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Plain language model jury instructions completed



A group of judges, lawyers and legal scholars recently completed more than three years of work drafting plain language jury instructions which will be easier for jurors to understand.

The Mississippi Model Jury Instructions Commission presented its report to the Supreme Court Oct. 24.

Pictured above are, front row, left to right, Forrest W. Stringfellow; Keith Foreman; Presiding Justice George C. Carlson Jr., chairman; Mississippi Judicial College Executive Director Cynthia D. Davis; Judicial College Staff Attorney Carole Murphey; Circuit Judge Betty W. Sanders; and former Supreme Court Chief Justice Jim Smith, who created the commission; back row, Ramel L. Cotton; Circuit Judge James T. Kitchens Jr.; Univer-

sity of Mississippi School of Law Professor Emeritus Guthrie T. Abbott, civil instructions committee chair; Court of Appeals Judge David M. Ishee, criminal instructions committee chair; Lance L. Stevens; and Philip W. Gaines.

Other committee members, not pictured, were Circuit Judge Clarence E. Morgan III, Forrest County Court Judge Michael W. McPhail, Special Assistant Attorney General John R. Henry, Assistant District Attorney Archibald W. Bullard, and attorneys Merrida P. Coxwell Jr., Thomas Fortner, C. Joy Harkness, and James D. Holland.

The diverse membership included representatives of the Mississippi Bar, Magnolia Bar, Mississippi Association for Justice, Mississippi Defense Lawyers Association, Prose-

cutors Association, Public Defenders Association, Mississippi College School of Law and University of Mississippi School of Law.

Non-attorney members of the commission were Booneville businessman Jimmy Murphy and Meridian English teacher Libby Riley.

The Commission submitted a 668-page Model Criminal Jury Instructions, and a 479-page Model Civil Jury Instructions.

Former Chief Justice Smith signed the order creating the Commission shortly before he left office in 2008. He said the revision was needed because "most of the errors I saw (raised) on the appellate level were with jury instructions."

Chief Justice Bill Waller Jr. said, "This is going to help jurors to make better deci-

sions."

Judge Ishee said there had been no major revision to model jury instructions since they were written in the 1970s, and a rewrite was long overdue. "Forty years in the law can be light years," he said.

Judge Ishee said, "What we hoped to achieve was to simplify the jury instructions for the lay people as jurors. I think there were many instructions which were very technical, and we have simplified them so that the average lay person can more easily understand them. It's been my fear that a lot of jurors ignored the jury instructions. They might be overwhelmed at all the legalese that was thrust at them just before they were to deliberate. I think this will make the law easier to apply on a case by case basis. I

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Task Force examines juvenile detention and alternatives

A task force is exploring alternatives to juvenile detention, formulating recommendations for licensing standards for juvenile detention facilities, and seeking funding sources to improve juvenile programs.

The 2012 Legislature created the Juvenile Detention and Alternatives Task Force. Senate Bill 2598 called for a report and recommendations before Nov. 1, 2013.

Adams County Court Judge John Hudson of Natchez, Task Force chair, said, "The first of

the major focuses is to recommend juvenile detention alternatives that can be used by all of the counties in our state to prevent the unnecessary detention of juveniles."

"The second primary focus is to develop licensing standards to recommend to the Legislature," he said.

The Task Force will develop recommendations for minimum standards for juvenile detention facilities.

"The third charge is to develop a plan to assist in reducing the financial burdens that



Judge John Hudson discusses juvenile detention standards and alternatives.

Model jury instructions, *continued*

think it will lead to more well reasoned outcomes and a more thorough understanding of the law by the individual jurors."

Abbott said, "In the past it's been lawyers drafting these for judges in legalese, but the group that is supposed to use this is the jurors, who for the most part are not lawyers."

The new civil jury instructions include forms of the verdict which require jurors to go step by step through elements of the case. "The thrust of our instructions is to identify those elements, and on the verdict form it asks if those elements have been met," Abbott said.

Presiding Justice Carlson said, "The concept of plain language jury instructions has worked extremely well in other states."

Members spent hundreds of hours on the project. Judge Ishee said, "I appreciate each

one's hard work on the committee. None of this would have been possible without the help of the Mississippi Judicial College."

Judge Ishee and Abbott praised the work of their committees, and the research and drafting of Mississippi Judicial College Staff Attorney Carole Murphey.

Murphey said, "It was a wonderful experience to serve on this Commission. I am honored to have participated in such an important task for the benefit of the judicial system."

Presiding Justice Carlson thanked Judge Ishee, Abbott, Murphey and the members for their service. "I am proud to have been a part of this blue-ribbon commission made up of outstanding and experienced members of the legal profession, as well as lay persons, all of whom were very important to this entire process," he said.

counties have for juvenile detention," he said.

Rankin County Court Judge Thomas Broome of Brandon, vice-chair, said, "The Task Force will be working to protect public safety and provide safe facilities to help our kids learn from their mistakes. We want to appropriately use detention and find community services for those who need it. Standards will benefit the counties and taxpayers by maximizing our local, state and federal resources."

In its second meeting, held in Natchez on Oct. 5, the Task Force sought to jump-start its work by getting an overview of similar efforts begun in Louisiana in 2010. By July 1, 2013, all Louisiana juvenile detention facilities will be licensed and must comply with nationally recognized best practices.

Calcasieu Parish Police Jury Office of Juvenile Justice Services Director Dane R. Bolin told about 45 Task Force members and spectators, "Mississippi was in a better position than Louisiana." When the initiative began in Louisiana in 2010, "our standards were no standards....We did know that it was going to raise the bar of what we did every day."

As he laid out the progress of the development of Louisiana's program, Bolin displayed a picture of a youth standing in a jail cell. "Picture your child in this picture."

Judge Hudson said, "I think what we want to be about is that if our kid were in that cell, that it is going to be operated in a safe and secure manner."

The Task Force will explore development of a risk

assessment instrument “which will define which juveniles should be in detention, and which juveniles should be handled by alternatives to detention,” Judge Hudson said.

“The bottom line is making sure the kids that are risks to society are being detained, and those who are not, are not,” Judge Hudson said.

“The Task Force will identify juvenile detention alternatives which are workable and cost-effective and will recommend strategies to accomplish provision of these alternatives,” Judge Hudson said.

Adams, Harrison, Leflore, Rankin and Washington counties participate in the Juvenile Detention Alternative Initiative, JDAI, a national program which uses systematic case evaluation to determine whether juveniles should be detained. A point system takes into account nature and seriousness of the offense and other factors. The point score on the risk assessment determines who should be detained, released or supervised in an alternative program.

“Those alternatives would involve intensive supervision of the children without placing them in secure cells,” Judge Hudson said. Among possible alternatives are global position sensor tracking via ankle bracelets, and evening reporting to a location with supervised activities.

Adams, Hinds and Rankin counties, among others, have used GPS tracking as a way to monitor juveniles who have gotten in trouble, without confining them.

“It’s been a huge success in reducing the number of youth placed in detention,” Judge



Juvenile Facilities Monitoring Unit Director Donald Beard, left, and Division of Youth Services Director James V. Maccarone, right, study a work group roster.

Hudson said of the GPS system in Adams County. However, the Adams County program is about to run out of money. It operated on a grant that runs out in October. “We are working to try to find ways to continue the system because it’s worked tremendously,” Judge Hudson said.

Other members of the Task Force are: Leflore County Court Judge Kevin Adams, Washington County Court Judge Vernita King Johnson, Forrest County Court Judge Michael McPhail, DeSoto County Court Judge Celeste Wilson, Assistant Attorney General and JDAI State Co-Coordinator Patricia Marshall, State Public Defender Leslie Lee, Washington County Youth Court Public Defender Errick D. Simmons, Department of Human Services Division of Youth Services Director James V. Maccarone, Department of Mental Health Division of Children and Youth Services Director Sandra Parks, Adams County Juvenile Detention Center

Director Glen Arnold, Leflore County Juvenile Detention Center Director Robert Fitzpatrick, Rankin County Sheriff’s Office Juvenile Administrator Eric Fox, Jackson County Juvenile Detention Center Director Chris Gilbert, Rankin County Sheriff’s Office Attorney Richard Lawrence, Department of Public Safety Juvenile Facilities Monitoring Unit Director Donald Beard, Hinds County Sheriff Tyrone Lewis, Mis-

issippi Security Police President Nicky Maxwell, Pike County Supervisor Luke Brewer, Leflore County Supervisor Anjuan Brown, Lamar County Administrator Chuck Bennett, Lauderdale County Administrator Joe McCraney, and Department of Education Office of Compulsory School Attendance Enforcement, Alternative Education/GED and Counseling Bureau Director Toni Kersh.

Rankin kids run with the law

Seven Rankin County teens under Youth Court probation supervision ran alongside law officers on June 30 in Gov. Phil Bryant’s 5K Run for Health. The teens ran several other races, most recently in the Sept. 29 WellsFest 5K Run.

Most of the youths had been in trouble multiple times. The running team was organized in an effort to steer their energies down a

different path.

Since the running program began, “none have tested positive for drugs. None have been back in detention,” said Rankin County Juvenile Detention Center Director Lt. Eric Fox. “We are literally changing these babies’ lives. It hasn’t cost taxpayers one dollar.”

Local businesses and individuals have provided the teens with running gear.

Continued, page 4

They need sponsors to help pay event participation fees.

The runners practice three times a week with Fox, Rankin County Sheriff Bryan Bailey, Chief Deputy Ken McBroom and other law officers. Bailey and some of the officers ran with the teens in the Governor's Run. Their goal is to participate in the half-marathon event of the Mississippi Blues Marathon in January.

The running program is one of a series of alternatives to detention utilized by Rankin County officials as part of the Juvenile Detention Alternatives Initiative.

JDAI is a national program which seeks to eliminate inappropriate or unnecessary use of secure detention, minimize re-arrest and failure to appear rates pending adjudication, ensure appropriate conditions of confinement in secure detention, reduce racial and ethnic disparities, and redirect resources to sustain successful reforms, according to Gloria Salters, state co-coordinator for JDAI.

Five Mississippi counties participate in the Juvenile Detention Alternatives Initiative. Adams, Leflore and Washington counties were the original pilot sites starting in 2008. Rankin County became involved in the program in 2010, said Assistant Attorney General Patricia Marshall, state co-coordinator for JDAI. Harrison County kicked off its program July 13, 2012.

Initial funding came from the private, non-profit Annie E. Casey Foundation. The U.S. Department of Justice Office of Juvenile Justice Delinquency Preven-

tion provides continuing funding through a Juvenile Accountability Block Grant administered through the state Department of Public Safety Division of Public Safety Planning, and the Casey Foundation provides some funding, Marshall said.

Harrison County Court Judge Margaret Alfonso, said, "The mission is to improve the juvenile justice system without compromising public safety....JDAI is built on the foundation that secure detention is to be used for those who are a danger to the public, or a flight risk."

Juveniles who are neither a danger to the community or a flight risk can benefit from rehabilitative programs without confinement. Judge Alfonso said, "You just can't treat juveniles like you would adult prisoners. With children, there has to be a true commitment to rehabilitation, as opposed to just punishment. There are better ways of dealing with the juvenile justice system than incarceration."

Harrison County Youth Court works with non-profits to place at-risk children in constructive programs. In 2011, Hope Community Development Agency of Biloxi paid for six youths ages 15 to 17 to work for the Youth Court. Nine teens worked for the Youth Court this summer, Judge Alfonso said. The teens did office work and helped with recreation, crafts and feeding of children housed at a shelter. The court also found outside funding to enable three children to attend summer camp.

"What I'm doing is keep-



Rankin County Juvenile Detention Center Director Eric Fox

ing them busy and keeping them off the streets," Judge Alfonso said. "It's career-building, character-building, recreational and fun....You just have to find their strengths and nurture that and help them with their weaknesses. Every child has a strength. We don't always find it early enough," she said.

Counties participating in JDAI use a systematic approach to evaluate all cases to determine whether a juvenile should be detained while awaiting adjudication by the Youth Court. A risk assessment tool utilizes a point system that takes into account the nature and seriousness of the offense and other factors. The point score on the risk assessment determines who should be detained, released or supervised in an alternative program.

Rankin, Adams, Leflore and Washington counties all saw decreases in the numbers of juveniles detained during the 2011 fiscal year, according to Salters. Rankin

County saw a 4.2 percent decrease; Adams, 5.1 percent; Leflore, 12.6 percent; and Washington County, 11.2 percent.

The risk assessment evaluation process helped Washington County reduce the number of juveniles held in detention, said County Court Judge Vernita King Johnson. However, she said there is work to be done toward reducing the number of juveniles who are taken into custody.

Judge Johnson said that in Washington County, African-American juveniles are taken into custody in disproportionate numbers. Ninety-eight percent of the juveniles who are brought to the Washington County Juvenile Detention Center are African American; the population of Washington County is about 65 percent African American, Judge Johnson said.

"We want everyone to get equal treatment regardless of race, class or culture. We want that in our juvenile justice system. We want it to be a neutral setting," Judge

Johnson said. "We want to deal with the offenses. We want to deal with the circumstances. We don't want to deal with race, class or culture because that should not come into play with regard to what to do with this child or that child. A child is a child."

Rankin County is working to reduce recidivism, Bailey said. Many adult offenders got into trouble as juveniles. The JDAI program seeks ways to address the problems which cause juveniles to commit offenses, in an effort to prevent repeat offenses and to prevent crossing over into the adult criminal system.

Detention alone isn't a deterrent, Fox said. "If I continue putting him in detention, I'm ultimately going to put him in prison someday," Fox said.

"If we can find something on the front end to curtail it or stop it, it's going to help our county," Bailey said.

Bailey said training for and participating in races teach the teens about setting and achieving goals through hard work, discipline, and sticking with something.

It's also an op-

portunity to find and develop talents and interests. Only one of the team has previous track experience. Two of the team have done extremely well. Deputy Michelle Rhodes, who started the running program, plans to try to get them involved in school track activities, Bailey said.

"Everyone has a talent or interest. It's just a matter of finding that talent or interest," Bailey said.

Since February 2012, juvenile officers with the Rankin County Sheriff's Department have organized a series of life skills presentations for youths in detention and on probation. "We want them to be successful," Fox said.

A Metropolitan Bank officer talked to youth about credit. A representative of Temp Staff gave tips about job hunting and interviewing. The Brandon Fire Chief spoke about careers in the fire service. Talks have included etiquette and appropriate behavior with members of the opposite sex. Other programs included discussions

about drug abuse, drunken driving, teen pregnancy and sexually transmitted diseases.

Some of the juveniles on probation have also served as volunteers feeding the homeless at a shelter. "The purpose is to teach them that you need to help others, and you are not as bad off as you think you are," said Rankin County JDAI Coordinator Dawn Mapp. "It's also a way to engage the youth in community service and giving back."

The Rankin County Area Extension Agent talked about the importance of agriculture in the state's economy. Juveniles in the detention center or under Youth Court probation supervision may soon begin learning how to grow vegetables. Two high tunnel greenhouses were ordered through a U.S. Department of Agriculture grant. "Eventually it will provide some of the food the children who are detained will be eating. It's also to teach them how to grow crops and feed themselves," Mapp said.

Juveniles got a lesson in horse sense during a June 13 program. Horse trainers

set up an arena near the Pelahatchie detention center and put two highly trained Tennessee Walkers through their paces, including kneeling and later picking up and returning one of the owner's hat. Then they unloaded a green yearling Quarter Horse and

showed the youths a style of gentle pressure, release and reward training.

Professional horse trainer Paul Thompson drew a parallel between working with juveniles and horses. "If I overpower them with pressure, they shut me off," he said. "To question is OK, but rebellion is out of the question."

Thompson, formerly of Pelahatchie and now living in Rocky Face, Ga., worked through catching, haltering and leading the horse. He waved and draped ropes, garbage bags and tarps to get the horse accustomed to sights, sounds and sensations. His training style holds the horse's attention, makes him understand, and rewards his efforts. After an hour's work, the horse stood as Thompson waved around a loud running chainsaw, minus the chain.

"If you are willing to put the time and effort in the right way, you will get positive results," Thompson told the crowd. "We are going to get control of him without physically hurting him," he said as he worked with the horse. "First comes trust, then a little understanding, and now respect."

A Flowood couple whose children are on probation said they would use the equine demonstration as a teaching moment for their son and daughter, who were under house arrest after being caught smoking marijuana. "We are going to talk to them in the car on the way home and say, 'This is what we are trying to do with you. There are consequences to your actions,'" the woman said.



Paul Thompson demonstrates horse training to Rankin County youths.

Partnership works to build better lives for children of troubled families

A group of inner-city Jackson elementary school students picked not for academic excellence, but for their need of a math and science boost, took first place statewide the past two years after participating in the Fusion Robotics Team summer program.

Cade Chapel Missionary Baptist Church of Jackson provided the coaching in science, engineering and mathematics, and the Foundation for the Mid-South funded the program for third- through fifth-graders. The youngsters won first place in statewide competition in research in 2010, and in mechanical design in 2011.

“What we wanted to do was take these boys and let them see that if they get the opportunity, that they could be anything they wanted to be in those areas,” Cade Chapel Executive Pastor Rev. Reginald M. Buckley told more than 150 people gathered at the Mississippi Children’s Museum May 10 for a program focused on improving the lives and futures of vulnerable children and families.

At the heart of the discussion was children in foster care, and how to improve their current conditions and plant seeds of hope for their futures.

Philanthropists and clergy came together with child welfare leaders, educators and the judiciary for a program called Building Communities of Hope. Partici-

pants shared ideas and a common desire to make changes that will benefit vulnerable children and families. The gathering was intended to be a catalyst to continuing collaborative efforts.



Chief Justice Bill Waller Jr.

Supreme Court Chief Justice Bill Waller Jr. said, “We as a court look forward to collaborating with all the stakeholders.”

Supreme Court Justice



Justice Randy G. Pierce

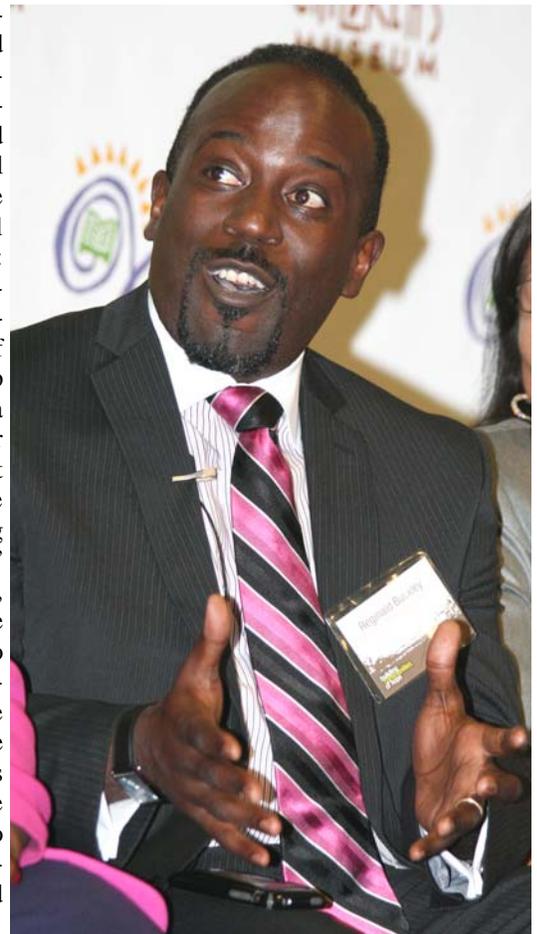
Randy G. Pierce, co-chair of the Commission on Chil-

dren’s Justice, recalled what another participant said at a national conference several years ago: “Until people in positions of leadership that have a heart for children get involved, we are spinning our wheels.” Pierce said, “We are going to take responsibility.... We are at the crossroads and we are going to make a difference and partner with you.”

The

Communities of Hope program seeks to alleviate the need for foster care by working to strengthen families and help them deal with the economic hardships, lack of education and housing and other problems and stress factors that make family ties unravel.

Seattle-based Casey Family Programs, one of the philanthropic creations of the late United Parcel Service founder Jim Casey, has pledged economic resources to the effort in Mississippi.



Rev. Reginald M. Buckley

Casey Family Programs is the nation’s largest private foundation focused on foster care and improving the child welfare system. The non-profit works as partners with child welfare systems across the country to improve practices and policies.

Department of Human Services Executive Director Richard A. Berry welcomed cooperative efforts. “This initiative will be a big help, a big boost for us. It’s about the children. We never want to lose sight of that.”

Casey Family Programs works to reduce the need for foster care. The foundation's strategy is to help child welfare agencies focus on preventing family crises that lead to separation and foster care, rather than dealing with the aftermath of crises.

DHS Division of Family and Children Services Deputy Administrator Lori Woodruff said children struggle with homesickness and long for their parents, friends, school and familiar surroundings, even when troubled home lives tear them apart. "Our children deserve to grow up in permanent families, not permanent placements. Our communities will be stronger if we work to remediate the problems within the family that brought their world and our professional world together."

The Mississippi Band of Choctaw Indians has a similar approach. Tribal customs call for working with fami-

lies to work out problems, and looking to the support of relatives when parents are not able to care for a child.

"Our motto is to work with the family to keep the family together as much as we can," said Choctaw Tribal Chief Judge Hilda Nickey.

Casey Family Programs Board of Trustees Chair Shelia Evans-Tranumm said, "We are in Mississippi because there are too many children that are snatched out of their homes in the middle of the night. We are in Mississippi because judges have to see too many families that stand disjointed before their bench and have to make decisions about where a child should go." She also expressed concerns about child safety and stabilizing educational placements for children.

Casey Family Programs President and CEO William C. Bell, who grew up in Pace in the Mississippi Delta, gave a personal testament to the power of education, and of hope, to pull people up out of poverty. He recalled how his mother and her five children were evicted as sharecroppers when he was small. She had a fifth-

grade education, but she earned a GED, then a college associate's degree. She taught in the Head Start program until she retired. Bell and a sister earned doctoral degrees, and a third sibling died while working toward a Ph.D.



Shelia Evans-Tranumm

Bell said, "Hope changes us. Hope changes the way we see others and hope changes the way we see the world."

Buckley said instilling hopes and dreams is the church's mission. "When you talk about hope and you talk about putting it inside them, you see that spark in their eyes and you know that they have gotten it. And they now believe in themselves and they will do everything they believe the can do."

Cade Chapel works extensively in the areas of education and housing improvement for the needy. "It requires the kind of partnerships, believing in the integrity of each other, believing in the possibilities. Our ministry could not do it by itself," Buckley said. Church tithes are coupled with grants from the non-profit

Foundation for the Mid-South.

The Foundation for the Mid-South was established to bring together the public and private sectors and focus their resources on increasing social and economic opportunity in Mississippi, Arkansas and Louisiana.

Foundation President Ivey Allen said, "We look at what makes a community whole: a good education system, healthy kids, healthy families, fathers and mothers who earn income that gives a family a living wage, quality housing, quality water."

The Foundation works to make people aware of public resources. "Sometimes the things that are needed are not necessarily about money," Allen said. "It's about how to help people understand how to effectively utilize what's available."

DHS Region V West Director Tonya Rogillio said, "Protecting children and strengthening families is not something our agency can do alone. We cannot do it without the engagement and the buy in from our community partners."

More than two years ago, the Department of Human Services began implementing a new child welfare practice model. Changes are being made region by region, Rogillio explained. Implementation teams in each region include representatives of other state agencies, private nonprofits, the courts, foster parents, people who grew up in foster care and other community members.



Choctaw Tribal Chief Judge Hilda Nickey

Presiding Justice Carlson honored with Chief Justice Award

Presiding Justice George C. Carlson Jr. of Batesville is the recipient of the 2012 Chief Justice Award.

Chief Justice Bill Waller Jr. announced the award July 13 at the Mississippi Bar Convention. The annual award recognizes individuals whose work improves the judicial system.

Justice Carlson was honored for his 30 years of public service, including 11 years on the Supreme Court and 19 years as 17th District Circuit Judge, and for his leadership. Presiding Justice Carlson chairs the Supreme Court Rules Committee on Civil Practice and Procedure and the Mississippi Model Jury Instructions Commission. He became a presiding justice and a member of the court's Executive Committee in 2009.

Chief Justice Waller said that Presiding Justice Carlson "believes that there is no higher calling than that of public service, and has devoted 30 years of his life to serving the people of the state of Mississippi through his work on the bench. You see that commitment to service in the tone of his opinions, in the conduct of his personal life, and in his association with other justices, attorney and employees. He is a tireless worker who often is the first in the office and the last to leave. Yet he always makes the time to stay in touch with his home district, such as swearing in local public officials."

Chief Justice Waller said



that his friend and colleague's leadership and assistance in the administrative and rule-making matters of the court have been invaluable. "He has performed tremendous service far above and beyond the duties of deciding cases," Chief Justice Waller said, noting that Justice Carlson has authored more than 300 majority opinions for the court.

After receiving the Chief Justice Award, Justice Carlson stated, "This indeed is an occasion I will always remember. To have my wife, our children and their spouses, and our three grandchildren in attendance made the day especially

memorable for me. I am honored that Chief Justice Waller felt that I was deserving of such a prestigious award. Also, to have Whit Waide, one of my former law clerks and now a professor at Mississippi State University, in attendance to make remarks on my behalf was very meaningful as well."

It was Presiding Justice Carlson's second time to receive the Chief Justice Award. He shared the award in 2003.

Justice Carlson was appointed to a vacancy on the Supreme Court on Nov. 1, 2001. He will retire in January 2013.

He previously served for 19 years as a circuit judge for the 17th Circuit District of DeSoto, Panola, Tallahatchie, Tate and Yalobusha counties. He served as vice-chair of the Mississippi Circuit Judges Conference in 1998-1999, and chair of the Conference in 1999-2000.

Justice Carlson served on the Governor's Criminal Justice Task Force in 1991, the Commission on the Courts in the 21st Century 1992-1993, the Professionalism Committee of the Mississippi Bar 1998-1999, and on the Law School Professionalism Program Task Force 1998-1999.

He is a member and past president of the Panola County Bar Association and the William C. Keady American Inns of Court, a Fellow of the Mississippi Bar Foundation, and a member of the Lamar Order of the University of Mississippi School of Law. Sigma Chi Fraternity selected him as a 2012 recipient of the fraternity's Significant Sig Award for achievement in professional and civic endeavors.

Justice Carlson is a 1964 graduate of South Panola High School. Outside the court, he is probably best known as the radio play-by-play announcer for the South Panola Tigers.

He earned a Bachelor of Science degree from Mississippi State University in 1969, and a law degree from the University of Mississippi School of Law in 1972.

Justice Lamar receives Susie Blue Buchanan Award

Justice Ann H. Lamar of Senatobia received the 2012 Susie Blue Buchanan Award. The Mississippi Bar's Women in the Profession Committee presented the award during the Price-Prather Luncheon at the Mississippi Bar Convention.

The Susie Blue Buchanan Award recognizes women attorneys who achieve professional excellence and influence other women to pursue legal careers.

Justice Lamar is the third woman to serve on the Mississippi Supreme Court. Former Gov. Haley Barbour appointed her May 21, 2007.

Justice Lamar served as a 17th District Circuit Judge

from November 2001 until May 2007. She presided over the 17th Circuit Drug Court.

She served as District Attorney in the 17th District from January 2000 until November 2001. Before her election as District Attorney, she served nine years as an assistant district attorney and eight years in the private practice of law. After graduation from law school, she practiced law with her husband, John Lamar, in Senatobia.

She attended Northwest Mississippi Junior College and earned a Bachelor of Science degree in education from Delta State University



in 1974. She earned her law degree from the University of Mississippi School of Law in 1982.

Justice Lamar has served

on the Supreme Court's Rules Committee since 2001. She also serves on the Board of Governors of the Mississippi Judicial College. In 2008, Justice Lamar served as Co-Chair of the Commission for the Study of Domestic Abuse Proceedings. As a circuit judge, she served the Conference of Circuit Court Judges as chair in 2006-2007, vice-chair in 2005-2006, and treasurer for three years. She is a member and past president of the William C. Keady American Inns of Court. She is a former member of the Board of Directors of the Mississippi Prosecutor's Association.

Justice Pierce honored for work protecting children

Justice Randy G. Pierce of Leakesville was honored for his work protecting the interests of children. He received the Lookin' to the Future Award on June 22 during the Lookin' to the Future Conference and the Mississippi Conference on Child Welfare, sponsored by Southern Christian Services for Children and Youth and the Mississippi Department of Human Services.

Adams County Court Judge John Hudson and Rankin County Court Judge Thomas Broome in a nomination letter called Justice Pierce "one of the statewide champions for children who has used his positions of leadership in the Legislature and the courts to improve

the lives of children and youth....He has demonstrated a unique ability to be innovative, tenacious, tireless and compassionate."

Justice Pierce has worked to implement system reform to insure that the child welfare system stays focused on the safety and best interests of children. For the past two years, he has served as co-chair of the Commission on Children's Justice.

He was chair of the House Education Committee and Appropriations Subcommittee on Public Education. He was appointed in 2005 to the 16th Chancery Court.

He joined the Supreme Court in January 2009. He serves on the Supreme Court Rules Committee on Civil

Practice and Procedure and the Rules Committee on Criminal Practice and Procedure. He is an adjunct professor at the University of Southern Mississippi.

He earned a Bachelor of Science Degree in accounting from USM. He was a Certified Public Accountant before receiving a Masters Degree in business administration from USM. He



Justice Randy Pierce talks to a second-grader.

earned a law degree from the University of Mississippi School of Law.

Judge Carlton earns Master of Strategic Studies from Army War College

Court of Appeals Judge Virginia Carlton graduated from the U.S. Army War College July 27.

Judge Carlton, a colonel in the U.S. Army Reserves, earned a Master of Strategic Studies degree. The U.S. Army War College awarded 349 degrees at a ceremony at Carlisle Barracks, Penn.

Judge Carlton said, "I think it will help me become a better officer, a better judge and a better citizen. Primarily I did it to expand my knowledge of the law."

Judge Carlton has served as a JAG officer in the Army for 22 years. She is now assigned to the U.S. Army Reserve judiciary as a Reserve judge. In fulfilling Army Reserve judicial duty and drill requirements, last year she assisted the U.S. Army Court of Criminal Appeals with 22 criminal courts-martial appeals and one court-martial trial.

Judge Carlton pursued the degree for the past two years through a distance learning curriculum and spent two weeks each summer at the U.S. Army War College.

Course work included studies in international relations; national security and national defense strategy including examination of applicable legal authorities; national defense theory including study of applicable domestic and international legal authorities; strategic management of military resources at the national level; rule of law initiatives internationally; and military assistance to civil authorities

in support of disaster relief efforts.

Judge Carlton said, "I enjoy serving as a military judge, and as an appellate judge for Mississippi. I work hard to try to hone and perfect the art of judging and to expand my knowledge of the law."

As Judge Carlton was completing her studies, her husband was preparing for deployment to Kosovo. Lt. Col. Scott Carlton, M.D., a family physician, serves as

a medical officer in the Mississippi National Guard. He deployed Aug. 17 to provide medical support for ongoing peace keeping operations and forces in Kosovo.

After discharge from active duty, Judge Carlton served as a public defender and then as an assistant district attorney in the 15th Judicial District. She served in the House of Representatives 2004-2006. She has served on the Court of Appeals since January 2007.



Col. Virginia Carlton

MVLP honors Judge Brewer for pro bono support

Chancellor Cynthia Brewer of Madison County was honored Oct. 24 at the Celebrate Pro Bono Awards Reception. She was recognized for contributions to continuing legal education and encouragement of pro bono assistance.

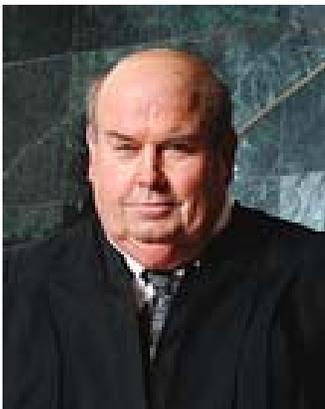
The Mississippi Volunteer Lawyers Project honored top attorney pro bono work by Christy Malatesta, Rick D. Patt, Randall Patterson, Forrest Stringfellow and Matthew Thompson, all of Jackson, Melissa Baltz of Ridgeland, and Kendra

Lowrey of Lumberton. Recognition for a small law firm went to the Kitchens Law Firm of Crystal Springs, which includes brothers Dan, Matthew and John Kitchens. MVLP thanked technology company BeCloud LLC for web site assistance.



Left to right are Judge Cynthia Brewer, Matthew Kitchens, Dan Kitchens, and Matthew Thompson.

Judge Jim Roberts receives Lifetime Achievement Award



Circuit Judge Jim Roberts was speechless.

And that's rare for the veteran jurist and inveterate storyteller from Pontotoc.

The Mississippi Bar honored Judge Roberts, 67, with the Lifetime Achievement Award at the July 2012 Bar Convention. Attorney Hal Miller of Ridgeland also received the Lifetime Achievement Award.

"I'm still in awe," Judge Roberts said. "It never occurred to me that I was even eligible for the Lifetime Achievement Award, much less that I would receive it. I know there are so many people out there who are absolutely deserving."

The award is presented to individuals who have devoted service to the public, profession and the administration of justice throughout a professional career.

Judge Roberts' career of public service spans more than 40 years. He became county prosecutor shortly after graduating from University of Mississippi School of Law, and served 12 years while also maintaining a private civil practice. Gov. Bill Allain ap-

pointed him Commissioner of Public Safety in 1984. He was appointed, then elected chancellor in the 1st Chancery District in 1988. He was elected to the Supreme Court for a term which would have begun in January 1993, but took office early when Justice James L. Robertson left office early. Justice Roberts resigned from the Supreme Court in 1999 to run for governor. He later ran unsuccessfully for lieutenant governor.

"I've been on the ballot 12 times. Been fortunate to win eight of them. That ain't bad for baseball," he said.

His next judicial post after the Supreme Court was as Pontotoc Municipal Judge.

"People occasionally say, 'Why on earth would you do that?' I did it because I was asked to do it by the city fathers. I remember how good that community has been to me. I did not consider it beneath my dignity at all to serve on that bench."

He has been Circuit Judge of the seven-county 1st Circuit District since January 2007. He even stood in for a Justice Court judge a few times, signing warrants.

Service on the Supreme Court had a lasting effect. "I don't feel as though the appellate courts are looking over my shoulder every minute. Having been there, I have some idea of what they look for."

He didn't plan to be a judge. "When I was younger, I aspired to be in the Legislature or a district attorney. I was never able to achieve either."

In between judgeships, he

did arbitration and mediation, and taught for six years in the University of Southern Mississippi criminal justice program. He taught two courses each semester, driving from Pontotoc to Hattiesburg every

Wednesday.

"I've had a marvelous career, even though I never planned it, even though it's been in a sort of odd or eccentric order," he said.

Judge Weill hunts gators

By Judge Jeff Weill Sr.

Canst thou draw out leviathan with a hook? Job 41:1(a)

A couple of weeks ago my lawyer friend Matt from Greenville called and asked me to join him on an alligator hunt in the Mississippi Delta. Right away. That very night.

After a silent prayer of appreciation for my understanding and thoughtful wife, I cancelled our Friday night dinner plans and, with practiced sincerity, asked her if she wanted to join us on a gator hunt instead. My actual words were, "How about a quiet dinner cruise?"

Though considerably younger than me, Tracy couldn't quite chase me down with a fireplace poker, which I considered a too brusque "no thanks" as I bolted for the door, grabbing her new camera on the way.

A few hours later Matt and I were slowly making our way up Steele Bayou in a small aluminum jon boat, armed with light fishing tackle and a spotlight.

For the uninitiated, legal alligator hunting in Mississippi is a fairly new sport. When the fish and game folks opened it up in 2006, hunting

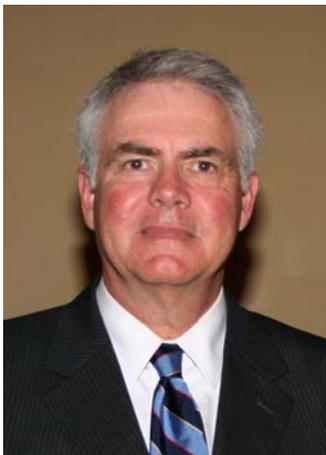
was limited to an area just north of the Reservoir and to the mouth of the Pascagoula River on the Coast. This year, for the first time in 100 years, almost the entire state is open for those chosen by lot to hunt alligators, and the giants, which have grown long and fat in Mississippi waters, are available for harvesting.

Back on the bayou, we spotlighted an alligator in short order but he submerged as we approached. As always, the challenge in gator hunting is getting close enough to snag him with a treble hook. On reflection, snagging gators with treble hooks is probably as far removed from the experience of most Northsiders as scuba diving in the Arctic Ocean. At any rate, the first gator got away and we moved on up the bayou.

Allow me to digress again. What sets alligator hunting apart from more traditional hunting is the *appearance* of danger. That's a big deal for bragging purposes. "Hah. You think hand-grabbin' rattlers is hard, try rasslin' an alligator!" This is that rare sport where most people think the hunter can become

Continued on back page

Judge Patten receives Justice Achievement Award



Chancellor Edward Patten

The Mississippi Court Administrators Association honored Chancery Judge Edward E. Patten Jr. of

Hazlehurst with the 2012 Justice Achievement Award.

Court Administrator Bethany Lewis presented the award on April 26 in Jackson during the Trial and Appellate Judges Conference and Mississippi Court Administrators Conference.

The award is presented annually to an individual who by personal resolve, persistence and endeavor has selflessly contributed to improvement of the administration of justice.

Judge Patten has served as chancellor of the 15th Chancery District of Copiah and Lincoln counties since

1999. He practiced law in Hazlehurst before being elected to the bench.

Judge Patten previously served for two years as chairman of the Conference of Chancery Judges and two years as conference vice-chair. He was a member of the Mississippi Code of Judicial Conduct Study Committee, and was vice-chair of the Bench-Bar Liaison Committee. Judge Patten served for more than seven years on the Supreme Court Advisory Committee on Rules, including more than three years as chairman and two years as vice-chair. He also

served for four years on the Bar Complaints Tribunal. He served on the Task Force to Strengthen Confidence in the Legal System and on the Legislative Study Commission on the Mississippi Judicial System. He was inducted in 2003 as a Fellow of the Mississippi Bar Foundation. He is a Mississippi Bar Commissioner and former president of the Copiah County Bar Association.

Judge Patten earned a Bachelor of Science Degree in pharmacy from University of Mississippi and a law degree from University of Mississippi School of Law.

Leadership selected for trial judge conferences



**Chancellor Cynthia Brewer
Chancery Conference Chair**

The Conferences of Chancery, Circuit and County Court Judges elected officers on April 26 during the Spring Trial and Appellate Judges Conference.

Chancellor Cynthia



**Judge Robert Chamberlin
Circuit Conference Chair**

Brewer of Madison County was elected Chancery Conference chair after having served for a year as vice-chair. Chancellor Kenneth M. Burns of Okolona is vice-chair. Chancellor Jo-



**Judge Kent McDaniel
County Conference Chair**

seph Kilgore of Philadelphia is conference secretary. Chancellor William Singletary of Clinton is treasurer.

Circuit Judge Robert Chamberlin of Hernando is



**Judge Thomas Broome
Youth Court Judges Chair**

conference chair. He previously served as vice-chair and secretary-treasurer. Circuit Judge Charles Webster of Clarksdale is vice-chair, and Circuit Judge Smith Murphey of Batesville is

Chancellors, families celebrate National Adoption Month

Six or more children are expected to have adoptions finalized Nov. 6 in Booneville during a mass adoption before Chancery Judge Michael Malski, and 13 children are expected to complete adoptions Nov. 8 before Chancery Judge Dawn Beam in Hattiesburg.

November is National Adoption Month. The Department of Human Services has coordinated mass adoptions and celebrations in several districts.

Chancery Judge Jaye Bradley got an early start, celebrating Adoption Day on September 27 in Pascagoula. Fourteen children gained security and permanency of adoptive families during those proceedings.

Most of the adoptive parents had been foster parents for the children. Most of the children have been adjudicated



Chancellor Jaye Bradley

through the Youth Courts as abused or neglected, Judge Bradley said.

"These families literally save these kids' lives," Judge Bradley said. "To give a child a family is a tremendous gift."

It was Judge Bradley's fourth time to preside over an Adoption Day with multi-

ple families finalizing adoptions. Judge Bradley said she always looks forward to presiding over adoption proceedings. "It's always a joy for me to be a part of that final step in making that unit a family," Judge Bradley said. "Their little faces are just beaming with happiness. It's the best thing about my job that I do."

The Department of Hu-

man Services is seeking adoptive parents for more than 100 children, according to Angie McLeod Williams, Director of Permanency Planning for DHS Division of Family and Children's Services. In August, 526 Mississippi foster children were legally free for adoption. Of those, 363 were living with families who plan to adopt them.

MADCP names 2012 officers

Tracy Swafford of Cleveland was elected president of Mississippi Association of Drug Court Professionals May 10 during the eighth annual statewide conference in Hattiesburg.

Swafford is drug court coordinator for the 11th Circuit Drug Court. She previously served as vice-president.

Hinds County Justice Court Judge Frank Sutton is vice-president of MADCP.

Tamela Hardy of Greenville is secretary. Hardy is case manager for the 4th Circuit Drug Court. She previously served as an at-large member of the MADCP Board of Directors.

Jackie Chatmon of Jackson is treasurer. Chatmon is Transitional Outreach Project Technical Assistance Coordinator at the Mississippi Department of Mental Health. She previously served as an at-large member of the MADCP Board of Directors.



Tracy Swafford

Members of the MADCP Board of Directors are Linda Edison of Jackson, MADCP immediate past president and director of Improving Quality of Life; Sammy Webb of Senatobia, coordinator of the DeSoto County Youth Drug Court; and Jamie Peoples of Moss Point, coordinator of the Jackson County Youth Drug Court. Joey Craft of Clinton, state drug court coordinator, is an ex-officio board member.

Conference leadership, *continued*

secretary-treasurer.

Rankin County Court Judge Kent McDaniel was re-elected chair of the Conference of County Court Judges, and Washington County Court Judge Vernita King Johnson was re-elected vice-chair. Judges McDaniel and Johnson have served as chair and vice-chair since 2004. Lauderdale County Court Judge Veldore Young was elected secretary.

The Council of Youth Court Judges elects officers on a different schedule. Elections for a four-year

term were held in September 2011.

Rankin County Court Judge Thomas Broome is chair of the Council of Youth Court Judges. DeSoto County Court Judge Celeste Wilson is vice-chair. Stone County Youth Court Referee Rebecca Taylor is secretary-treasurer. Clay County Youth Court Referee Thomas Storey is Chair Emeritus. Adams County Court Judge John Hudson and Forrest County Court Judge Michael McPhail are legislative liaisons.

Court of Appeals hears cases on college campuses

The Mississippi Court of Appeals kept a busy schedule with its Court on the Road Program this fall, hearing oral arguments on four college campuses as well as at the Adams County Courthouse.

Court on the Road included arguments at the Adams County Courthouse in Natchez Aug. 8, Jones County Junior College Sept. 11, University of Southern Mississippi Oct. 4, and Mississippi Valley State University Oct. 9. A three-judge panel will hear oral arguments at Mississippi State University on Nov. 13. The court made its annual visits to the Mississippi College School of Law and the University of Mississippi School of Law this past April.

The Court of Appeals schedules oral arguments on college campuses and other locations as a teaching tool.

Court of Appeals Chief Judge Joe Lee this year increased campus and courthouse visits.

Chief Judge Lee said the program gives students interested in careers in law an opportunity to watch an appellate court proceeding. It also helps acquaint the public with the workings of the appellate court. "It provides an opportunity for people to see what we do," he said.

It was the first time in recent history for a state appellate court to convene in Natchez, although that city holds a significant place in the history of Mississippi's appellate court system. The



Judge Virginia Carlton, center, answers a student's question Sept. 11 at Jones County Junior College. Chief Judge Joe Lee is at left, and Judge Eugene L. Fair is at right.

state's first appellate court, created by the 1817 Constitution, met at the Adams County Courthouse in 1818 and continued to hold its semi-annual meetings in Natchez, even after the seat of state government moved to Jackson in 1822.

The visit to JCJC in Ellisville was the court's first trip to that campus. Circuit Judge Billy Joe Landrum, who helped arrange the visit, told an auditorium full of college and high school students, "This is an opportunity for all of you to see what most people don't get an opportunity to see."

JCJC President Jesse Smith said the oral arguments exposed the students to "the mastery of language and critical analysis" required to argue a case.

Judges and law clerks talked to students about the operation of the Court of Appeals, the work of the law

clerks, and the educational paths which prepared them. Judge Virginia Carlton emphasized the importance of writing skills for attorneys, clerks and judges.

English, history and political science undergraduate degrees prepare many for law school, but some clerks chose other paths before law school. Law Clerk Shuntal S. Dean of Jackson majored in psychology. Courtney Parker Wilson of Ridgeland majored in music with an emphasis in voice. Amy Strickland of Jackson majored in hospitality management.

JCJC student Sam Thorrod, native of Great Britain, remarked on the "complete lack of drama" in the arguments. "It was to the point."

Judge Carlton told students, "There are no theatrics. They are not going to entertain us or sway us. They are going to present

very methodically and professionally."

Journalism student Nikki Smith said she appreciated the experience of a first exposure to a court proceeding.

Presiding Judge Tyree Irving presided in Natchez and Itta Bena. "Many people's concept of the court is what they see on television. By getting an opportunity to observe our Court on the Road program, I think it will give a very realistic view of what the court does and debunk some of the notions that are not very positive about how justice is dispensed. The community will be able to see that when judges sit down to decide cases, we are serious, we are not making fun of parties that come before the court, we are not scolding them....All can benefit from seeing how courts work in real life."

Former Justice Joel Blass “lived professionalism by example”

Former Mississippi Supreme Court Justice William Joel Blass of Pass Christian died Oct. 23, four days after his 95th birthday.

Funeral services will be held at 11 a.m. Oct. 27 at St. Thomas Catholic Church in Long Beach. Visitation is 5 to 8 p.m. Oct. 26 at St. Thomas Catholic Church.

Mississippi Supreme Court Chief Justice Bill Waller Jr. said, “He was a great legal scholar and outstanding leader of the bar for many years. He lived professionalism by example and was an inspiration to attorneys and judges.”

Court of Appeals Judge Virginia Carlton served as a law clerk to Justice Blass starting in 1989. “He took his duties very seriously. He greatly impressed upon us that every case is important and affects lives,” she said. “He impressed upon us the duties that go with the public office, and the importance of integrity in the judiciary and adherence to the law. He loved the law.”

Chancery Judge Jim Persons of Gulfport said Justice Blass touched all parts of the legal profession – lawyer, law professor, legal scholar and judge. He was much admired by the bench and bar “for his civility, integrity, honesty and forthrightness and his legal ability and intellect,” Judge Persons said. “He had a brilliant mind. He was a good man and a good lawyer.”

Former Mississippi Bar President Leonard Blackwell



Former Justice Joel Blass in his yard in a 2002 photo

II of Biloxi said, “He was very progressive and was one of my heroes and inspired me to go on and study law....He was a leader in racial reconciliation” in the 1950s. “He was a real stalwart and an example of what a lawyer ought to be. He was a real progressive and believed in the rule of law.”

Former Gov. Ray Mabus appointed Blass to a vacancy on the Supreme Court in 1989. He served through December 1990. He was defeated in his election bid by Justice Chuck McRae.

Blass was born in Clinton on Oct. 19, 1917. Both of his parents were teachers, and

He practiced law in Wiggins 1946-1965. He served in the Mississippi House of Representatives 1953-1960. In 1965, he became professor of law and director of research at University of Mississippi School of Law. He later served as associate dean. He joined the Gulfport firm of Mize, Thompson and Blass in 1971. He was in private practice until his appointment to the Supreme Court. He returned to teaching at University of Mississippi in 1991 as the Whitten Chair of Law and Government. He practiced law with the firm of Mize, Blass, Lenoir and Laird in Gulfport 1991 to 1994, then was of counsel with Gerald Blessey and Associates in Biloxi.

He was Outstanding Teacher at University of Mississippi School of Law in 1969. He was a member of the Board of Bar Admissions 1979-1985, and was on the National Conference of Commissioners of Uniform State Laws 1981-1988. He was a Fellow of the American College of Trial Lawyers, the Young Lawyers Division of the Mississippi Bar, and the Mississippi Bar Foundation. He received the 1999 Mississippi Bar Foundation Professionalism Award, and the 2000 Mississippi Bar Lifetime Achievement Award. He was listed in *Best Lawyers in America*.

He was a Knight of St. Gregory, and served two years as president of the Jackson-Natchez Diocesan Pastoral Council.

his father was a Baptist minister, so the family moved numerous times. He attended East Mississippi Junior College and Pearl River Junior College. He earned his A.B. and LL.B. from Louisiana State University.

He was admitted to the Louisiana Bar in 1940, and to the Mississippi Bar in 1947. He served as a Special Agent of the Louisiana Crime Commission 1940-1941. He served in the U.S. Army 1941-1946. He was awarded the Bronze Star for combat duty in Europe during World War II. He served a year on active duty during the Korean conflict.

Men v. Gator



the hunted and the, er, eater can become the eaten. Several years ago my sons, their friends and I landed a 12-foot gator on the Pearl River after a titanic struggle. The first view of that beast rising, open mouthed, from the depths rattled us all even though we knew we were safe and secure on a large ski boat. It's only really dangerous when you hunt gators from a small boat.

As I mentioned, Matt and I were...hunting gators in a small boat.

About 9:30 p.m. Matt spotted a good sized alligator slowly making its way up the main channel and readied his rod. I ran the trolling motor as Matt expertly cast the 80-pound test line over the gator's back and set the

hook. The alligator was none too pleased and lurched forward, the drag on Matt's reel bawling like a mule. He took line out an alarming rate, heading straight for the weeds lining the shoreline. Then he stopped—in the weeds.

Matt quickly rewound the line and we succeeded in driving the alligator out of the weeds and into the main channel. Matt's line, however, was snarled up in vegetation. He frantically peeled off the greenery and announced, "I'm down to a bare spool and have no line left. Catch up with him or he'll break off!" I cranked the trolling motor up to full throttle, which is about the speed of a catfish on dry ground, but somehow we caught up with the gator and averted the crisis. He sank to the bottom to sulk—think wounded lion in *The Short Happy Life of Francis Macomber*—while we floated above planning our next move.

The fight was on for the next seven hours.

It usually takes an hour or so to wear a gator down so that he can be quietly dispatched at boat side. This guy didn't get that memo. He pulled us like a parade float back and forth across the bayou, me on the trolling motor, Matt tight-lining his fishing pole. Occasionally the gator would hug the bottom and Matt and I would stomp on the boat to herd him away from the weedy shoreline and back into the main channel.

We were slowly wearing *him* down, while he was quickly wearing *us* down. I'm 55 years old and generally don't spend the wee hours of

the morning being dragged by alligators across dark bayous.

From time to time he would surface, frown at us in a gatory sort of way, then paddle off. I managed several times to get a second hook in him but he broke off. One problem was that Matt had him hooked in the rear end, which made him hard to manage. Each time we got close enough to try to snare him around the neck, he pulled away since we could only bring his tail end toward the boat. Once Matt tugged mightily in that effort and got whomped by the giant tail as the gator dove to get away.

Our problems mounted.

"Matt, we're sinking."

Here we were, worn slap out in a small boat on a deep bayou with six inches of water slopping around, slowly circled by a Volkswagen-size alligator, and my first concern was for my wife's new camera, soaked and blinking forlornly in the bottom of the boat, along with my cell phone and wallet. We managed to scoop out a few gallons of water to stabilize the boat.

At 4 a.m. or so, near the end of our strength, we horsed the alligator alongside, still strong but tired. Somehow we snared him and loaded the shotgun, all the while keeping the fishing lines tight. Matt finished him with a blast from the 12 gauge.

Our struggle wasn't over. The gator was suddenly dead weight and we realized he was far too big to haul into the boat, so we decided to drag him behind us. If you've ever dressed a squirming 2-year-old for church, you have a small idea of how challenging it was to secure that slippery

11-foot, 350-pound gator to the boat. We wired him up the best we could and headed home. Matt ran the motor while I crouched, clutching the beast, as we crawled along the bayou at roughly the speed of a slug full of cat food. An hour passed and the boat began to sink again as we wondered what could make us feel more miserable.

Lightning split the sky. A driving rain followed.

Between the close lightning strikes and the fast-arriving dawn, I noticed that the bayou looked wider than it had been seven long hours before. Rather than relay that plebian observation to my buddy, I got to the point.

"Matt, we're going the wrong way."

In the struggle with the alligator, we had gotten turned around and were heading up, rather than down, the bayou. We turned the boat and in that unsurprisingly complicated maneuver—boats are hard to turn when lashed to large reptiles—the gator slipped and began to sink. I was prepared to go in after him but fortunately Matt, bless his presence of mind, grabbed him by the foot. With cramped hands we re-attached the gator to the boat and headed to the boat ramp.

In our surreal world following that sleepless night on the bayou we somehow—in a cold rain and grey dawn—got that alligator home and winched to a tree in Matt's backyard. I left Matt to enjoy the acclaim of the local neighborhood kids while I drove home across the Delta, anticipating a warm bed and thinking of the best way to explain what happened to Tracy's new camera.