices that we have – our belief and commitment to the rule of law.”

Lt. Gov. Bryant said, “The Legislature recognizes the separate but equal responsibility of this court. It is our job to make sure that it is adequately funded, and we do our very best at that. It was our responsibility years ago with other lieutenant governors and governors and chief justices that had a vision for the facility that we are in now, this state courthouse.”

Presiding Justice Carlson recognized former Chief Jus-

stice Lenore Prather, “whose leadership was instrumental in the passage of legislation and the design of this new courthouse.”

Chief Justice Bill Waller Jr. noted that she was insistent that the design include columns.

The neoclassical architecture was designed to complement the New Capitol, Justice Carlson said. The En Banc Courtroom and the Court of Appeals Courtroom reflect the architecture of the Old Supreme Court chambers in the New Capitol. The four story, 162,000 square foot structure is topped with a copper roof. The building features ionic limestone columns and an exterior of more than 10,000 pieces of gray Indiana limestone.

Justice Carlson noted that the building is the sixth to house the state’s highest court. The court after its creation in 1817 met in Natchez, then in Monticello. The Old Capitol housed the three branches of government from its completion in 1839 until the New Capitol was finished in 1903. The Supreme Court moved to the old Carroll Gartin Justice Building in June 1973.

Planning for a new justice building began in 1993 when the Legislature authorized creation of the Court of Appeals

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## State courthouse embodies justice, hope, history



**Mississippi Bar President Nina Stubblefield Tollison, at podium, speaks at the dedication of the Gartin Justice Building. Seated at the bench, left to right, are Chief Justice Bill Waller Jr., Presiding Justice Jess H. Dickinson, Justice Ann H. Lamar, Justice David A. Chandler, and Justice Leslie D. King. Seated at right are U.S. Supreme Court Justice Antonin Scalia and Lt. Gov. Phil Bryant.**

and the Administrative Office of Courts. Construction began in 2001 adjacent to the old building. The facility was occupied in 2008.

The 2004 Legislature gave the new building the same name, honoring the late Lt. Gov. Carroll Gartin.

Lt. Gov. Bryant said, "Often times as you pass from the scene, you are somewhat forgotten. This stands to a testament to his integrity and honesty."

Judge Pickering, who practiced law with Gartin for five years, said, "Carroll Gartin truly was a public official who served our state with a servant's heart, serving with integrity, ability and dedication."

Gartin's children and grandchildren attended the dedication.

Justice Scalia in his remarks paid tribute to the only Mississippian to serve on the U.S. Supreme Court. L.Q.C. Lamar served on the nation's highest court from 1888 to 1893, after having served as a U.S. Representative, U.S. Senator and Secretary of the Interior. Justice Scalia delighted in repeating his full name – Lucius Quintus Cincinnatus Lamar II – each syllable rolling off his tongue with a flourish. He drew laughter when he said the esteemed jurist went to the bench "apparently after completing an illustrious career as a Roman gladiator."

Court of Appeals Chief Judge Joe Lee said in introducing Justice Scalia that the intellectual anchor of the conservative wing had been

shown to ask more questions, make more comments and provoke more laughter more often than any of his colleagues, according to the 2005 study.

Justice Scalia cited one of Lamar's few dissents, recounting a lengthy, colorful history of an 1890 decision which freed U.S. Marshal David Neagle from a California murder charge after Neagle shot a disgruntled litigant who menaced a traveling Supreme Court justice. "This country used to be more interesting," he said.

Lamar in dissent argued that federal authority should not preempt California's murder statute. "One of the fascinating aspects of our Constitutional law is that the same fundamental questions

come back and back....They just come clad in different facts but the same issues," Justice Scalia said.

Justice Scalia said that the Gartin Justice Building, the state courthouse, "is indeed a fine one, replicating the neoclassical architecture which the framers of our country so loved, just as they loved Roman Republican heroes such as Lucius Quintus Cincinnatus."

Tollison quoted William Faulkner's *Requiem for a Nun*: "But above all, the courthouse: the center, the focus, the hub; sitting looming in the center of the county's circumference like a single cloud in its ring of horizon, laying its vast shadow to the uttermost rim of horizon; musing, brooding, symbolic and ponderable, tall as cloud, solid as rock, dominating all: protector of the weak, judicate and curb of the passions and lusts, repository and guardian of the aspirations and hopes...."

Tollison said, "The basis for our celebration here today is that we share the common hope, the belief that all courthouses and certainly this building housing the highest courts of our state, represent the promise of justice....We can believe the promise of justice for all will be realized here, the promise which is so magnificently symbolized by the Carroll Gartin Justice Building, this repository and guardian of the aspirations and hopes of the state of Mississippi."

## Judge Ermea J. Russell marks historic milestone

Judge Ermea J. Russell achieved an historic milestone as she became the first African-American woman to serve on a Mississippi appellate court.

Gov. Haley Barbour appointed Judge Russell effective May 20. She was honored at a formal investiture ceremony on June 27.

Supreme Court Justice Leslie D. King administered the oath of office to his successor. Gov. Barbour appointed Judge Russell to the vacancy created on the Court of Appeals after he appointed Justice King to the Supreme Court.

Judge Russell said, "I make a promise to all of you today that I will endeavor to serve with integrity and respect, that I will be fair and impartial, making decisions based only on the facts and the law of each case, and above all else I will endeavor always to do the right thing."

Judge Russell thanked Gov. Barbour "for his vote of confidence in appointing me to this position."

Reflecting on her own historic first for an African-American woman on the Court of Appeals, Judge Russell paid tribute to milestones by other African-American women: New York City Judge Jane Bolin, who became the first African-American woman judge in the nation in 1939; Children's Defense Fund founder Marian Wright Edelman, who in 1967 became the first African-American woman admitted to the Mississippi



**Justice Leslie D. King, at left, gives the oath of office to Judge Ermea Russell, center. Her daughter Ayla Russell holds the Bible and her son Marque Russell holds her robe.**

Bar; Constance Slaughter-Harvey, who became Mississippi's first African-American female judge when she was appointed as a special chancellor in Scott County in 1976.

"I will humbly carry the torch for those who will come after me, and make a difference along the way," said Judge Russell.

"I am grateful for the honor of this day, mindful of the responsibility of this office and determined to fulfill the oath that I have sworn to," Judge Russell told those attending the investiture ceremony. "Each of you contributed to my being here in some way."

The crowd which packed the Court of Appeals courtroom included one of Judge Russell's former high school teachers from Butler, Ala.; a representative of the University of West Alabama, where

she earned Bachelor of Science and Master of Science degrees; the dean and faculty members from the Mississippi College School of Law, where she earned her law degree; officers who served with her in the U.S. Army Reserve; state and federal judges; local officials; attorney colleagues; her Alpha Kappa Alpha sorority sisters; and her family. Her daughter Ayla Russell held the Bible and her son Marque Russell held her robe as she took the oath.

She thanked her parents, Abby and Will Jackson of Butler, Ala. Judge Russell, the youngest of six children, said her parents "instilled in us the notion that we could do anything we wanted to in life, that we could be anything we wanted to be, that we were not defined by being from a small town, but if you do the very best that you

can and take every job...regardless of what it is and you do your best, that you will reap the rewards."

Mississippi College School of Law Professor Carol West said Judge Russell's career is marked with determination to overcome obstacles, and by commitment to service.

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**Professor Carol West**

## Judge Russell thanked those who paved the way



**U.S. Magistrate Judge Linda Anderson congratulates Judge Ermea Russell after her investiture.**

Judge Russell thanked educators who laid the foundation for her career. She paid special tribute to retired Judge Mary Libby Payne, former law school dean. Judge Russell commuted to Jackson as a law student while raising two small children in Meridian. Judge Payne “always had a motivational and inspirational word. But more importantly than that, she opened the door and paved the way on this court as the first woman.”

Judge Russell’s legal career has included service in the federal government, all three branches of state government, and private law practice. It wasn’t the path she had imagined. “All I wanted to do was go to law school, get a law degree, go back to Meridian and open a

small practice and be happy and content with my family for the rest of my life,” she said.

Then-Secretary of State Dick Molpus and Assistant Secretary of State Ann Homer Cook set her on a different path when they hired the recent law school graduate as a staff attorney. She served as director of the Uniform Commercial Code Division. She then served as staff attorney for the state Senate, drafting legislation and advising committees.

Judge Russell directed development of affirmative action policies to improve minority participation in higher education at the state’s eight public universities following her appointment as assistant commissioner for intercultural relations for the Institutions of

Higher Learning in May 1990. Judge Russell became chief legal counsel to Lt. Gov. Eddie Briggs in January 1992. She was unanimously elected by the 52-member body to serve as Secretary of the Mississippi Senate in January 1993, and served for three years.

Judge Russell was selected by the United States Information Agency to serve as a legislative consultant to fledgling governments formed after the breakup of the former Soviet Union. She served as an advisor to the Parliament of the Republic of Armenia and the Parliament of the Republic of Kazakhstan.

Judge Russell became the first female to serve as a Circuit Judge in Hinds County when then-Gov. Kirk Fordice appointed her to the bench in April 1998. She returned to private practice for a brief time before joining the Equal Employment Opportunity Commission as a senior trial attorney. She litigated on behalf of the government in enforcing the laws against employment discrimination.

Judge Russell is a decorated veteran with more than 37 years of military service. She retired at the rank of colonel in September 2010. She is a veteran of Operations Enduring Freedom and Iraqi Freedom. She received numerous awards and citations for outstanding performance and service, including the Global War on Terrorism Service and Expeditionary Medals, the Meritorious Service Medal, the

Joint Service Commendation Medal, and the Bronze Star.

Judge Russell said, “As I am formally vested with the office of judge of the Mississippi Court of Appeals, I am humbled by your presence, and I am keenly aware of the responsibility that I assumed, the challenges to be faced and met, and the opportunity to make a positive difference for the individual, the judiciary and the state. My promise is as my parents always said, to do ... my very best, to continue to work to help the judiciary to fulfill its import role of aiding in seeing that every individual understands that he or she is accountable and responsible for their actions, that every individual has the opportunity to discover and develop a consciousness of his or her own worth. As I assume this office, my prayer today is that of the Psalmist, ‘Give me understanding and I shall keep thy law, yea I shall observe it with my whole heart.’”

Judge Russell said, “My heart is full today.”

Former colleague Charles Griffin, a Jackson attorney, said heart is what sets Judge Russell apart. “I’ve seen her intelligence, compassion, capability and commitment to service for the benefit of others,” he said. “I know that Judge Russell’s education, her commitment to her community and her experience all make her well qualified to serve as a member of this honorable court. However, it is her heart that makes her worthy of serving on this honorable court.”

## Medal of Service honors Pittman, Anderson, Payne

Former Supreme Court Chief Justice Edwin Lloyd Pittman, former Justice Reuben V. Anderson and former Court of Appeals Judge Mary Libby Payne were among 11 recipients of the Mississippi Medal of Service.

Others honored by Gov. Haley Barbour and First Lady Marsha Barbour for their significant contributions to improve their communities and the state were U.S. Sen. Thad Cochran, House Speaker Billy McCoy, University of Southern Mississippi President Emeritus Dr. Aubrey Lucas, University of Mississippi Chancellor Emeritus Robert Khayat, former Mississippi Board of Education Chairwoman Lucimarian Roberts, Jackson businessmen Jim Barksdale and Cornelius Turner, and blues legend B.B. King.

Gov. Barbour said they are “people who had a lifetime of very special service to the state of Mississippi.”

“These individuals have had tremendous influence on Mississippi,” Gov. Barbour said. “Their hard work and contributions have made Mississippi a better place to live and work.”

Presentations were made during a ceremony in Jackson on Sept. 28.

Gov. Barbour noted that Justice Anderson began his career as a civil rights attorney, representing the NAACP Legal Defense and Educational Fund in litigation involving school desegregation, housing and employment discrimination,



**Former Justice Reuben V. Anderson, at left, accepts the Medal of Service from Gov. Haley Barbour Sept. 28 at a ceremony in Jackson.**

voting rights and other civil rights cases.

He’s served at every level of the state courts. “He’s done everything that a person could do in our courts,” the Governor said. Gov. Barbour recalled having practiced before Judge Anderson when he was a trial judge. “He was a pleasure to practice in front of.”

Anderson served as a Jackson Municipal Court Judge 1976-1977, Hinds County Court Judge 1977-1982, and as a circuit judge for the Seventh Circuit District, then made up of Hinds and Yazoo counties, 1982-1985. Then-Gov. Bill Allain appointed Justice Anderson

to the Supreme Court in 1985. He was the first African-American member of the court, serving until his return to private law practice in 1991. He was the first African-American president of the Mississippi Bar, serving 1997-1998. He was chair of the Mississippi Economic Council 2005-2006.

Justice Anderson is a graduate of Tougaloo College and the University of Mississippi School of Law. He is the namesake for Tougaloo College’s Reuben V. Anderson Pre-Law Society and has been inducted into the Halls of Fame for both the University of Mississippi and its law school. He is a

member of 100 Black Men of Jackson, a trustee of Tougaloo College and a corporate director for Kroger Co., AT&T Inc., and MINACT Inc.

Accepting the Governor’s Medal of Service, Justice Anderson said, “I’m just honored to have my name associated with this group of men and women.”

Former Chief Justice Pittman said after he accepted the medal, “The people of this state have honored me with a wonderful trip through life.”

Gov. Barbour noted that Pittman spent 40 years in public service. “A lot of

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## Jurists recognized for careers of public service

progress was made by Chief Justice Ed Pittman,” he said. The Governor noted that during Pittman’s tenure as Chief Justice, the court adopted a series of rules changes which improved the judicial system.

Former Chief Justice Pittman, of Ridgeland, joined the Supreme Court in January 1989 and became chief justice in January 2001. He retired March 31, 2004. He served in the Mississippi Senate 1964 to 1972, as State Treasurer 1976 to 1980, as Secretary of State 1980 to 1984, and as Attorney General 1984 to 1988. He retired from the Mississippi National Guard as Brigadier General with 30 years of service.

The Mississippi State University Pre-Law Society named Chief Justice Pittman as recipient of the Distinguished Jurist Award for 2002. The Hinds County Bar Association and the Jackson Young Lawyers Association honored him with the Judicial Innovation Award for 2003. He received the University of Southern Mississippi’s HUB Award recognizing outstanding community/public service and is a charter member of the Southern Miss Alumni Association Hall of Fame. Justice Pittman graduated from the University of Southern Mississippi and the University of Mississippi School of Law.

Judge Payne took the microphone to recognize contributions of her grandfather,



**Former Court of Appeals Judge Mary Libby Payne and former Supreme Court Chief Justice Edwin Lloyd Pittman were among 11 recipients of the Governor’s Medal of Service.**

father and husband. “I was born into public service,” she said. Her grandfather, Joseph Anderson Cook, was the first president of the University of Southern Mississippi and served as Senator from Lowndes County 1932-1940. Her father, Reese O. Bickerstaff, served as state Representative from Harrison County 1936-1956. Her husband, Bobby R. Payne, retired after 37 years of service with the Mississippi Employment Security Commission, and served as Pearl Police Reserves training officer for 25 years.

“I thank you for this honor but I have to receive it in the names of Bickerstaff, Cook and Payne because I

couldn’t have gotten there by myself,” she said. “Public Service is its own reward, but this medal is the icing on the cake.”

Judge Payne, of Pearl, was an original member of the Mississippi Court of Appeals and was the first woman to serve on the court. She retired July 31, 2001.

She served in all three branches of state government. She was a legislative draftsman, executive director of the Mississippi Judiciary Commission and assistant state attorney general. Prior to her election to the bench, she was a professor of law and founding dean of the Mississippi College School of Law.

She received Lifetime Achievement Awards from the Christian Legal Society and the Mississippi Bar. MSU honored her with the Distinguished Jurist Award in 2004. She received the Mississippi Women Lawyer’s Lifetime Achievement Award in 2010. She is a board member of the Mississippi Historical Society and is Scholar in Residence/Professor Emerita of Mississippi College School of Law.

She attended Mississippi University of Women before transferring to the University of Mississippi. She earned a law degree from the University of Mississippi School of Law.

## Portraits of four Supreme Court Justices unveiled

The Mississippi Supreme Court unveiled portraits Sept. 1 of four historic former justices.

Portraits are of former Chief Justice Lenore L. Prather of Columbus, 1982-2000; former Justice Reuben V. Anderson of Jackson, 1985-1991; former Presiding Justice Fred L. Banks Jr. of Jackson, 1991-2001; and the late former Justice William Campbell McLean of Grenada, 1911-1912.

Families of the justices presented the portraits during an unveiling ceremony at the Carroll Gartin Justice Building.

Clarksdale native and Oxford portrait artist Jason Bouldin, who painted the portrait of Justice Prather, said, "We are visual creatures by nature." Displaying the portraits "of our predecessors and our leaders, people we look up to, reminds us of who we are and what our business is about today."

Mississippi Bar President-Elect Lem G. Adams of Brandon said the portraits will inspire lawyers, school children and the general public. "These lawyer judges that are honored here today have demonstrated their servant spirit by the contributions they have made to their communities, the state of Mississippi, and well beyond their service to our profession," Adams said. "May the portraits that are displayed here today serve as examples to our lawyers, and to all who view them, that these are some of our



**Former Chief Justice Lenore Prather, center, daughter Malinda Prather and artist Jason Bouldin stand before the portrait recently presented to the Supreme Court.**

very best, and may they also serve as a challenge to our members to go and do likewise."

Mississippi Supreme Court Chief Justice Bill Waller Jr. said that former Chief Justice Prather, the Supreme Court's first woman justice and its first woman chief justice, worked to improve the integrity of the judiciary. She led plan-

ning for the construction of the new Gartin Building, which was dedicated this past May. "She probably more than anyone else is responsible for the design and funding of this structure," Chief Justice Waller said.

Malinda Prather, Justice Prather's daughter, told the crowd, "Today is such a special day for our family."

Justice Prather said afterwards, "We are very honored. I enjoyed being here with other former justices. I was especially happy to share this event with Justice Anderson and Justice Banks, with whom I served on the Supreme Court."

Justice Anderson was the first African-American justice appointed to the Mississippi Supreme Court. Justice

## Supreme Court history captured on canvas



Former Justices Reuben V. Anderson and Fred L. Banks Jr. are pictured with Justice Leslie D. King after the ceremony.

Banks was the second. They practiced law together in their early careers, and are law partners now.

Justice Anderson said of Justice Banks: "He has been my counsel since the fifth grade."

Justice Leslie D. King has known Justice Anderson since both were students at the University of Mississippi School of Law. "He had an engaging and very affable personality. He was focused and had a good sense of where he was going," Justice King said. "He was a quiet but steady proponent of justice and fair play. Those characteristics served him

well as he became the first African-American graduate of the University of Mississippi School of Law."

Justice Anderson was the first African-American Jackson Municipal judge, Hinds County Court judge, and Seventh District Circuit judge. He was the first African-American president of the Mississippi Bar.

"I consider it an honor and a privilege to accept the seat he once held on the court," said Justice King, who began serving March 1.

Justice Banks followed Justice Anderson on the Seventh Circuit bench, and on the Supreme Court. He

previously served in the Mississippi House of Representatives for nine years, chairing the House Ethics Committee, a Judiciary Committee and the Legislative Black Caucus.

Justice Jim Kitchens described Justice Banks as a brilliant jurist of incredible intellect. "Justice Banks' portrait will stand here as a memorial to the great work that he did, and that he continues to do as a member of the bar."

Justice Kitchens said that Justice Banks "was, and always has been, and always will be at the forefront of the civil rights movement,

which is still an important movement. He has always been a proponent of equal justice for all."

Justice McLean's portrait was presented on the 100-year anniversary of his service on the court. He served for seven months in 1911 and 1912, having been appointed to an unexpired term.

Justice George C. Carlson Jr. said that several of the justice's letters showed that while his brief service on the court increase the already high esteem in which he held the institution, McLean longed to return to his family and his private law prac-

## McLean descendants celebrate 100th anniversary

tice in Grenada. In 1890, he was a delegate to the Mississippi Constitutional Convention. He died in 1928.

Five grandchildren of Justice McLean and a host of other relatives, down through a great great great grandchild, celebrated the installation of his portrait. Former Mississippi Bar President W.C. "Cham" Trotter III of Belzoni, a great-grandson, gave the portrait to the court.

Trotter said, "This portrait which will now hang in this beautiful new Carroll Gartin Justice Building keeps unbroken William Campbell McLean's ties to the Supreme Court of Mississippi. The prayer of his family is God save this honorable court, and God bless all those who have the honor and the privilege and the responsibility to sit behind this bench."



W.C. "Cham" Trotter III presented a portrait of Justice William Campbell McLean.

## Former Court of Appeals Chief Judges present portraits

The Court of Appeals of Mississippi unveiled portraits of former Chief Judge Leslie D. King of Greenville and former Chief Judge Billy G. Bridges of Brandon on Aug. 1. The judges donated the portraits, which now hang at the Court of Appeals.

Court of Appeals Judge Donna Barnes of Tupelo, who arranged the portrait presentation, said, "This court owes a great deal to both of these men. Without

their leadership in the early years of the court, it would not be the institution it is today."

Justice King served as Chief Judge of the Court of Appeals from April 30, 2004, until March 1, 2011, when he was appointed to the Mississippi Supreme Court. He was a member of the Court of Appeals for a little more than 16 years. He was the longest serving and the last original member of the Court of Appeals.

Judge Bridges served as Chief Judge from Jan. 31, 1997, until Feb. 17, 1999. He retired from the Court of Appeals Dec. 31, 2005, after serving 11 years. He remains a senior status judge, presiding as a trial court judge by special appointment of the Supreme Court.

Judge L. Joseph Lee became the fifth Chief Judge of the Court of Appeals on March 3.

Justice King and Judge Bridges both were elected to

the Court of Appeals in 1994 and began their service on the court when it began operation in January 1995.

Justice King thanked his former colleagues on the Court of Appeals. "Working with each of them was a learning experience. You grow from their shared wisdom and knowledge. That shared experience is something that goes with you, and it impacts you for the rest of your life," Justice King said.

Judge Bridges said, "I

## Judges King, Bridges recognized for their leadership

enjoyed being chief judge. It's an honor to be a part of this gathering... and to have a permanent place at the court."

Justice King previously served for 15 years in the Mississippi House of Representatives, where he was vice-chair of the House Ways and Means Committee and vice-chair of the Conservation and Water Resources Committee. He is a former Washington County Youth Court counselor, prosecutor and public defender, and former Metcalfe municipal judge.

Judge Bridges previously served as chancery judge of the 20<sup>th</sup> Chancery District of Rankin County, as district attorney for the 20<sup>th</sup> Circuit Court District of Rankin and Madison counties, and as Rankin County prosecuting attorney. He was board attorney for the town of Florence. He represented the Rankin County School Board and the Rankin Medical Center. Judge Bridges was recognized earlier this year by the University of Mississippi School of Law for 50 years in the practice of law. He is a recipient of the law school's Legal Legacy Medal.

**Supreme Court Justice Leslie D. King, top photo, and retired Court of Appeals Judge Billy G. Bridges, bottom photo, were honored Aug. 1 when their portraits were presented at the Court of Appeals.**



## Judge Broome honored for dedicated service

Rankin County Court and Youth Court Judge Thomas H. Broome of Brandon was honored earlier this year with the 2011 Lookin' to the Future Award.

The award is presented each year to an individual who has made a significant contribution to the well being of children, youth, and families. The award was presented to Judge Broome for his dedicated service on behalf of children and youth. He has been a leader in juvenile justice reform, legislative advocacy, improvement of the quality of life for all dependent children, drug courts, restorative justice, and mental health reforms.

Throughout his career, he has demonstrated a unique ability to be innovative, tenacious, tireless, and compassionate.

Attorney General Jim Hood presented the award June 24 in Natchez during the 2011 Lookin' to the Future Conference and the Mississippi Conference on Child Welfare. Southern Christian Services for Children and Youth and the Mississippi Department of Human Services sponsor the annual conference which brings together social workers, counselors, therapists, teachers, foster and adoptive parents, mental health professionals and agency administrators.

The Mississippi Court Administrators Association also honored Judge Broome with the Justice Achieve-



**Rankin County Court and Youth Court Judge Thomas H. Broome, at center, is pictured with Jones County Circuit Court Administrator Rachel Stanley and Jackson County Youth Court Administrator Cynthia Wilson. The Mississippi Court Administrators Association honored Judge Broome with the 2011 Justice Achievement Award.**

ment Award. Jones County Circuit Court Administrator Rachel Stanley, association president, presented the award on April 27 in Jackson during the Trial and Appellate Judges Conference and Mississippi Court Administrators Conference. The award is presented annually to an individual who by his resolve, persistence and endeavor has selflessly contributed to the administration of justice.

Judge Broome founded the Rankin County Juvenile Drug Court in 2007. He is vice-chair of the Mississippi Council of Youth Court Judges and co-chairman of the Mississippi Commission on Children's Justice. He serves on the State Drug Court Advisory Committee.

Gov. Haley Barbour appointed him to the Statewide Advisory Group for Juvenile Justice Issues in Mississippi, where he is the co-chairman of the Legislation Committee. The State Superintendent of Education appointed him to participate in development of the Statewide Dropout Prevention Plan. He serves on the Alcohol and Other Drugs Committee of the National Council of Family and Juvenile Court Judges. He previously served on the Task Force for Youth Court Rules of Procedure.

Judge Broome is an adjunct professor at Mississippi College School of Law, where he teaches Constitutional law and professional responsibility.

Judge Broome has served as a County Court and Youth Court Judge since January 2003. Before his election to the bench, he served as county prosecutor and youth court prosecutor for Rankin County, and as the assistant municipal prosecutor for Florence.

Judge Broome was awarded the Dr. Larry Leflore Juvenile Justice Advocacy Award in 2007. In 2008, he was honored by the National Alliance on Mental Illness (NAMI) Mississippi Chapter. He was honored by the Capital Area Bar Association and the Jackson Young Lawyers Association with the Judicial Innovation Award in 2010.

## MCSOL Dean Rosenblatt receives Chief Justice Award

Mississippi College School of Law Dean James H. Rosenblatt received the 2011 Chief Justice Award.

Mississippi Supreme Court Chief Justice Bill Waller Jr. announced the award July 16 at the Mississippi Bar Convention.

Dean Rosenblatt was honored for his visionary leadership in legal education, community service and support of the judicial system. It is the second time he has been honored with the Chief Justice Award. He shared the award in 2006.

Chief Justice Waller said, "I appreciate Dean Rosenblatt's energy and innovation as a legal educator, his passion for community service and his unwavering support of the Mississippi judicial system."



**Dean Jim Rosenblatt**

Chief Justice Waller noted that under Dean Rosenblatt's leadership, the law school established an internet accessible archive of Mississippi appellate court oral arguments and briefs. Under his guidance, Mississippi College School of Law expanded the work of the MLI

Press, which publishes several important works that benefit the bench and bar.

Dean Rosenblatt was instrumental in adding legal assistance to the medical and dental services provided to low income people by Mission First in Jackson. More than 200 lawyers and law students provide pro bono legal aid.

The law school assists adoptive parents by providing the assistance of law students and volunteer lawyers. The program helps move children from foster care into permanent homes, gives law students valuable practical experience, and encourages students' commitment to community service.

Dean Rosenblatt and the MCSOL faculty serve on

numerous committees which work to improve the judiciary and advance the administration of justice. Dean Rosenblatt is an ex-officio member of the Access to Justice Commission. Faculty members serve on other legal and judicial study committees.

Dean Rosenblatt said, "I am honored to receive this award as the agent for the collective work of Mississippi College School of Law in its support of the judiciary, the legal community, and the public. We are pleased to give back in return for the fantastic support our law school and our students receive from judges and attorneys. We are blessed to be part of a very special and generous legal community."

## Chancery and Circuit Judge Conferences select officers

The Conference of Chancery Judges and the Conference of Circuit Judges elected new officers in April at the Trial and Appellate Judges Conference.

Chancery Judge Jaye A. Bradley of Lucedale was elected chair of the Conference of Chancery Judges. Judge Bradley previously served as vice-chair and secretary of the conference.

Chancery Conference officers are Judge Cynthia Brewer of Madison County, vice-chair; Judge Eugene L. Fair Jr. of Hattiesburg, sec-



**Judge Jaye Bradley**

retary; Judge Lawrence Priemeaux of Meridian, Chancery Conference representa-

tive on the Mississippi Supreme Court Advisory Committee on Rules.

Circuit Judge James T. Kitchens Jr. of Caledonia was elected chair of the Conference of Circuit Judges. Judge Kitchens previously served as conference vice-chair and secretary.

Circuit Conference officers are Judge Robert Chamberlin of Hernando, vice-chair; Circuit Judge Charles Webster of Clarksdale, secretary-treasurer; Circuit Judge Forrest Johnson of Natchez, Circuit Conference



**Judge James T. Kitchens**

representative on the Mississippi Supreme Court Advisory Committee on Rules.

## DeSoto, Harrison, Holmes, Yazoo counties soon to get e-filing



Chancery Courts in DeSoto, Harrison, Holmes and Yazoo counties and the Harrison County Circuit and County Courts have been added to the Mississippi Electronic Courts (MEC) pilot project.

Chief Justice Bill Waller Jr. said, "The expansion of the pilot program is the next logical step in the development of an e-filing system that can be used on a statewide basis."

Courts which currently use e-filing are the Chancery Courts of Madison, Warren and Scott counties; Circuit Courts of Madison and Warren counties; and the County Courts of Madison and Warren counties. Madison, Scott and Warren counties were the original tests sites.

The pilot project so far has focused on civil case applications. Chief Justice Waller signed an order May 26 authorizing the expansion into additional counties and authorizing MEC to develop and test the criminal component of the e-filing system.

Testing of a criminal records e-filing model is expected to begin in the Circuit Courts of Madison and Warren counties.

The Supreme Court in a separate order signed May 26 addressed public

access to records via MEC. The court set a \$10 annual registration and renewal fee. MEC will charge 20 cents per page to view electronic court records in participating jurisdictions.

Subscriber fees will be retained by MEC to help fund system operation. Page viewing fees will be split between clerks' offices and MEC.

Public Access to Mississippi Electronic Courts (PAMEC) is similar to the federal court records subscriber-based access portal known as PACER. Registration and other details about MEC are available at this link: <http://courts.ms.gov/mec/mec.html>.

The MEC e-filing system is modeled on the one used in the federal courts. The Mississippi Supreme Court in June 2007 entered into an agreement with the Administrative Office of the U.S. Courts to study the feasibility of adapting the federal trial court case management

and electronic filing system for use in state courts.

DeSoto and Harrison counties were added to the pilot to expand the geographic reach of the program, and to make e-filing available in areas with heavy case loads and large numbers of attorneys, according to MEC Program Director Calvin Ransfer and MEC Counsel Clint Pentecost.

Fast growing DeSoto County saw 3,569 cases filed in Chancery Court in 2010. Harrison County had 6,039 cases filed in 2010, according to the Administrative Office of Courts.

In Harrison County, which has two judicial dis-

tricts and two courthouses, money for the county, McAdams said.

Participation in the MEC program will add e-filing to Harrison County's digital records system. Harrison County purchased a digital imaging system in 2004. Chancery records dating to 1998 have been scanned as digital images in the Second Judicial District, and the First Judicial District's digital records go back to 2003, McAdams said.

"It obviously reduces manpower and hours of chasing the paper," McAdams said of the county's current electronic records system.

Harrison County Circuit



**John McAdams**

and two courthouses, "logistically, it will save lawyers time," said Chancery Clerk John McAdams. "Obviously it's more convenient. It's something that will benefit all the parties, the judges, the staff, attorneys and clerks."

The move from a vendor provided records system to the MEC system will save



**Gayle Parker**

Clerk Gayle Parker said she is eager to join the MEC pilot project.

Parker said, "We are very excited about it. I give it my full support. We are all committed to making sure it is going to work. We want to make this work because it's a better system. It will be more efficient and the public

## Comments sought on proposed Rules of Criminal Procedure

The Rules Committee on Criminal Practice and Procedure is seeking public comments on a body of proposed criminal court rules which would address every aspect of criminal proceedings from the initiation of crimi-

nal charges through post-trial motions.

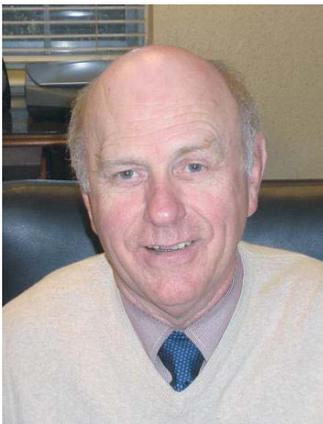
The proposed Mississippi Rules of Criminal Procedure would comprise a single, uniform set of rules which would govern criminal procedures in Justice, Municip-

pal, County and Circuit Courts. The proposal sets out 35 rules which would cover the criminal complaint, search warrant, arrest warrant, initial appearance, preliminary hearing, appointment of counsel, bond,

grand jury, indictment, arraignment, plea, trial, evidence, sentencing and other issues.

"This is comprehensive," said Justice Ann H. Lamar of Senatobia, who heads the Supreme Court Rules Com-

## E-filing users say system saves time, tax dollars



**W.E. "Sluggo" Davis**

will have better access to our court system."

DeSoto County Chancery Clerk W. E. "Sluggo" Davis said he has been interested in technological innovations since he became clerk in 1988. He has been waiting eagerly to join the MEC pilot project.

"I appreciate getting to be part of this program. Don't tell me why we can't do something. Just tell me how we can make it happen," Davis said.

Senior Chancery Judge Percy Lynchard Jr. sees attorneys from Grenada, Oxford, Tupelo and Memphis representing clients in court



**Judge Janace Harvey-Goree**

in Hernando. "I can see a lot of miles saved, a lot of time and clients' dollars saved by e-filing," Judge Lynchard said.

Holmes and Yazoo counties are part of the 11<sup>th</sup> Chancery District, as is Madison County. Adding Holmes and Yazoo counties to the pilot will allow MEC to test potential efficiency of using the system in a multi-county district.

Chancellors Janace Harvey-Goree and Cynthia Brewer already operate paperless in Madison Chancery Court.

Judge Goree, senior chancellor, said, "The thing that



**Judge Cynthia Brewer**

is attractive to me is that I can access my files 24-7. I can dispense with matters 24-7."

She recalled a recent case involving the arrest of a person who had walked away from court-ordered treatment. She was called at 8 p.m. with a request for an order to allow the man to be detained. She was able to electronically access the court file and sign an order from her house. She looks forward to being able to expand that capability to Holmes and Yazoo counties.

Judge Brewer said, "I no longer take files home as I prepare for the following

day's docket. Instant accessibility of recent filings by attorneys is wonderful. I can get information by merely searching, for example, open estates, divorces, local attorneys, joint complaints and even specific periods of time. I now have access to facts and figures within my desktop computer that previously could only be ascertained from spending hours in stuffy file rooms!"

Holmes County Chancery Clerk Dorothy Jean Smith is eager to incorporate the technology. She recently installed scanners to image documents. Smith expects to maintain a dual system until further order of the court, keeping paper files and electronic images. She looks forward to being able to operate paperless in the future. Records have outgrown available space, with old files stored off site. There's a delay when old records must be retrieved from a different building.

"Because we are small, we just don't have the space, and it doesn't make sense to build a building to hold paper," Smith said.

## Dec. 16 is deadline for comment on proposed criminal rules



**Justice Ann H. Lamar**

mittee on Criminal Practice and Procedure.

The deadline for submitting comments is Dec. 16. Comments should be filed in writing and submitted to the Clerk of the Supreme Court, Gartin Justice Building, P.O. Box 249, Jackson, Mississippi 39205-0249.

The 111-page proposal is available on the Mississippi Judiciary web site at <http://courts.ms.gov/rules/rulesforcomment/rulesforcomment.html>.

The Rules Committee on Criminal Practice and Procedure is studying the proposal. The Supreme Court has not yet taken action on the proposed rule changes. No timetable has been set for action by the Supreme Court.

The Rules Committee will take into account the public comments before making recommendations to the Supreme Court.

Justice Lamar said, "We expect it to be a very detailed process. It is going to be time-consuming."

The proposal would be a new set of rules which would replace various current rules.

"The proposal calls for some significant changes," Justice Lamar said. "There are some new provisions. In some ways it's a matter of pulling together from the different rules some of the things we already do. The Study Committee has considered a number of other states' uniform rules of criminal procedure as well as the federal rules.

"We are hopeful that the groups that are affected, particularly the trial judges, municipal and justice court judges, clerks, prosecutors and defense attorneys, will give careful attention to the proposals," Justice Lamar said.

She noted that it would be helpful if the commentaries include not only criticisms of the proposed rules, but also thoughts about proposed changes which the writers favor. "We would like to hear the good things and the bad things."

The Uniform Criminal Rules Study Committee, an independent study group appointed by former Chief Justice James W. Smith Jr., spent more than six years reviewing every aspect of criminal proceedings. The Study Committee sought to create a proposal for a comprehensive, uniform set of criminal rules of procedure that would be applicable to all criminal prosecutions. The Study Committee has

stated that its objective was to develop a set of Rules of Criminal Procedure to govern practice and procedure in criminal cases and to be uniform from district to district and from court to court, including Justice Court, Municipal Court, County Court, and Circuit Court.



**Judge Larry E. Roberts**

Court of Appeals Judge Larry E. Roberts of Meridian, co-chair of the Study Committee, said, "Our committee labored for six long years in an effort to develop appropriate criminal procedural rules to govern criminal cases across the state. Serving gratuitously on the committee were experienced jurists, prosecutors and criminal defense attorneys. It was our earnest desire to recommend rules that would result in a fairer, more efficient administration of the criminal justice system."

The proposal says in its statement of purpose and construction, "These Rules are to be interpreted to provide for the just and speedy determination of every

criminal proceeding, to secure simplicity in procedure and fairness in administration, to eliminate unjustifiable delay and expense, and to protect the fundamental rights of the individual while preserving the public welfare."

Judge Roberts and former Circuit Judge R. I. Prichard III of Picayune served as co-chairs of the Study Committee. Study Committee members were Court of Appeals Chief Judge L. Joseph Lee of Jackson; Rankin County Court Judge Kent McDaniel of Brandon; Forrest County Court Judge Michael W. McPhail of Hattiesburg; District Attorney Ronnie Harper of Natchez; District Attorney John R. Young of Corinth; Special Assistant Attorney General Ed Snyder of Jackson; attorney Joe Sam Owen of Gulfport; attorney John M. Colette of Jackson; attorney Thomas E. Royals of Jackson; and attorney Jim Lappan of Fort Myers, Fla., who formerly worked for the Mississippi Office of Capital Defense Counsel.



# Mississippi Courts

Published by the  
Administrative Office of Courts

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Jackson, MS 39205

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## State of Mississippi Fallen Officers Memorial dedicated



Gov. Haley Barbour, Lt. Gov. Phil Bryant, Chief Justice Bill Waller Jr., law enforcement leaders and family and friends of officers who died in the line of duty gathered May 12 to dedicate the State of Mississippi Fallen Officers Memorial. The monument outside the east entrance of the Gartin Justice Building in Jackson bears the names of 212 law enforcement officers who died in the line of duty between 1878 and 2010.

Hinds County Court Judge William Skinner, above, reflects on the death of his father, Jackson Police Lt. William Louis Skinner, who died of a gunshot wound Aug. 19, 1971. At right, Zane Mullins Bartman, 8, touches the name of his grandfather, Simpson County Sheriff E. C. Mullins, who died March 20, 2001. Below, Gov. Barbour stands in front of the monument as he speaks to those assembled.

