

# Mississippi Courts

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## Batesville Civic Center becomes Panola County Courthouse



The Batesville Civic Center in Panola County became a courtroom June 1 and 2 as the first felony criminal jury trial was completed in the state since the COVID-19 pandemic caused trial delays.

The Panola County Board of Supervisors on June 1 declared the Civic Center as the courthouse for the Second Judicial District of Panola County. The City of Batesville owns the Civic Center.

COVID-19 forced relocation of court to the 3,000 seat Civic Center to accommodate jurors with space for social distancing. Prospective jurors were spaced out with five empty seats between them and alternating empty rows.

On June 1, 102 prospective jurors appeared in court, said Panola County Circuit Clerk Melissa Meek-Phelps.

From that pool, a jury was selected to hear the trial of Clinton Winters,

44, of Webb, on a charge of possession of methamphetamine.

Circuit Judge Smith Murphey V told prospective jurors that they were part of something historic and important. "Jury trials are the bedrock of our democracy." He explained that they were called to service because courts can't shut down.

Winters, as all accused, had the right to "a public trial by an impartial jury," Article 3, Section 26 of the Mississippi Constitution. Article 3, Section 24 of the Mississippi Constitution reads, "All courts shall be open . . ."

The Supreme Court granted trial judges authority to continue cases dependent upon local circumstances during the pandemic. The emergency administrative orders advised courts to fulfill constitutional and statutory duties to keep courts open, while limiting the aggrega-

tion of participants in legal proceedings. Emergency Administrative Order 2, issued March 15, authorized judges to postpone jury trials until mid-May.

What is believed to be the last trial conducted in the state got underway on March 16 in Clay County Circuit Court. Circuit Judge James Kitchens denied Shundray Johnson's motion for continuance on March 17, and the Supreme Court rejected his motion for continuance on March 18. Johnson on March 18 pleaded guilty to two counts of first degree murder and was sentenced to two consecutive life terms.

The Supreme Court, in consultation with state health officers, examined epidemiological data in its efforts to ensure that all courts remained open and all citizens' constitutional rights were protected. As more empirical data was made available, the Su-

preme Court permitted local authorities to begin summoning jurors. Emergency Administrative Order 11, issued by the Supreme Court on May 7, authorized courts in 41 counties with one or fewer COVID-19 deaths per month to summons jurors to report on or after May 18. Panola County at that time had two reported deaths. A third death was reported in Panola County later in May. The Mississippi State Department of Health had identified 84 COVID-19 cases in Panola County as of June 2.

Meek-Phelps told prospective jurors, "We really appreciate all of your being here. It's an inconvenience, but it's the most important civic duty you will perform."

Judge Murphey told jurors, "Your safety is paramount. Your time is precious. We appreciate your being here." He reassured

*Continued on page 2*



**Circuit Judge Smith Murphey V presides over a jury trial at the Batesville Civic Center on June 1.**

jurors that the court had taken steps to protect their health. "Before you arrived here, great lengths were taken to sanitize this facility. Everything was wiped down." The process was repeated overnight.

County personnel took temperatures of jurors as they arrived. Prospective jurors used hand sanitizer before they walked in, or

as soon as they got inside. Anyone who didn't come with a mask was given one. All court personnel wore masks.

It took about 40 minutes to seat jurors in six sections of theater style seats. Three deputy clerks carried microphones to jurors as Judge Murphey, Assistant District Attorney Steve Jubera and Public De-

fender Nick Smith conducted voir dire. Jubera, gesturing expansively, asked jurors to wave numbered fans to catch his attention and wait for him to look over each of the six seating sections to identify those who wished to respond to questions.

Nick Smith asked, "Does anybody feel that they are being punished by being here today?" No one spoke up.

A few people showed up for jury duty although they could have been excused beforehand. A letter was sent to all summoned jurors advising that the Court would excuse anyone who was ill, persons having certain health conditions that could put them at risk, care givers, persons with recent jury service, those over age 65, and a few other circumstances.

An 89-year-old man said he suffered from immuno-suppressive conditions. Judge Murphey said,

"You are exactly who we need to keep safe and not inject into a process like this." The court also excused several care givers, including a nurse who said she cared for 30 nursing home patients.

The Civic Center has been a venue for concerts, motorcycle and monster truck shows, rodeos and other entertainment. During the trial, microphones meant for blasting music were touchy for testimony. When someone spoke too close to a microphone, the voice boomed.

The jury deliberated for about an hour on June 2 before finding Winters guilty. He will be sentenced at a later date.

A large meeting room at the Civic Center served as the jury room. Tables and chairs were set up in a long "u" shape. The space dwarfed the regular jury room at the Panola County Courthouse.

Judge Murphey talked with jurors after they concluded their service. "No one felt unsafe," he said afterwards. They said they would not have felt comfortable in the close confines of the Panola County Courthouse. They agreed that "it was the right decision to be here." He said jurors were proud of being the first to serve.

Judge Murphey said, "It was an honor to preside over the first jury trial in Mississippi since COVID-19 and uphold my duty to ensure that the courts of Mississippi are open for business. I am grateful for the assistance of all involved."



**Assistant District Attorney Steve Jubera, lower left, questions prospective jurors at the Batesville Civic Center. Public Defender Nick Smith and defendant Clinton Winters are seated at center, foreground.**

# Safety measures adopted to keep courts open in COVID-19



**Circuit Judge Michael Mills Jr.**

Prospective grand jurors sat in folding metal chairs spaced far apart in a dirt floored arena.

Circuit Judge Michael P. Mills Jr. used the Prentiss County Agri Center in Booneville as a temporary courtroom June 22 for selection of a new grand jury. The panel moved to the Circuit Courtroom at the Prentiss County Courthouse for closed-door proceedings.

Courts have moved grand jury and jury selection to large open spaces and adopted extensive safety precautions as they try to resume proceedings halted since mid-March due to COVID-19.

Judge Mills said, “The jury pool seemed to appreciate the use of the alternative location, as they acknowledged the importance of serving during these unique times. I was impressed by the general public’s willingness to serve their community and State.”

After 25 members of the grand jury were selected, they were asked to report



**Circuit Judge Joseph Loper**

to the Prentiss County Courthouse.

In Winston County, Circuit Judge Joseph Loper modified traditional courthouse seating arrangements to pick a grand jury on May 18. Three groups of 30 or fewer people were called into the courtroom at different times and seated for social distancing. Most brought masks. The court gave out masks to those who didn’t bring one. After jury qualification, people were allowed to leave. The clerk telephoned those who were selected. They returned and spread out in the closed courtroom, which served as the grand jury room.

Warren County in May recalled a grand jury that had last met in January. Circuit Judge M. James Chaney Jr. said the panel just barely managed to have enough people — 15 of the original 20. Some had medical conditions that made them high risk and one had a case pending in court.

The Warren County



**Circuit Judge James Chaney**

grand jury met in the courtroom “where they could spread apart and where the witnesses and prosecutors would have space,” Judge Chaney said.

Circuit Judges Michael Taylor and David Strong also used their courtrooms for grand jury rooms in May, spreading out the panel members.

The Supreme Court between March 13 and May 14 issued a dozen Emergency Administrative Orders regarding court operations related to COVID-19. The Supreme Court ordered that courts must remain open for business while taking appropriate steps to protect public health and safety.

Chief Justice Mike Randolph in an interview said, “The decisions are a balancing act that I as chief judicial officer have to make to honor constitutional safeguards and keep these public health issues in mind.”

The March 13 first Emergency Administrative Order said, in part, “In compliance with the Con-



**Circuit Judge Charles Webster**

stitution, all state courts — municipal, justice, county, chancery, circuit, and appellate courts — will remain open for business to ensure courts fulfill their constitutional and statutory duties.”

When the Supreme Court on May 7 authorized half of the counties to begin summoning jurors in mid-May and told the other half to wait until June, the death rate from COVID-19 was a deciding factor. Those counties which had two or fewer deaths could begin summoning jurors in May.

Circuit Judge Charles Webster of the 11th Circuit raised concerns in early March about summoning jurors in Bolivar, Coahoma, Quitman and Tunica counties. He cancelled jury trials. “I didn’t think it was a good idea to bring in a bunch of people for a jury and pack them in at close quarters. What if you compel someone to come in and they get the coronavirus? I made a decision that I wasn’t going to hold

*Continued on page 4*

# Jury trials move to arenas, auditoriums to protect against COVID-19



**Iuka Middle School gymnasium is set up for a jury trial June 23.**

A middle school basketball court in Tishomingo County became a temporary Circuit Court June 23.

A jury trial was moved to the Iuka Middle School

gymnasium after Circuit Judge Kelly Mims and the Tishomingo County Board of Supervisors found the courtroom of the Tishomingo County Courthouse

to be too small to safely accommodate a large crowd required for jury selection. Judge Mims and the Board of Supervisors issued orders on June 18 designating the Iuka Middle School Activity Building as the temporary courtroom.

Warren County Circuit Judge M. James Chaney Jr. in June moved jury selection to the Vicksburg City Auditorium, then conducted trial at the Warren County Courthouse.

Around the state, judges are using public arenas and auditoriums to get trial dockets moving after the pandemic forced cancellation of jury trials from late

March through May or later.

During the pandemic, courts have conducted in-court hearings for pleas, revocations and motion hearings in compliance with the Constitutional requirement that courts remain open. Many courts used video conferencing for hearings. But for almost three months, most courts were unable to conduct jury trials because of the health risks associated with summoning a large number of people into a courtroom for jury duty.

Judge Mims plans to use alternative locations for three more upcoming trials: Alcorn County at the

## Safety measures adopted to keep courts open, *continued from page 3*

any jury trials.”

The Supreme in Emergency Administrative Orders gave trial judges discretion to postpone trials and craft plans to address their specific needs.

Circuit Judge Robert Helfrich directed that Drug Intervention Court participants must be screened for illness, including temperature taken at the door before being allowed inside. Anyone with a temperature of over 100 degrees is turned away and told to see a doctor. About 200 people from Forrest and Perry counties are enrolled in the 12th Circuit Drug Intervention Court. Their periodic reporting time was extended so that no more than five or six people were together.



**Circuit Judge Robert Helfrich**

Jackson County Youth Court Judge Sharon Sigalas on March 18 ordered no child to be admitted to the detention center without authorization from Youth Court staff. “Unless needed for public safety, detention will not take any delinquents...,” the order said.



**Judge Sharon Sigalas**

The 10th Chancery Court is one of many courts using Zoom video conferences to conduct hearings. Some in-person proceedings from around the district were held in the Forrest County Chancery Courthouse, said Chancellor Deborah Gambrell-Chambers.



**Chancellor Deborah Gambrell-Chambers**

An officer took temperatures before anyone came onto the second floor of the courthouse. “We are doing what we think makes sense. We are trying to keep the judges from traveling and being exposed.”



**Circuit Judge Kelly Mims**

Crossroads Arena in Corinth on July 20, Pontotoc County at the Pontotoc Agri-Center on July 27, and Prentiss County at Booneville High School Gymnasium on Aug. 3. The Prentiss County case is a civil trial; the other two are criminal cases.

Judge Mims oversaw arrangement of tables and chairs to create a courtroom setting on the gymnasium floor in the Iuka Middle School Activity Building. "We want to make sure we are taking all precautions we can and we have a safe and adequate facility to protect the citizens," he said.

The Court took steps to prevent anyone who might be ill from coming to court. "I gave Circuit Clerk Josh McNatt authority to release prospective jurors prior to arrival who had any indication of illness or who had been exposed, Judge Mims said.

About 100 people appeared for jury service. Temperatures were taken. Everyone wore masks. They were seated spaced out in the bleachers during jury selection. Twelve jurors and two alternates

moved to the gymnasium floor for opening statements and testimony. Chairs were spaced six feet apart in all directions.

Brian Scott Berryman was convicted of possession of a firearm by a convicted felon. He was sentenced to life in prison without parole as a habitual offender, having been previously convicted of murder and armed robbery.

In Warren County, after a three day trial, a jury acquitted Lance Maniel on June 17 on charges of possession of less than 2 grams of methamphetamine and possession of a firearm by a convicted felon.

About 120 people appeared for jury service at the Vicksburg City Auditorium, said Court Administrator Lee Ann Stuart. About 130 people were excused beforehand. A questionnaire that accompanied jury summonses set out statutory excuses as well as COVID-19 related excuses. People who received Warren County jury summonses were able to answer the questionnaire via the court's website or by fax or mail. That helped prevent sick people from coming to court. Judge Chaney also sent a letter to the prospective jurors, explaining why the auditorium would be used and the safety measures that were implemented, including using masks and social distancing. When prospective jurors arrived, temperatures were taken, and they were questioned about possible illness or COVID-19 exposure.

The Warren County

Board of Supervisors lent the boardroom for use by the jury to take breaks and for deliberations. The traditional jury room, a long and narrow room with a table, was too small for social distancing.

Judge Chaney said, "It's a little more work when you are out of your regular home place. Everyone pitched in and we were able to do it in a safe manner."

The City of Vicksburg provided use of the City Auditorium for free. Judge Chaney and the Warren County Board of Supervisors signed orders designating the City Auditorium as the temporary courthouse.

The Clarksdale Expo Center is expected to be used to pick a jury for the start of trial in Coahoma County Circuit Court in July, said Circuit Judge Charles Webster. "Because of the size of the initial venire, our plan is to use an off-site Expo Center to qualify, voir dire and pick the jury. We will be able to spread out a large number of people," he said. After the jury is selected, the trial will move to the Courthouse. Circuit Judge Albert Smith said, "We will use social distancing and be able to provide masks and hand cleaning stations for both places."

Jones County Junior College agreed to provide space for a trial scheduled for July 29. Circuit Judge Dal Williamson is scheduled to conduct the trial in the Technology Building on campus.

The City of Brandon authorized Rankin County Circuit Court to use City Hall, a 60,000 square foot former grocery store, for trials through the end of the year. Jury summonses were ready to go into the mail when a spike in coronavirus cases brought trial plans to a halt.

"Because of the uptick of cases in Madison and Rankin counties, we thought it was not a safe time," said Circuit Judge John Emfinger. The earliest dates for trials in Rankin County now may be late August for a civil docket and early September for criminal cases.

Hinds Circuit Judge Winton Kidd scheduled jury selection for a criminal trial on July 20 at the Westin Hotel in Jackson, with plans to hear testimony in the largest Circuit Courtroom. But too few prospective jurors answered the summons. The defendant pleaded guilty that afternoon.

Hinds Circuit judges held extensive discussions that included consideration of other alternative sites, said Senior Circuit Judge Tomie Green. Other locations were too expensive.

There are four Hinds Circuit Judges, but only one Circuit courtroom in Jackson large enough for social distancing. Moving to the Raymond Courthouse would require a long drive for jurors.

"We are in a tough spot. We just can't live with putting people at risk of their lives," Judge Green said.

## Judge Smith returns to work after being shot outside courthouse



Chancellor Charles Smith presides in Clarke County.

Chancellor Charles Smith of Meridian resumed work on May 18 and was back on the bench May 20.

He was eager to go back to work. "It was good to be back," he said. While he hadn't fully healed, "I'm mentally ready to go back to work. I'm ready for that."

An assailant's bullet ripped through Judge Smith's hip as he arrived for work at the Lauderdale County Courthouse on March 16. No arrest has been made.

Commissioner of Public Safety Sean Tindell said finding the assailant is a priority. "We recently had a judge in Meridian, Mississippi, who was shot. We want to assist local law enforcement in getting to the bottom of that case."

East Mississippi Crimestoppers has offered a reward of up to \$32,000 for information that would lead to an arrest in the shooting of Judge Smith. Tips may be given anonymously to the Crimestop-

pers tip line at 855-485-8477.

Judge Smith has undergone multiple surgeries to repair the bullet wound that entered his left hip, clipped his femoral artery, split the ball and socket joint in his hip and exited in front where the leg joins the torso. He was airlifted

from Anderson Regional Medical Center in Meridian to Jackson and was in intensive care at University of Mississippi Medical Center for a few days. He spent time recuperating at Methodist Rehabilitation Center before returning to Meridian in May. He uses crutches. His left foot remains numb, but he hopes to recover mobility with continued healing and physical therapy.

Judge Smith was on his way to his office at the Lauderdale County Courthouse when he was shot. He was the first in the parking lot on the east side

of the Courthouse about 7:15 that morning. He had walked behind his truck.

"I heard this loud sound like a thunder clap, and thought lightning...knocked me down. I looked up and the sky was clear," he recalled. He realized he had been shot.

He yelled for help. "There was a deputy around the corner who immediately came around and he radioed for help. Another deputy who was close by was also a nurse. He had his trauma kit. He knew what to do in regards to stopping the flow of blood," Judge Smith said. "If the deputy hadn't known what to do to stop the flow of blood, I would have bled out right there."

An ambulance was close. Anderson Regional Medical Center was close. "I

***Crimestoppers reward is up to \$32,000.  
Crimestoppers tip line is 855-485-8477.***

am so blessed. Just by the grace of God I'm here. I think He put the right people in the right place at the right time or I wouldn't be here.... It's a miracle. All I can say is God just said it wasn't my time."

Deputy Sam Upchurch, who administered lifesaving aid, was honored at a public ceremony in Meridian on May 21. Judge Smith made the award presentation.

"I was truly honored to have the opportunity to do that and speak a little bit about what Sam meant to me and the important job all these deputies and law

enforcement officers do," Judge Smith said.

Judge Smith did not see or hear the shooter.

"We have gone back over case files while I was sitting on the bench. They reviewed cases and clients I had as an attorney...and when I was a prosecutor. When you look back at it, there are a lot more people who might be mad about how a case turned out."

He became a chancellor in January 2019. He was Youth Court prosecutor 1983-2014, and was Lauderdale County Prosecutor for more than three years. He had a general law practice in Meridian before he took the bench.

Judge Smith said he had never been threatened or felt threatened. Training for new judges included courtroom and personal security, but he never thought that he would be attacked. "I have never ever really worried about my personal security – when I practiced law, when I was a prosecutor and as a judge. We talked about it, thought about it in general. I had never been concerned about anyone personally trying to do anything to me."

Now, he pays more attention to things such as ordinary traffic.

"I don't know that it's going to change my life. I'm going to get up and enjoy the day and go to work. I'm not going to be paranoid about it, but it is a wake-up call. If it can happen to me, it can happen to anyone."

## Judge Cory Wilson appointed to 5th U.S. Circuit Court of Appeals



**Judge Cory Wilson**

Judge Cory T. Wilson was confirmed by the U.S. Senate on June 24 to serve on the Fifth U.S. Circuit Court of Appeals. He is the 200<sup>th</sup> federal judge to be appointed by President Donald Trump.

President Trump signed his commission July 2, and Judge Wilson took the oath to serve on the Fifth Circuit on July 3.

Judge Wilson resigned

from the Mississippi Court of Appeals upon his appointment to the federal bench. He said in a letter to Gov. Tate Reeves that “it has been my great honor and privilege to serve the people of Mississippi as a judge on the Mississippi Court of Appeals.”

Judge Wilson took the Fifth Circuit seat vacated by Judge E. Grady Jolly, who took senior status in 2017. It was the last remaining federal circuit court vacancy in the country.

Sen. Cindy Hyde-Smith said, “Judge Cory Wilson will serve on the Fifth Circuit with honor, dedication, and distinction. I’ve known him personally for years, and I’m proud that his confirmation represents a pivotal point in President Trump’s work to ensure there are more smart, conservative jurists

in the federal judiciary.”

Sen. Roger Wicker said, “Cory Wilson is a highly-qualified, conservative-minded judge who will be a credit to the nation and to his native Mississippi. As the 200<sup>th</sup> confirmed federal judge during the Trump administration, Judge Wilson appropriately represents the generational transformation of our courts during the past four years. Given Judge Wilson’s credentials, intellect, and respect for the rule of law, I am confident that he will serve the Fifth Circuit and our nation well as a circuit judge.”

Wilson, 49, of Flora, served on the Mississippi Court of Appeals from Feb. 15, 2019, until his 2020 appointment to the Fifth Circuit. He previously served Mississippi House District 73, repre-

senting part of Madison County, from January 2016 to Feb. 14, 2019. He was senior advisor and counsel to then-State Treasurer Lynn Fitch 2014-2015, chief of staff to then-Secretary of State Delbert Hosemann 2008-2011, and served as a White House Fellow 2005-2006. During the Fellowship, he was a special assistant to Secretary of Defense Donald H. Rumsfeld.

He is a native of Moss Point. He earned a Bachelor of Business Administration degree, summa cum laude, in economics from the University of Mississippi. He earned his law degree from Yale Law School. He was a law clerk for Judge Emmett R. Cox of the Eleventh U.S. Circuit Court of Appeals.

## Judge Tindell appointed Commissioner of Public Safety



**Sean Tindell**

Mississippi Court of Appeals Judge Sean Tindell became Commissioner of the Department of Pub-

lic Safety on June 1.

“I am absolutely pleased to announce that he has been willing to accept,” Gov. Tate Reeves said during a May 20 press conference. He said that Tindell’s leadership abilities make him well suited for the job.

Tindell thanked the Governor for the appointment. “I look forward to the opportunity to serve.”

Gov. Reeves noted that with the appointment as DPS Commissioner, Tindell will have served in all three branches of government. Tindell served in the

Mississippi Senate, representing District 49, from 2012 until Gov. Phil Bryant appointed him to the Court of Appeals on Oct. 17, 2017. He was chairman of the Senate Judiciary A Committee. He was an assistant district attorney for the Second Circuit District of Harrison, Hancock and Stone counties from 2002 to 2007. He also served as a prosecutor for the city of Biloxi and as city attorney for the city of Diamondhead.

Tindell, of Gulfport, said that his top priorities as leader of the Depart-

ment of Public Safety include eliminating long waits to renew driver licenses and addressing the backlog and delays in evidence analysis by the State Crime Lab. “There has been a delay in turnover when it comes to the submission of evidence to the Crime Lab for analysis. That in turn has resulted in delays in trials and delays in the criminal justice system. We have to do better,” he said.

He also pledged to work to solve the shooting of Chancellor Charles Smith.

*Continued on Page 8*

## Judge Brian Burns appointed to 8th Circuit Court vacancy



**Circuit Judge Brian Burns**

Circuit Judge Brian Burns followed in the footsteps of his former bosses. He began his legal career as a law clerk, then staff attorney for Circuit Judges Marcus Gordon and Vernon Cotten.

Former Gov. Phil Bryant appointed Burns, 40, of Union, to a vacancy when

Circuit Judge Christopher Collins left office Jan. 1.

Judge Burns' chambers are in Decatur, in the late Judge Gordon's old office at the Newton County Courthouse. "I sit behind the same desk he sat behind for all of his years, the same desk that I sat across from him when I was his clerk and staff attorney."

Judge Gordon and Judge Cotten had contrasting styles. Judge Burns said he learned much from both. "I always thought that if given the opportunity to serve as a judge, I wanted to somehow blend Judge Gordon's firmness with Judge Cotten's compassion....That's what I strive to do," he said.

He was sworn in Jan. 3 and began his first term of court Jan. 6 in Leake County.

Then COVID-19 came along. The last trials in the district were in early March. "By the second week (of March) it was pretty much lock-down."

Judge Burns' abbreviated docket is all civil cases. He served as an assistant district attorney in the Eighth Circuit of Leake, Neshoba, Newton and Scott counties for two years immediately before his appointment to the bench. Senior Circuit Judge Mark Duncan took all of the criminal docket in January. The case assignments will last until all cases that were being worked on in the District

Attorney's office during the past two years have been adjudicated.

Judge Burns grew up in the Coldwater community. His family's fruit farm is about half a mile from the Neshoba County Fairgrounds. The family raised blueberries, muscadines and Asian pears. He still helps grow fruit with his father.

Law wasn't his original career path. "I always worked outside. I was always growing something." At Mississippi State University, he earned a Bachelor of Science in agronomy and a Master of Science with an emphasis on invasive species.

At MSU, he met the

*Continued on page 9*

## Governor appoints Tindell to DPS, Burl Cain to MDOC, *continued from Page 7*

*Continued from page 7*

"We recently had a judge in Meridian, Mississippi, who was shot. We want to assist local law enforcement in getting to the bottom of that case."

He wants an agency of people committed to public service. "In order to achieve the excellence required of us, there can be no room for big egos and grandstanding. It simply will not be tolerated. What will be demanded is serving and leadership at all points of contact within the department, and a willingness to work together for the greater good of the state of Mississippi."

"I feel like with the rela-

tionships I've built with the executive branch and the legislative branch, I will be able to serve their needs in a different way maybe than someone who just came straight out of the law enforcement arena," he said.

The Governor on the same day appointed Burl Cain as Commissioner of the Department of Corrections. The Governor said he selected Tindell and Cain to solve problems. "Our prison system is broken but we are doing everything we can to repair it."

Reeves said that Cain quelled violence and created successful work pro-

grams and faith-based programs as warden at the Louisiana State Prison at Angola. "He brought faith, security, safety, dignity and pride to the prison. He transformed America's bloodiest prison into the model of success for the nation. They were able to accomplish this by treating even the most violent criminals as human beings who are capable of reform and deserving of respect," Reeves said. "I believe that Burl Cain can bring hope to the inmates who are struggling."

Cain said, "I promise to do a great job to help the Department of Corrections and to do the four compo-

nents that's essential to have a good prison. That's good food, good praying, good playing and good medicine."

Cain said he will work to create a prison system that provides safety for inmates and staff. He also wants prisons "to be very user friendly to the inmates' families when they visit. We want to have moral rehabilitation. Moral people don't commit crimes."

Teaching skills and trades in prison work programs will be a priority "so that when they are released from prison, they can get a job. We are going to help them find a job."



## Judge Michael “Chip” Mills Jr. appointed to First Circuit Court



**Judge Michael Mills Jr.**

Gov. Tate Reeves appointed Judge Michael P. “Chip” Mills, Jr. on March 2 to fill the vacancy on the First Circuit Court bench created by the Feb. 29 retirement of Circuit Judge James L. Roberts Jr.

In addition to serving as county prosecutor and board attorney for various local municipalities and utility associations, Judge Mills kept an active small town general practice. “I touched just about everything except family law,” Judge Mills said. “As far as actually practicing law and folks coming in with

## Judge Burns

*continued from Page 8*

love of his life, Robyn Watts Burns. “We grew up less than 15 miles apart, but our paths had never really crossed.” She later studied pharmacy, and he enrolled in law school. He graduated with honors from Mississippi College School of Law in 2011.

Robyn Burns is a pharmacist. They live in Union.

different issues, I feel like I never had the opportunity to handle the same legal issue twice. That goes with being a small town or country lawyer.”

“It’s a privilege to follow in his footsteps on the bench,” said Judge Mills, who practiced before Judge Roberts.

“Serving on the judiciary was not necessarily a long-term aspiration of mine, but when the opportunity arose, I felt like I could make a difference serving as a Circuit Judge in the First Judicial District,” he said. “I like to think that I’m someone who wants to serve my local community, and as an attorney, serving as a Circuit Court Judge here in

northeast Mississippi has the potential to greatly impact the quality of life in our local communities.”

Gov. Reeves called Judge Mills “a highly experienced attorney with a history of dedicated public service. His experience as a prosecutor handling complex capital cases, his civil litigation experience, as well as his private and government practice make Chip uniquely qualified to serve as circuit judge.” In addition to his private practice, Judge Mills’ experience includes service as an assistant district attorney and as an associate with a north Mississippi general litigation law firm.

Although his career path has been similar to that of

his father, U.S. District Judge Michael P. Mills, Judge Mills is steadfast in stating that his father did not push him toward the practice of law or the judiciary. “It’s more or less a unique coincidence that our paths have been so similar,” he said. “I think we both have a common desire to serve and improve the environs we call home.”

Judge Mills earned an undergraduate degree in mechanical engineering from the University of Mississippi in 2006 and a Juris Doctor from the University of Mississippi School of Law in 2009. He and his wife, Jada, live in Fulton. They have two sons, Luke and Levi.

## Judge Carlyn Hicks appointed to Hinds Court

Hinds County Court Judge Carlyn M. Hicks of Jackson was sworn in on July 14.

Supreme Court Chief Justice Mike Randolph administered the oath of office. “We are extremely pleased. You have prepared yourself well for this moment, with all of the work you have done in the past,” Chief Justice Randolph said.

Chief Justice Randolph temporarily appointed Hicks as a special judge to the vacancy created by the retirement of Judge Melvin V. Priester Sr., who retired on June 3.

Judge LaRita Cooper-Stokes said, “We in Hinds



**Judge Carlyn Hicks takes oath beside her daughter Leigh.**

*Continued on Page 10*

## Judge Grady Tollison III appointed to 3rd Circuit Court



**Grady F. Tollison III**  
Circuit Judge

Gov. Tate Reeves appointed Grady F. "Gray" Tollison III of Oxford as Circuit Judge for the 3rd Circuit Court District, Place 1, on July 15.

Lafayette County Circuit Clerk Jeff Busby swore him in the same day.

The Governor in his announcement of the appointment said, "I've known Gray for years, and his commitment to his fellow Mississippians is unmatched. He was a strong leader for Mississippi in the Senate, and he will continue to be a strong leader on the bench. I am grateful that Gray will continue leading and serving the people of Mississippi as Circuit Court Judge for the 3rd Circuit Court District."

Judge Tollison said that he is honored to receive the appointment. "I promise to work tirelessly to ensure justice is upheld and protected for the people of Mississippi. I am excited for this opportunity to use my experience and

knowledge both in the legal field and in the Legislature to help make a difference for the people in my District."

The 3rd Circuit Court District includes Benton, Calhoun, Chickasaw, Lafayette, Marshall, Tipah and Union Counties.

The appointment fills a vacancy after Judge Andrew K. Howorth's retirement June 30. The Governor said that the term will expire on Jan. 3, 2022.

Tollison served as District 9 Senator for six terms, 1996 to 2019. He was President Pro Tempore of the Senate, Chairman of the Constitution Committee, and Chairman of the Judiciary B Committee. He received numerous legislative awards, includ-

ing 2005 Most Distinguished Legislator for Juvenile Justice Causes, 2007 Legislative Leadership Award from the Mississippi State Troopers Association, and 2019 National Association of State Boards of Education Policy Leader of the Year.

He began his career as staff assistant to U.S. Senator John C. Stennis 1986-1988. He was a law clerk for Justice Armis E. Hawkins in 1991. He joined his family's law firm in 1992. He has extensive trial experience in civil and criminal matters in state and federal courts.

He is a graduate of Rhodes College, and earned a Juris Doctor from the University of Mississippi School of Law.

## Judge Hicks appointed to Hinds County Court, *continued from Page 9*

County are very excited to have Judge Hicks join our ranks. We look forward to working with you on a day to day basis, and I know you will do well."

Judge Hicks told Chief Justice Randolph, "Thank you for the confidence you've placed in me to carry out these duties. I promise to do so with honor, integrity, and fidelity to the law."

She said, "To the citizens of Hinds County, I pledge to you my time and my talents, to serve you, be responsive to you, be accountable to you."

Judge Hicks thanked her husband Derrick for motivating and encouraging

her. "None of this would be possible without your support." She told their daughter Leigh, 8, "Your gifted precociousness keeps me on my toes and I have no doubt that you have also prepared me for this moment. Thank you for the honor of blazing new trails that I know you will far exceed in your lifetime."

Judge Hicks thanked her parents for their hard work, sacrifice, love, guidance and wisdom. "You instilled in me the very values that have guided every decision I've made as an attorney, and will continue to guide every decision I will make from

the bench. Do the right thing. Be humble. Love, and fear God. Treat the janitor like the pastor. And let every word that comes from your mouth have meaning."

Judge Hicks, 36, became director of the Mission First Legal Aid Office in August 2017. She previously represented indigent parents in Youth Court through the Mission First Legal Aid program for almost five years.

She has worked to improve child welfare policy. She is a member of the Parent Representation Task Force, the Access to Justice Commission, the Mississippi Court Improvement Program

Multidisciplinary Team and the Board of Directors of CASA. She is chair of the Mississippi Bar Child Welfare and Child Advocacy Committee and chair of Pro Bono and Community Outreach for the Capital Area Bar Association. She is one of only three Mississippi attorneys certified as a Child Welfare Law Specialist by the National Association of Counsel for Children. She is a member of the American Bar Association National Alliance for Parent Representation Steering Committee, the ABA Family Justice Initiative National Advisory Committee and the National Child

## Judge Kent Smith appointed to 3rd Circuit Court vacancy



**Circuit Judge Kent Smith**

Kent E. Smith of Holly Springs became the newest Circuit Judge of the 3rd Circuit Court District on July 21. Gov. Tate Reeves appointed Judge Smith to the Place 3 judgeship pre-

viously held by Judge John Gregory, who retired June 30.

“Kent has been a leader in the legal community in our state for years, working hard to protect the rights of Mississippians and ensure justice for Americans,” Gov. Reeves said. “I am grateful that Kent will continue serving the people of Mississippi as circuit judge for the 3rd Circuit Court District.”

Judge Smith said, “I’m honored to be appointed by Governor Reeves to the 3rd Circuit Court District. I am excited for this opportunity and promise to work diligently to ensure justice is upheld and pro-

tected for the people in my District and all of Mississippi.”

Judge Smith began his legal career in 1991. His practice has included governmental law, general civil practice, insurance law and criminal defense. Before his appointment to the bench, he was a member of Smith Whaley, PLLC, where he practiced general civil and criminal law. He also represented the Marshall County Board of Supervisors and the Marshall County Industrial Development Authority.

He is admitted to practice law in Mississippi, Alabama and Tennessee. He has practiced exten-

sively in the circuit courts and in the U.S. District Courts of all three states.

He is a member of the National Association of Criminal Defense Lawyers and the Mississippi Bar. He has also served on the Defense Research Institute and the Board of Directors for the Mississippi Defense Lawyers Association.

He earned a Bachelor’s Degree from the University of Mississippi and a Juris Doctor from the University of Mississippi School of Law.

He lives in Holly Springs with his wife, Amanda, and their two sons, Jack and Brennan.

## Judge Hicks

*continued from Page 10*

Welfare Workforce Institute Advisory Board.

Judge Hicks has served since 2015 as clinical adjunct professor at the Mississippi College School of Law Child Welfare and Family Justice Clinic. She taught Constitutional law for a year at Jackson State University.

Judge Hicks earned a Bachelor of Arts degree in business administration from Jackson State in 2006, and a law degree from Mississippi College School of Law in 2010. She earned a Master of Business Administration from Mississippi College in 2012. She is pursuing a Ph.D. in public administration at JSU.

## Courts adapt to video conference hearings



**Chancellor Jim Persons**

People in five different locations came together via video conference as Chancellor Jim Persons conducted a recent domestic abuse hearing.

The proceeding, with lawyers in their offices, one of two clients at a dif-

ferent location and the judge and court reporter at their respective homes, was an arrangement that has become common as courts work to hear matters that must be dealt with immediately and keep dockets moving.

With cases such as domestic abuse, “there is no other way to do it. We have to have hearings within a certain period of time,” Judge Persons said.

Technology has been the key. Courts have utilized Zoom and other video conferencing programs to conduct hearings in Chancery, Circuit, County and Youth Courts. Judges also use telephone conferences with attorneys.

Electronic filing through Mississippi Electronic Courts, MEC, has been crucial to conducting court business. “We could not do this without MEC,” Judge Persons said. For instance, in a matter such as closing an estate, attorneys contact the court administrator, who forwards a proposed order. “I get on MEC and make sure the petitions are proper. Sometimes I make changes. I print it, sign it, scan it, send it to the clerk and it’s filed. I probably spend the better part of each day doing that.”

Madison County Court Judge Staci O’Neal also has relied heavily on

*Continued on page 12*



**County Judge Staci O'Neal**

*continued from page 11*

Zoom. "I'm doing Youth Court hearings. I'm doing detention hearings. I'm doing civil hearings, pretty much any hearing, whether the person is incarcerated, or in the Youth Court world, in detention. I'm pretty much doing everything via Zoom except trials," she said.

Judge O'Neal said she conducted the last in-person courthouse hearing in late March. She moved proceedings to videoconferencing to protect everyone's health and safety. "Even though I am probably safe, I feel like (convening in the courtroom) is demanding members of the public to appear when I can't guarantee their safety."

Judge O'Neal helped teach her staff how to use video conferencing technology. "In early March I saw it coming," she said, as the spread of COVID-19 began to force courts to change the way they operated. Judge O'Neal scheduled a mandatory Zoom practice session with court staff and workers with the



**Circuit Judge Winston Kidd**

Department of Human Services and Department of Child Protection Services who regularly interact with the Madison County courts. "We just got on there and practiced. If you are not really tech savvy, it takes a little getting used to."

Hinds Circuit Judge Winston Kidd said video conferencing has kept some matters moving. "We've not had any problem adapting to video conferencing. I'm thankful we have access to video conferencing and Zoom because that allows us to keep the process going."

"Our courtroom technology allows us to connect to the jail," Judge Kidd said. He hadn't used that feature much before the pandemic, but with upgrades, it became an important tool. He's held arraignments, bond hearings, status conferences and some motions hearings on criminal matters with defendants connected via video conference from jail. Regularly scheduled civil motion days have gone forward via video conferences or conference calls.

Zoom isn't available to



**Circuit Judge Robert Krebs**

all courts. Circuit Judge Robert Krebs said that Jackson County government doesn't allow Zoom to be used on its servers. One of the Jackson County Drug Court staff got his own Zoom account, so weekly drug court proceedings are held using Zoom.

Circuit Judge Lisa Dodson has used a combination of in person and video conference proceedings. Jails in Harrison, Hancock and Stone counties have video conference capabilities that allow judges to conduct sentencing and revocation hearings remotely with prisoners at the jails. The Harrison County adult detention center has a courtroom and a conference room with videoconference capabilities. When prisoners must appear in person, scheduling has been adjusted so that fewer prisoners are brought in at one time to keep numbers below 10 in the courtroom.

"I've been to the courthouse most every day for part of the day," Judge Dodson said. "We are still trying to get as much done as we can."



**Circuit Judge Lisa Dodson**

"We have good cooperation from the District Attorney, Public Defender, Sheriff's Department, the IT Department. They have all pitched in. 'Let's see if we can make this work.' We are all in this together. It's been a team effort."

Judge Dodson said she wouldn't mind continuing to use video conferences for some criminal appearances, as it reduces the need to transport prisoners.

Senior Status Judge James Bell said video conferencing allowed him to avoid hours of travel time and move forward with difficult to reschedule cases that involve numerous lawyers and parties. "This is a useful tool that I would like to continue to use after we return to 'normal,'" he said.

Chancellor Rhea Sheldon of the 10th Chancery said, "I believe strongly that the video conferencing will be a medium that we will be using going forward."

Video conferences are one adaptation that will survive the pandemic, said Circuit Judge M. James Chaney of Vicksburg.

## Youth Courts use tech to keep parents and children connected



**Judge Trent Favre**

While COVID-19 forced most families to spend time together at home, Youth Courts and Child Protection Services worked to make sure that children in temporary foster care don't experience further separation as coronavirus safety measures curtail in-person visits with biological parents.

The Hancock County Youth Court set up virtual visits via computer tablets to keep families connected. It can't replace face to face visitation, but it's the next best thing.

Hancock County Youth Court Judge Trent Favre said, "It is extremely important to maintain contact between the family, the parents and the children."

Parents and foster parents needed to avoid the risks of contracting the virus. Video communications allowed visitation without direct contact. "It's a good, safe way to maintain contact during this time, and be respectful of the rights of foster parents," Judge Favre said.

Lisa Wilbourn, director

of Brenda's House Family Center in Hancock County, started the virtual visitation after she saw a webinar. Wilbourn purchased eight inexpensive tablets. Biological families had previously exercised supervised visitation under the direction of a social worker and trained staff at the Brenda's House facility. Tablets were issued to foster families. Now a Brenda's House social worker sets up and monitors virtual visits between the children and their biological families.

The children are those who have been temporarily removed from the custody of their parents due to allegations of neglect or abuse. The Youth Courts and Child Protection Services strive to reunite families if parents are able to provide a safe home environment and make changes ordered by the Youth Court.

"The whole purpose behind supervised visits is to allow families to maintain that bond and attachment," said Wilbourn, a licensed professional counselor. Being able to see their children may motivate parents to make changes that Youth Court requires for reunification.

"Obviously with every-

thing that is going on, we had to try to think outside the box to ensure that visitation continued as much as possible," Wilbourn said. "Even when we go back to normal, this may be a way for parents who can't make it here due to transportation or other issues" to visit with their children.

The Access to Justice Commission is seeking funds to buy tablets to assist with virtual visitation in other counties. Access to Justice Commission Executive Director Nicole McLaughlin said the hope is to provide children with devices to aid them in distance learning and allow them to video chat with family. "School age students in foster care are so disadvantaged already. We want to provide them something not only for court access but for education purposes," McLaughlin said.

Rankin County Youth Court Judge Thomas Broome said many parents and foster parents are using personal phones for virtual visitation. CPS social workers set up virtual visits on their state-issued cell phones.

Department of Child Protection Services Director of Communications Lea Anne Brandon said,

"Our caseworkers are assisting all of the families on their caseload to facilitate virtual visits with foster children whenever face-to-face isn't possible or recommended. If technology is an issue, every caseworker has an iPhone and a tablet/computer they can make available. Their phones are Wi-Fi hot spots. They have Zoom, Facetime and Skype apps available on their phones. We have also shared low-cost cell phone and internet service options with all of our foster parents to facilitate connectivity."

Brandon said visits between children and their families have increased through virtual visitation.

Judge Favre said being forced to use Zoom for court hearings and virtual visitation for parents and children introduced the court to technology that will be useful for the future. He sees potential applications to allow participation in court hearings by parents who have no transportation or who can't take off work.

"Technology has made it easier for people to provide information to the Court so the Court can make good decisions," Judge Favre said. "We may return to our regular way of doing things, but we might find using technology may help more people involved to participate. My philosophy is the more information that I have, the better decision I can make."

### Judge Favre receives Judicial Excellence Award

**Hancock County Court Judge S. Trent Favre received the Mississippi Bar's 2020 Judicial Excellence Award. The Award recognizes an exceptional judge who is an example of judicial excellence, a leader in advancing the quality and efficiency of justice and a person of high ideals, character and integrity. He is the first full time County Court Judge for Hancock County.**

## Judicial College creates video conferences for support, sharing ideas



**Director Randy Pierce**

When COVID-19 curtailed court proceedings, the Mississippi Judicial College redoubled its efforts to help judges figure out ways to keep courts open and running.

Judicial College Executive Director Randy Pierce said, “Our job is to provide continuing education to judges. We need to be broader. We tried to find a way to be a resource” as well as provide judicial education.

An innovation that has drawn praise from across the judicial system is the weekly or bi-weekly video conferences scheduled by the Judicial College. Interactive group meetings have been held via Zoom for Circuit and County Court judges, Chancellors, Justice Court judges, Municipal Court judges, senior status judges, intervention courts, Youth Courts, Circuit clerks, Chancery clerks, Justice Court clerks, Municipal Court clerks, court administrators and court reporters.

“It’s really to educate

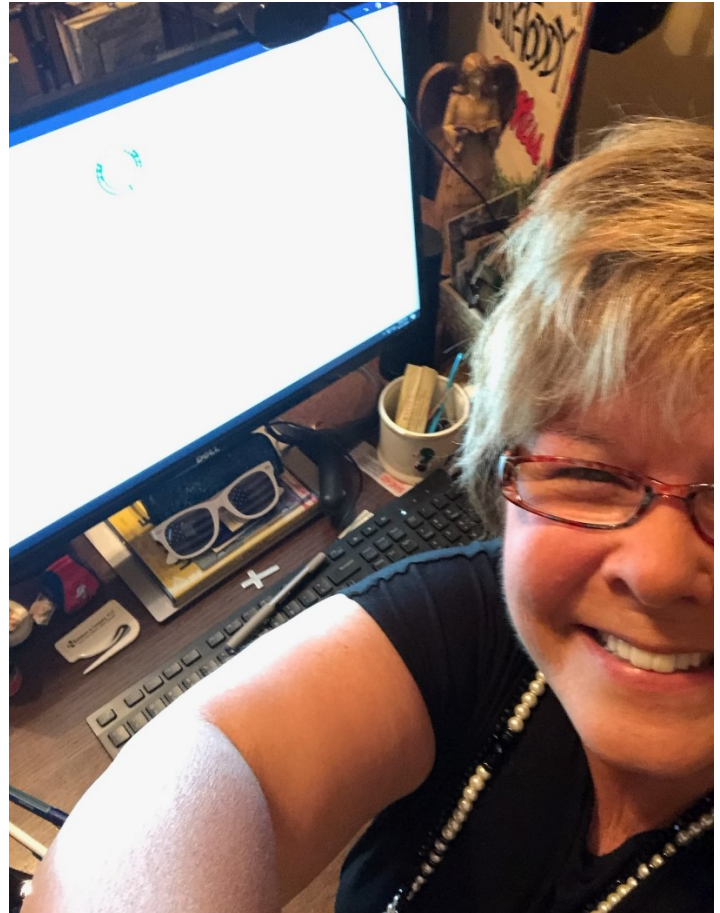
and to give judges support as they go through these uncharted waters. Sometimes we don’t have the answers, but we will figure it out,” Pierce said.

Circuit Judge Robert Krebs of Pascagoula said, “The teleconferences have been most helpful, to see how my brother and sister judges are handling things across the state. I know there is a lot of frustration about what we can and can’t do, mostly what we can’t do.”

Chancellor Haydn Roberts of Brandon said, “The weekly Zoom meetings have been a very helpful tool for learning what other chancellors are facing and for helping answer some questions that we all have. It is also a reminder that we are not alone dealing with these issues.”

With the Spring Trial and Appellate Judges Conference cancelled, “this is our time to catch up with one another, share experiences,” said 11<sup>th</sup> District Chancellor Cynthia Brewer of Madison.

Pierce said, “I had never heard of Zoom until the Law School began to have meetings via Zoom. I thought, ‘Wow we needed to do this with our judges and our court personnel...to make sure everyone can lean on each other



**Chancellor Cynthia Brewer participates in a video conference discussion with other chancellors.**

and see what different judges did in different courts.’ ”

Judicial College Program Manager Ramey Smith quickly set up the Zoom teleconferences for different groups. Pierce called Smith’s knowledge of the technology “a tremendous asset. He knows this stuff. I couldn’t have done it without him.” He also praised the work of Research Counsel Bill

Charlton and Research Counsel Carole Murphey for their help teaching judges how to videoconference.

Judges and other court personnel can watch the archived sessions at <https://mjc.olemiss.edu/mjc-on-vimeo/>. The archives are password protected.

The Judicial College also compiled a COVID-19 Resources Page with links to information from the National Center for State Courts, other states and other universities. The link is <https://mjc.olemiss.edu/covid-19-resources/>.

### **Pierce receives Chief Justice Award**

**Mississippi Judicial College Director Randy Pierce received the 2020 Chief Justice Award for leadership that improved the quality of judicial training and for his use of online meetings and video conferences.**

## Access to Justice Commission makes videos to help pro se litigants



**Chancellor Jacqueline Mask**

The Mississippi Access to Justice Commission recently released a series of videos designed to help people who want to represent themselves in civil court proceedings without the assistance of a lawyer.

The Access to Justice Commission partnered with the University of Mississippi School of Law to produce seven videos that deal with self-representation in family law issues. The Access to Justice Commission also partnered with the Mississippi Center for Justice to provide six videos related to eviction.

The videos are available on the Access to Justice Commission’s website at <http://www.msatjc.org/self-help-videos>.

Chancellor Jacqueline Mask, co-chair of the Access to Justice Commission, said, “These videos are a valuable tool for self-represented litigants. By watching these demonstrations of court procedures and practices, they are more empowered and better equipped to represent themselves. These are an



**Nicole McLaughlin**

excellent supplement to the free civil legal clinics that are offered in our District and around the state.”

Nicole McLaughlin, executive director of the Access to Justice Commission and director of the Mississippi Bar Access to Justice Initiative, said the videos are not legal advice. They are intended to assist pro se litigants to gain access to the courts and navigate legal complexities of the judicial system.

“It’s always recommended that if you can come up with the funds,



**Chancellor Margaret Alfonso**

hire an attorney,” McLaughlin said. Self-help videos are “a resource just to fill in those blanks where people can’t come up with the money to hire an attorney and they have to make that difficult decision to represent themselves.”

“There are not enough pro bono or Legal Aid attorneys in the state for everyone to use one. Some people are going to be forced to represent themselves,” McLaughlin said.

The videos are intended to help pro se litigants with issues such as how to file a

lawsuit, what to expect when they appear in court and how to present their evidence.

Chancellor Margaret Alfonso said, “It’s heart-breaking to see people who have a real legal need, who cannot afford a lawyer and cannot adequately navigate the system.”

She has seen an increase in pro se litigants. “Anything to help these people effectively represent themselves is helpful to the family and to the court.”

Creation of the family law videos has been in the works for a year and a half. David Calder, associate clinical professor and director of the Child Advocacy Clinic at University of Mississippi School of Law and attorney Christi McCoy of North Mississippi Rural Legal Services wrote scripts with the assistance of law students and attorneys of the Family Law Section of the Mississippi Bar. Tupelo attorney Jonathan Martin narrated the videos. Volunteer cast included Lee County Court Judge Staci Bevill, Law School Assistant Director of Career Services Karen Peairs, Calder, McCoy and McLaughlin. Oxford videographer Rex Harsin filmed the family law segments on Feb. 1 in a Moot Court courtroom at the Law School.

With the onset of the pandemic, a decision was made to add videos dealing with COVID-19 eviction issues and other eviction and housing topics.

**Family Law videos include:**

- *Representing Yourself: How to file a lawsuit;*
- *Steps to Schedule Your Day in Court;*
- *What is a Subpoena:*  
*Getting documents and witnesses to court;*
- *How to Dress for Court;*
- *Your Day in Court: What to expect;*
- *Testimony: Telling your side of the story;*
- *This is Not TV: What court is really like.*

**Eviction videos include:**

- *COVID-19 Eviction Issues;*
- *Facing Eviction for Breach of Lease;*
- *Facing Eviction for Nonpayment of Rent;*
- *Security Deposits;*
- *The Fair Housing Act;*
- *Repairs by Tenants:*  
*When the Landlord fails to make repairs.*

## New Pearl River County Courthouse Annex opens in Poplarville



Chancellor Rhea Sheldon convened court for the first time on May 18 in a new courthouse in Poplarville.

The recently completed courthouse, formally named the Pearl River County Courthouse Annex, houses offices of the Pearl River County Chancery Clerk, the Pearl River County Court and Youth Court, the District Attorney and the Pearl River County Tax Collector. Two courtrooms serve the Chancery and County Courts.

Offices of the Chancery Clerk, District Attorney and Tax Collector previously were spread among three buildings in Poplarville, and the County Court and Youth Court offices were in Picayune. Circuit Court will remain in the Circuit Courthouse in Poplarville.

“This is a very nice fa-

cility,” Judge Sheldon said. “It gives the citizens something to be very proud of to have a modern, safe courthouse.”

“What a beautiful courtroom,” Hattiesburg attorney Cynthia Re said during a break between proceedings.

Rep. Jansen Owen of Poplarville had business at the new courthouse and enjoyed a quick tour of the clerk’s office, conference rooms and file rooms. He said afterwards, “The courthouse is the beacon of justice that the citizens of Pearl River County often turn to in both their darkest and brightest of times. I’m proud of the work our Board of Supervisors and our County Administrator did to ensure that our courthouse will continue to shine as that beacon of justice, serving the citizens of Pearl River County for many genera-



**Chancery Clerk Melinda Bowman gives visitors an office tour.**

tions to come.”

The two-story yellow and brown brick 40,000 square foot structure took 18 months to build, said Pearl River County Administrator Adrain Lumpkin. Planning started in

2008. The finished project, including construction, furnishings and information technology, cost about \$8 million. Landry Lewis Germany Architects of Hattiesburg designed the building. Hanco Corp





**Chancellor Rhea Sheldon wipes the bar with disinfectant.**



**Rep. Jansen Owen and Chancery Clerk Melinda Bowman look through files from the early 1900s.**



**The old Pearl River County Chancery Court Building in Poplarville, with structural and security issues, is expected to be torn down.**

General Contractors of Hattiesburg built it.

With large assemblies barred as a safety precaution against COVID-19, local officials had to put off a ceremony to celebrate the opening of the new facility. Judge Sheldon went right into hearing previously scheduled cases. The first day's docket included an adoption, a custody modification, a proposed guardianship for an elderly citizen and a property division.

A deputy with a thermometer and a bottle of hand sanitizer met everyone at the front door. People with business before the court waited in their cars until called. In the courtroom, Judge Sheldon, court staff and attorneys wore masks. Only 15 seats for spectators were installed, with lots of space between. After each hearing, Judge Sheldon and Bailiff Henry Letort sprayed disinfectant and wiped down surfaces where people had been.

Chancery Clerk Melinda Bowman said that in two

weeks, her staff moved more than 27,000 files dating from 1902 forward. Clerk's staff used office carts and a county utility vehicle to wheel the files over from the old Chancery Court offices down the street.

Some old files are damaged from having been housed in a space where water got inside during rains, Bowman said. "It supported wildlife," she said of the old room. A bullfrog was once found inside. Those files, which await restoration, are in a historic records room separate from the main file room in the new building.

The old Chancery Building, a gray one-story structure that was once a hospital, had issues with security with its multiple entrances. Wiring does not accommodate high speed internet, limiting the use of court technology. "It was eaten up with termites," Judge Sheldon said.

The old building is expected to be torn down. A parking lot will be built in its place.

## Pickering appointed to Intervention Courts Advisory Committee



**Stacey Pickering**

Mississippi State Veterans Affairs Board Executive Director Stacey E. Pickering has been appointed to the State Intervention Courts Advisory Committee.

The Supreme Court made the appointment on May 7. Chief Justice Mike Randolph, who signed the appointment order, said Pickering will become part of the decision making process for developing veterans intervention courts and mental health treatment courts as well as expanding drug courts.

Chief Justice Randolph is working to expand intervention courts. He hopes to add eight veterans court pilot programs, establish eight mental health court pilot programs, and create three more drug courts.

Pickering said, "One of my goals is to see us grow our veterans courts....I have seen the effectiveness of these programs in other cities and states around the country. Any program that has a single-digit recidivism rate is something Mississippi ought to em-

brace. We've seen numbers in other states as low as 3 percent."

Pickering said that military veterans make up 7 percent of the male prison population in Mississippi. Intervention courts can give veterans a second chance and direct them to resources available through the Department of Veterans Affairs. The VA health system can provide counseling and other services. "There are different tools and resources available to veterans that aren't available to the civilian community. Part of our job is to help them plug into VA resources."

Post-traumatic Stress Disorder and lack of employment are problems associated with veterans who land in jail. "PTSD is real, especially for those who experienced combat,"

Pickering said. Also, "for a lot of our veterans, when they leave active duty, their standard of living goes down. Especially in a poor state like Mississippi, they may not be able to transition their skills into civilian jobs."

"When our (VA) resources and judicial resources come together, we can help these veterans to relaunch their lives and not have to go through incarceration," Pickering said.

It also saves tax dollars. Chief Justice Randolph said that it is expected that the savings to the state in Fiscal Year 2021 will exceed \$71.7 million with the addition of proposed new intervention courts.

The state has 44 intervention courts. There are 22 adult felony drug courts. Special programs for veterans currently op-

erate in the 12th Circuit and 19th Circuit. There are four adult misdemeanor drug courts, 15 juvenile drug courts and three family drug courts.

Pickering said, "You can't address prison reform if you don't address intervention courts like veterans courts and mental health courts to address what got them in trouble in the first place."

The Legislature created the Advisory Committee to develop and periodically update proposed statewide evaluation plans and models for monitoring all critical aspects of drug courts. The Advisory Committee makes recommendations for improvements to drug intervention court policies and guidelines for intervention court operations and sets funding formulas for intervention courts.

## Murphey, Bruhl, Curry join Judicial Performance Commission



**Circuit Judge Smith Murphey**

Chief Justice Mike Randolph appointed Circuit Judge Smith Murphey V of Batesville as an alter-



**Judge Ryan Bruhl**

nate member of the Commission on Judicial Performance.

Gov. Tate Reeves rec-



**Judge Wes Curry**

commended Judge Murphey as an alternate member to replace Judge Chris-

*Continued on page 19*

## State Librarian Stephen Parks elected to second term

State Librarian Stephen Parks was elected to his second term Jan. 9 during a joint session of the Mississippi House of Representatives and the Mississippi Senate. He has served as State Librarian since January 2016.

Parks works to increase visibility of the Law Library and let the public know that it is available to everyone.

Parks is chairman of the Central Mississippi Library Council, and previously served as vice-president and Scholarship Committee chair. He is a member of the Mississippi Bar, the American Association of Law Libraries and the Southeastern Chapter of the American Association of Law Libraries. He earned the 2018 Emerging Leader Award from the AALL.

Parks was Research,

Instructional Services and Circulation Librarian at Mississippi College School of Law. His work there as director of the Judicial Data Project earned the AALL 2012 Innovations in Technology Award. His direction of the Legislative History Project won the AALL 2014 Public

Access to Government Information Award and the AALL 2014 Innovations in Technology Award. He received the Mississippi Historical Society 2014 Award of Merit and the AALL 2017 Marketing Award.



Gov.-elect Tate Reeves swears in State Librarian Stephen Parks on Jan. 9.

Parks is an adjunct professor at the University of Southern Mississippi. He previously taught legal research at MCSOL, and taught law librarianship as an adjunct professor at Tulane's former Madison campus.

He earned a Bachelor of Science degree in political science, magna cum laude, from East Carolina University, a law degree, magna cum laude, from MCSOL and a Master of Library and Information Science degree from USM.

## Judicial Performance, *continued from page 18*

topher Collins, who left the bench Jan. 1.

Judge Murphey's term on the Commission will end Dec. 31, 2021.

Chief Justice Randolph appointed Walthall County Justice Court Judge Ryan Bruhl to the Commission, and appointed Forrest County Justice Court Judge Wes Curry as an alternate member of the Commission. Their six-year terms began Jan. 1.

Bruhl took the Commission position previously held by Hinds County Justice Court Judge Jimmy

Morton. Curry took the alternate position previously held by Warren County Justice Court Judge Edwin Woods Jr.

The Commission on Judicial Performance investigates allegations of judicial misconduct and makes recommendations for discipline to the Supreme Court. The Commission includes seven members and seven alternates. An alternate member sits on a disciplinary panel when a member has a conflict.

## Judge Treadway joins Complaint Tribunal



Judge Craig Treadway

The Supreme Court appointed DeSoto County Court Judge H. Craig

Treadway to the Bar Complaint Tribunal on July 1.

Judge Treadway will serve out the Tribunal term of Circuit Judge Andrew K. Howorth of Oxford, who retired June 30. Judge Treadway's term is through Aug. 31, 2022.

Chief Justice Mike Randolph signed the appointment order on behalf of the unanimous Supreme Court on July 1.

Judge Treadway has served as DeSoto County Court Judge for Post 2 since Feb. 27, 2017.

## Hundreds gather to celebrate the career of Judge Roberts



**Judge James L. Roberts Jr. speaks at his retirement ceremony.**

Hundreds of people packed the Pontotoc County Courthouse on Feb. 28 to honor Circuit Judge James L. Roberts Jr. upon his retirement.

It was a bittersweet celebration of a career of public service that spanned more than 40 years. Judge Roberts, 75, said that he had planned to serve out the term and maybe run again. He fought not to give it up, but his health forced him to retire. He suffered a stroke in February 2019 in the middle of a trial in Tishomingo County. He is unable to walk.

“I’ve had more than I deserve, I’m sure, and I’m grateful for that. I’ve taken a lick or two over the years and that’s OK. You are supposed to. The thing is to get up and you keep going if you can.”

Judge Roberts before the retirement ceremony had referred to it as the funeral for his career. Cir-

cuit Judge Paul Funderburk was upset by that characterization. Public service has been Judge Roberts’ life, Judge Funderburk said. “Today is a celebration and appreciation of your career and of all your many accomplishments and achievements and contributions, not only as a judge but during your entire life of public service to the people of Mississippi.”

“Jimmy is a judge’s judge if there has ever been one. He has served our court with dignity, dedication and distinction and it’s been my honor and privilege to work with him and I’ve been dreading this day for a long time,” Judge Funderburk said.

Senior U.S. District Judge Glen H. Davidson said Judge Roberts could be described with “all the superlatives” —intelligent, honest, dedicated, enjoys his work and loves Missis-

sippi and Pontotoc County.

Circuit Judge Smith Murphey V, who began his legal career as Judge Roberts’ law clerk at the Supreme Court in 1994, said only his own parents had a greater impact on his life. Judge Roberts taught his clerks not just law but about people and politics and life. Make a good impression. Be patient and gentlemanly even in a situation that may be tense and contentious. And don’t sit with your back to the door. “I can only hope that I’ve been half as helpful to half as many people as you have been,” he said.

Chancellor Michael Malski told the crowd, “I can’t say as much as your presence here says.”

Attorney Gary Carnathan of Tupelo described Judge Roberts as a man of integrity. Not even political opponents could find anything negative to say about him. But there were funny stories. Carnathan recalled Judge Roberts’ early days as a chancellor with an account of risqué pictures offered as evidence in a divorce case. “Back then we didn’t have all this discovery and rules. We tried cases by ambush,” Carnathan said.

Retired Judge Fred Wicker had what he called the cleanup spot in the program. “As I sat there, I wondered what was left for me to say.” He recalled Roberts as the paper delivery boy, and as an All Conference football player in 1960, ‘61 and ‘62.

Judge Roberts took the

microphone. His voice strong, he reflected on career, family, friends, frailties, life, death and scripture. He noted that, as always, his notes were written on a napkin. And he recounted his oft-told story of the want ad for a missing dog – a one-eye, three-legged, tail-docked, neutered pooch. “Answers to the name of Lucky.”

“Y’all have been far better to me than I deserve,” he said.

He was elected Pontotoc County Prosecuting Attorney in 1972, shortly after he earned a Juris Doctor from the University of Mississippi School of Law. He was prosecuting attorney for 12 years while maintaining a private civil practice. Gov. Bill Allain appointed him Commissioner of the Department of Public Safety in 1984. He was 38 when he went from small-town lawyer to state agency head.

His service on the bench began in January 1988, when he was appointed Chancellor in the First Chancery District. He served for almost five years. He was elected to the Supreme Court in 1992 and took office early, on Sept. 28, 1992, by gubernatorial appointment. He resigned from the Supreme Court March 1, 1999, to run unsuccessfully for Governor. He later ran unsuccessfully for lieutenant governor. His next judicial post after the Supreme Court was as Pontotoc Municipal Judge.

*Continued on Page 21*

## Judge Howorth retires from 3rd Circuit on June 30



**Circuit Judge Andrew Howorth**

Circuit Judge Andrew K. Howorth said he has things that he wants to do while he still can, so he retired June 30 after 18 ½ years on the bench.

“I’d like to do other

things. I’ve never gotten tired. I’m not burned out, but I’m looking at the clock of life and I want to be able to do other things while I’m still able,” he said. He is 64.

He had been out digging post holes on his tree farm when an interviewer caught up with him late one afternoon a few weeks ago. His 922-acre farm includes more than 800 acres of mostly pine trees. “It’s a lot to keep up with,” and it’s mostly a one-man operation.

“I’ve always loved the outdoors and I finally got to a place where I can enjoy it,” he said. There’s a

cabin in the woods. “My wife and I like to spend weekends there.”

His and her adult children are spread out across the country. “We’d like to go see them and things like that.”

He doesn’t plan to practice law. He may become a senior status judge.

Gov. Ronnie Musgrove appointed Judge Howorth to the Third Circuit Court. He was sworn in Jan. 2, 2002. He was elected to five terms.

He presided over a Drug Court which he founded in 2007. The Third Circuit Drug Court, with 348 participants enrolled, is one of

the largest intervention courts in the state. He served for the past year and a half on the State Intervention Courts Advisory Committee.

He served as vice-chair, then chair of the Conference of Circuit Judges and on the Board of Governors of the Mississippi Judicial College.

He is a native of Oxford and a graduate of the University of Mississippi School of Law. He was admitted to the practice of law in 1987.

He was named Oxford’s 2019 Citizen of the Year.

## Judge Gregory retires June 30



**Circuit Judge John Gregory**

Judge John A. Gregory retired from the Third Circuit Court on June 30.

Judge Gregory, 68, of Okolona, has 43 years of public service.

“I want to spend time with my family,” he said.

In a letter announcing his retirement, Judge Gregory said, “When I qualified for re-election in 2018, I fully intended to fulfill my term. However, I

## Judge Roberts reflects on career, retirement, *continued from Page 20*

He also taught criminal justice for six years at University of Southern Mississippi. He was appointed to the First Circuit bench in December 2007.

“Circuit Court is and can be an ugly court. But I believe every person on this earth is a child of God, even when we misbehave. And I believe that every person who appeared before me ought to have a shot at doing better if they possibly could, and I thought if they wanted that, they deserved that, and I thought if they didn’t want that, they ought to get what they really deserved. And that’s how I tried to operate.”

“I did not want to retire. That was never in my plans,” he said. “I always figured I’d topple over dead someday with a heart

attack.”

He and his wife, Rose, live in a nursing home in Pontotoc. Life is pretty good there, he said wryly. “They wake you up early and shoot you full of holes and carry you in and feed you. You can watch TV and they will come in and shoot you again and give you some awful tasting medicine. And about three times a week they will take you down there and steal all of your clothes and take a wire brush and lye soap and really give you a good bath.”

He cited scripture from Job, Proverbs and Philippians. “The Apostle Paul said ‘I have learned to be content in whatever state I’m in.’” He admitted that’s he’s working on it, but not quite there yet. “I am learning to be content.”

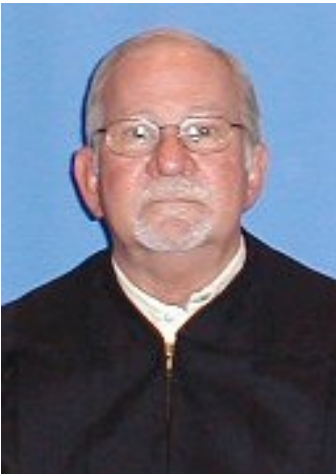
He repeated something he said a year earlier at a ceremony when he presented his portrait to the Supreme Court. That was a few days before he had the stroke. “I said I was standing on the back porch in the twilight of my career. I didn’t realize how close to twilight it was.”

He pointed out in the audience colorful former state Representative and funeral home owner Steve Holland. “If you can say the things he said in public and survive as long as he can – he’s a walking miracle. Steve, you did a good job. Thank you. I want to see you as often as I can, but on an eye level, not looking up at you.”

Watch the retirement program on YouTube at <https://www.youtube.com/watch?v=p0etwMXfvbI>.

*Continued on Page 22*

## Judge McKenzie retires after 25 years on Chancery bench



**Judge Franklin McKenzie**

Chancellor Franklin C. McKenzie Jr. of Laurel retired June 30 from the 19<sup>th</sup> Chancery Court.

“It has been a pleasure and an honor to serve this great State as Chancellor of Jones and Wayne Counties for over 25 years,” Judge McKenzie wrote in a June 17 letter to Gov. Tate Reeves.

The Governor will make an appointment to the vacancy. The 19<sup>th</sup> Chancery

is a single judge district.

Judge McKenzie was first elected in November 1994 and took office in January 1995. He was reelected six times without opposition.

“It’s time for somebody else to take the bench,” said Judge McKenzie, 73.

He plans to become a senior status judge.

Judge McKenzie earned a Bachelor of Arts degree from the University of Southern Mississippi and a Juris Doctor from the University of Mississippi School of Law. He was admitted to the Mississippi Bar in 1972. He practiced law in Laurel for 22 years. He served as Laurel city attorney for 22 years, and was corporate counsel for South Central Regional Medical Center for 11 years. He served in the Mississippi Army National Guard for 10 years, 1968 to 1978.

## Christopher Collins leaves bench, returns to private law practice



**Christopher Collins**

Circuit Judge Christopher A. Collins of Union resigned from the bench effective Jan. 1.

Collins, 52, said that he wanted to return to private law practice and lay the foundation for a practice that will later include family members. “I want to get a law practice up and going so they can join and we won’t all be starting from scratch at the same time,” he said.

His oldest daughter, Katie Collins Curren, was admitted to the Mississippi Bar in September 2019, and her husband is a law student. Daughter Muriel Collins is in her first year of law school at the University of Mississippi School of Law. Son Alexander Collins, a student at Mississippi College, is interested in law, as is youngest daughter Olivia.

Collins said that he chose the time of his resignation so that the four counties of the district would not incur costs of a special election. The special judicial election will be on the November 2020 ballot with the Presidential election. The district includes Leake, Neshoba, Newton and Scott counties.

Gov. Phil Bryant appointed Collins to the Eighth Circuit Court on March 31, 2016, to fill the vacancy created by the retirement of Judge Marcus Gordon.

Collins called his work with the Drug Court the most rewarding. He was a charter board member of the Eighth Circuit District Drug Court since its inception in 2004.

He served as a civil court judge for the Tribal Court of the Mississippi Band of Choctaw Indians 1999 to 2016. He also served as a domestic violence court judge for the Tribal Court. He was a prosecutor for the cities of Union and Decatur.

## Judge Gregory retires after 43 years of service, *continued from page 21*

have since experienced several life changing events that have contributed to my decision to retire.”

Judge Gregory became a Circuit Judge of the Third Circuit in January 2011. The district includes Benton, Calhoun, Chickasaw, Lafayette, Marshall, Tippah and Union counties.

He is a graduate of Okolona High School and the University of Mississippi, where he played football. He earned his law degree from the former

Jackson School of Law, now Mississippi College School of Law.

He began his legal career as a law clerk for Supreme Court Justice Stokes V. Robertson. He was an assistant district attorney for the Third Circuit District for nine years. He was elected for six terms as Chickasaw County prosecuting attorney, and served 23 years. He served as attorney for the Okolona Municipal Separate School District for 23 years, board

attorney for the Chickasaw County Board of Supervisors for about 19 years, and as Okolona city attorney for 15 years.

It’s been a satisfying career. “Without a doubt it has been,” he said.

He may work as a senior status judge.

He is a fellow of the Mississippi Bar Foundation, past president of the Okolona Chamber of Commerce, and an elder of Okolona Presbyterian Church.

## Hinds County Court Judge Melvin Priester Sr. retires June 3

Judge Melvin V. Priester Sr. retired from the Hinds County Court on June 3.

"I would like to thank the citizens of Hinds County as well as my colleagues and my staff for supporting me through my many years of service," Judge Priester said in a letter to the Supreme Court on June 3. "It has been a pleasure to serve Hinds County as a County Court Judge. However, due to my physical condition, I can no longer in good faith maintain my position."

Judge Priester, 69, of Jackson said in an interview that he has dealt with health issues for the past two years. He suffered a stroke in March 2019. He has a heart stint, and he developed diabetes.

"God has blessed me to not leave me with limitations," he said. "I'm doing fairly well. I just have a few medical issues that I've got to work through. I thank all those who have sent up prayers for me for my recovery. God has truly blessed me."

He does not know yet what he will do in retirement. "I will just lean on the Lord and He will show me the way."

Judge Priester served for nine and one-half years on the Hinds County Court.

"The time that I spent on the bench was certainly one of the most interesting and challenging periods of my life. I thank all those folks who put me on the bench. I thank all of those folks with whom I had the opportunity to work."

Judge Priester served for nearly three years as a Jackson Municipal Judge. He served for more than two years as a Special Circuit Judge for Hinds County. He was appointed by the Supreme Court in August 2008 to address violent and drug related crimes. He was a special assistant attorney general assigned to health law matters from 1985 to 1987.

He earned a Bachelor of Science degree in secondary education and a Master of Education degree in rehabilitation counseling from Boston University. He earned a law degree from University of Texas Law School. He worked in the mental health field for 10 years. He was a rehabilitation counselor and program director at a resi-



**Judge Melvin Priester Sr.**

dential treatment program for emotionally disturbed adolescents in Dorchester, Mass. In Houston, he worked as a psychiatric social worker at a psychiatric hospital, as an assistant unit director of an outpatient mental health clinic, and as unit director of a residential mental health treatment program.

## Kevin Lackey retires as Director of Administrative Office of Courts

Kevin Lackey retired on June 30 as Director of the Administrative Office of Courts after 19 years as Director and more than 30 years of state service.

"I have enjoyed working with all of you and wish you the best in the coming

years," he said.

Chief Justice Mike Randolph thanked him for his excellent service to the courts and the citizens of Mississippi.

Lackey served as a law clerk for three Chief Justices. He became a law

clerk for Chief Justice Armis Hawkins in August 1989. He was law clerk to Chief Justice Roy Noble Lee. He was a law clerk for Justice Edwin Lloyd Pittman before he became Chief Justice. Lackey also served as a staff attorney for the Central Legal Department, Deputy Court Administrator for the Supreme Court, and briefly was acting Clerk of the Supreme Court.

Lackey grew up in Calhoun City. He is the son of the late Circuit Judge Henry L. Lackey and the late Helen Rose James Lackey. He earned a Bachelor of Science Degree from Van-



**Kevin Lackey**

derbilt University in 1986, majoring in computer science, economics and math, and a Juris Doctor from Tulane Law School in 1989. He is also a certified public accountant.

### *Trial advocacy award honors Judge Lackey*

The University of Mississippi School of Law Trial Advocacy Board has created an award to honor the integrity, commitment and advocacy of the late Circuit Judge Henry Lackey of Calhoun City.

The Henry Lackey Trial

Advocacy Board Award will be presented annually.

"That award will go to a third year law student who best exemplifies those core values of integrity, commitment and advocacy," said Bryan M. Davis, chair of the Trial Advocacy Board.

## Linda Knight retires from Board of Bar Admissions



Wendy Smith, at left, became Interim Administrator of the Board of Bar Admissions after Linda Knight, at right, retired.

Linda Knight retired from the Mississippi Board of Bar Admissions on April 30 after more than 38 years of service. She had been Administrator to the Board since 1991.

Wendy Smith became Acting Administrator to the Board of Bar Admissions.

sions.

Knight joined the Board staff in October 1981 as an administrative assistant responsible for processing Bar applications and working with the Committee on Character and Fitness. Armis Hawkins was Chief Justice then, and Jerome

Hafter was Board chair.

Bar applications of nearly every person who sought to practice law in Mississippi in the past 38 years crossed her desk. “I have not missed a bar exam since I began working in October 1981,” Knight said.

Knight served as vice-chair of the Council of Bar Admission Administrators 2003-2004 and as chair 2004-2005. She served as a member of the National Conference of Bar Examiners Character and Fitness Committee 2000-2006. In 2008, Knight was chosen as the annual CBAA member recognized for outstanding services to the bar admissions

community.

Smith joined the Board of Bar Admissions staff in September 2015. She earned a Bachelor of Science degree in paralegal studies and a Master of Science degree in Health Services Administration from Mississippi College.

Smith said, “I’m elated and grateful to be appointed to serve as interim administrator. I enjoy assisting Mississippi’s future lawyers and even though the process of applying and testing can be quite overwhelming, I’m committed to creating a positive experience for what is probably the most stressful time of their lives.”

## Susan Ingram retires after 28 years as Supreme Court Judicial Assistant



Susan Ingram

In more than 28 years at the Mississippi Supreme Court, Susan Ingram worked with 29 Justices. She was judicial assistant for five of them, including three Chief Justices.

She retired May 31.

“What an honor and

privilege! The friendships with my co-workers is something I will treasure for my lifetime,” Ingram said. “It’s just been wonderful.”

Justices and court staff gathered May 28 to wish her well. Nine Justices signed a resolution commending her service. The resolution said the Court “congratulates Mrs. Susan Ingram on her long and distinguished public service and her approaching and well-deserved retirement and notes with pride and appreciation her exemplary life of dedicated service to our Nation, State, the judiciary, and the administration of justice.”

Justice Dawn Beam said, “You have served

with such love and grace.”

Former Chief Justice Bill Waller Jr. noted that Ingram worked for him and for his wife. Ingram taught a spin class for Charlotte Waller at Jackson First Baptist Church. Mrs. Waller called her “a sweet spirit.”

Ingram’s husband, Richard Ingram, made sure that she told the story of finding the judicial assistant job. She was pumping gas one evening when she saw Justice Edwin Lloyd Pittman, whom she knew from church. Pittman suggested that she apply for an opening on the court staff. She became judicial assistant to Justice James L. Roberts Jr. on Feb. 10,

1993.

She also was a judicial assistant to Justice Kay Cobb, Chief Justice Pittman, Chief Justice Waller and Chief Justice Mike Randolph.

Chief Justice Randolph penned an ode on her departure. One verse read, “She has decided to take social distancing to an entirely new level.”

Peggy Brown took Ingram’s place as Judicial Assistant to Chief Justice Randolph. Brown previously served as Judicial Assistant to Court of Appeals Presiding Judge William Myers, Judge James Maxwell, Chief Judge Joe Lee and Presiding Judge Virginia Carlton.



## Judge Primeaux ends posting to Better Chancery Practice Blog



**Chancellor Larry Primeaux**

After 10 years of publishing the Better Chancery Practice Blog, Chancellor Larry Primeaux of Meridian made his last post on June 15.

In his announcement in May, Judge Primeaux headlined a blog post ominously, “The End is Near,” then said, “No, not *that* end; *this* end.”

In an interview, he said he isn’t tired of writing. “I love expressing myself. I enjoy putting my thoughts down on paper in a coherent way that is accurate.” But producing precise legal analysis on a weekly schedule “gets to be a demand more than an enjoyment.”

Three weekly posts covered recent appellate court decisions. His analyses were seasoned with wit and wisdom, and practical applications. “I always try to end on a practical note. Here’s how you can apply those to your cases.”

And once a week, he published something to provide a moment of reflection, a smile or laugh.

The compilations of quotes, funny headlines and newspaper bloopers were shared among the bench and bar as well as forwarded to friends and family who live in blissful ignorance of the minutiae of Chancery Court practice. Judge Primeaux also treated his readers to occasional photo features. The blog had 1,202 followers.

The *ABA Journal* in November 2016 named the Better Chancery Practice Blog among the nation’s 100 best blogs for a legal audience, and in 2017 the blog placed first in the Expert Institute’s Best Legal Blog Contest and second overall among all blog contestants.

Explaining his intent in publishing the blog, Judge Primeaux said, “I wanted to have a place that lawyers and particularly young lawyers could go to and get information and ideas about how to be more efficient, how to do things in Chancery Court that can be somewhat baffling.” Since some lawyers didn’t seek out mentors, the blog could provide something akin to mentoring. “I also wanted to improve professionalism among older lawyers.”

“It was a labor of love because – and this sounds really sappy – I’m devoted to the law. I understand how hard a job it is to be a lawyer because I did it for 33 years before I took the bench. I understand how difficult it can be to be

successful in the courtroom and to do a good job, and I wanted to improve professionalism. I did it out of devotion to the profession.”

And now, he said, it’s someone else’s turn. “Surely there is a person or a team of persons who can fill this niche.”

David Calder, Director of the Child Advocacy Clinic at the University of Mississippi School of Law, is among those wondering how the void might be filled. “The Mississippi Bar will suffer a great loss” when Judge Primeaux’s blog postings end. “I have been amazed at the amount of information and commentary that he has written, in addition to having a day job. This has certainly benefited my practice, and my law students were always encouraged to take advantage of the wealth of resources that he made available for free, especially if they intended to practice in Mississippi.”

Mississippi Judicial College Executive Director Randy Pierce said the blog lived up to its name. “Judge Primeaux’s blog has been an excellent resource for judges, lawyers, court personnel and litigants. I appreciate his willingness to go above and beyond his duties to provide timely information and content.”

Jackson attorney Pieter Teeuwissen likened the blog to the authoritative

writings of former Chancellor and Supreme Court Justice Virgil A. Griffith.

Teeuwissen said, “As a young lawyer, I was fortunate to receive a used copy of Griffith’s *Mississippi Chancery Practice, Second Edition* (1950), generally considered the Bible of Mississippi Chancery Practice. Judge Primeaux was the spiritual successor to Griffith’s as the Judge’s blog became the modern-day must-have resource for chancery practice. Chancery practice is unique in that it arises from equity, yet involves many precise statutory procedures and the juxtaposition of the rules of court (Hello Rule 81!). Many a fine practitioner has tripped along the way to seeking equitable relief. Judge Primeaux realized that far too many errors occur routinely and sought to teach the bar how to practice better – therefore how to achieve better results for a client.”

Regular readers of the blog posted comments expressing sadness at the loss of its weekly publication and appreciation that the information compiled for a decade will remain available at its blog spot, [betterchancery.com/](http://betterchancery.com/).

Chancellor Sheila H. Smallwood of Hattiesburg posted, “This blog has been so beneficial to me as a lawyer and a chancellor. I’m glad to know that it will be available for reference when needed. Thanks!”

## Former Supreme Court Chief Justice Lenore Prather died April 11



Former Chief Justice Lenore Prather stood beside her portrait after the Gartin Building dedication ceremony on May 20, 2011.

Retired Mississippi Supreme Court Chief Justice Lenore Loving Prather died April 11 at her home in Columbus. She was 88.

Former Chief Justice William L. Waller Jr. called her a trailblazer, a mentor and role model. She accomplished numerous firsts for women in the legal profession. "She served with class, character, scholarship and impeccable integrity." He noted that she also is recognized for her role in the funding and design of the Gartin Justice Building.

Prather was the first woman justice of the Mississippi Supreme Court, and the court's first female Chief Justice. She began her judicial career as West Point Municipal Judge in 1965. She became the state's first woman chan-

cellor in September 1971 when Gov. John Bell Williams appointed her to the 14th Chancery. Gov. William Winter appointed her to the Supreme Court in 1982. She became a presiding justice in January 1993. She served as Chief Justice from January 1998 to January 2001.

She served as interim president of Mississippi University for Women from July 2001 to June 2002.

Justice Prather was born Sept. 17, 1931, in West Point, the daughter of Byron Herald Loving and Hattie Hearn Morris Loving. She studied communications and political science at Mississippi State College for Women, graduating with a Bachelor of Science degree in 1953.

*Continued on page 27*

## Retired Court of Appeals Judge Billy Bridges died Nov. 25, 2019



**Judge Billy G. Bridges**

Retired Mississippi Court of Appeals Chief Judge Billy G. Bridges died on Nov. 25 at his Brandon home. He was 85.

Judge Bridges was one

of the original members of the Court of Appeals, serving for 11 years. He was elected in 1994, and began hearing cases in January 1995. He was Chief Judge from Jan. 31, 1997, to Feb. 17, 1999. He retired Dec. 31, 2005, then served as a senior status judge.

Supreme Court Presiding Justice Leslie D. King served together with Judge Bridges on the Court of Appeals. "We became close friends as we worked together. Billy was a very thorough and considered individual in his work. He took his time in looking very carefully at the matters before the Court. He

cared a great deal about his work and the people who came before the Court," Justice King said. "Billy was a fine example of what you would want to see in a judge. He is someone whom I'm happy to have known as a colleague and a friend."

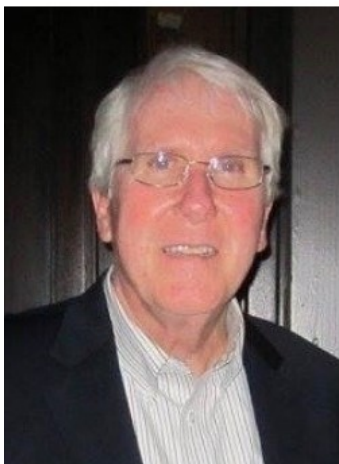
Court of Appeals Chief Judge Donna Barnes said, "It was an honor to serve with him. The vast experience he brought to Court of Appeals deliberations was truly remarkable."

He spent more than 38 years in public service, not including his work as a senior status judge. He was Rankin County Chancery

Judge, district attorney for Rankin and Madison counties, and Rankin County prosecuting attorney. He was board attorney for the towns of Florence and Pelahatchie, the Rankin Medical Center, and the Rankin County School Board. He practiced law in Rankin County for 33 years.

He grew up in Pearl. He earned a bachelor of business administration degree from the University of Mississippi in 1958, an LLB degree in 1961 and a Juris Doctor in 1968. He served in the U.S. Marine Corps during the Korean War, attaining rank of sergeant.

## Retired Chancellor William G. Willard Jr. died while scuba diving



**Judge William Willard**

Retired Chancellor William G. Willard Jr. of Clarksdale died Nov. 25, 2019, at Peter's Reef, Seven Mile Beach, Grand Cayman, while scuba diving with his family. He was 72.

He was Clarksdale Municipal Judge 1977-1986. He practiced law in Clarksdale 1974-1998. He was appointed to the Seventh Chancery Court in September 1998 and was elected in November 1998. He retired from the bench in December 2010, and re-

turned to private practice.

He was president of the Coahoma County Bar Association, a fellow of the Mississippi Bar Foundation and a member of the Lamar Order. In October 2011, he was invited to join the American Board of Trial Advocates.

Attorney Robert Johnston of Cleveland practiced before Judge Willard and was associated with him on cases in private practice. "He was one of the brightest lawyers I have ever known. He was a super fine judge," Johnston said.

Judge Willard was born in Bolivar County. His family moved to Coahoma County when he was six months old. He attended Clarksdale-Coahoma High School, where he was captain of the Wildcat Basketball Team 1964-1965. He was vice-president of the Student Council and was elected Mr. CCHS in 1965,

the year he graduated.

He attended Mississippi Delta Community College on a basketball scholarship and was captain of the 1966-1967 Trojan Basketball Team. He married Betty Stone Willard, his high school sweetheart, on Dec. 18, 1966. He earned a Bachelor of Science degree at Delta State University in January 1969. He earned his Juris Doctor from the University of Mississippi School of Law in August 1974. He was vice-president and president of the Law School Student Government Association.

ciation.

He served in the Vietnam War as a platoon commander and company commander with the First Marine Division. He served three years active duty and 18 months in active reserve, attaining rank of Captain. He received the Navy Commendation Medal with Combat "V" for his outstanding service and leadership under fire, and the Vietnamese Campaign Medal, the National Defense Medal, the Vietnam Service Medal, and the Combat Action Ribbon.

## Judge Houston Patton died Jan. 12



**Judge Houston Patton**

Circuit Judge Tomie Green said, "His greatest contribution was his work in the Youth Court, as a Youth Court Judge in Hinds County. He loved children."

He was in private law practice in Jackson for 10 years. In his early career, he was a staff attorney for Legal Services, then deputy director of a Legal Services office.

Judge Patton was a 1955 graduate of Tougaloo Preparatory High School. He earned a Bachelor of Science degree in communications from Fresno State College in 1962 and a Juris Doctorate from Southern University Law School in Baton Rouge in 1972.

He was a member of the Magnolia Bar Association, the Mississippi Bar, the Conference of County Court Judges and Omega Psi Phi Fraternity.

Retired Hinds County Court Judge Houston Patton died Jan. 12 at St. Dominic Hospital. He was 84.

Judge Patton served for 25 years as a Hinds County Court Judge. Gov. Ray Mabus appointed him to the County Court bench in April 1989. Judge Patton retired Dec. 31, 2014.

Senior Hinds County

## Chief Justice Prather, *continued from page 26*

She earned her law degree from the University of Mississippi School of Law in 1955. During her first year, only three female law students were enrolled.

Justice Prather's father was an attorney, state representative and senator. Her mother was a legal secretary. A fourth generation lawyer, she practiced law with her father, then with her husband, Robert Brooks Prather, whom she married in 1957. She also taught speech at Mississip-

pi State University.

She received the MUW Medal of Excellence in 1990 and the MUW Alumni Achievement Award in 1993. The University of Mississippi inducted her into the Hall of Fame in 1986. University of Mississippi School of Law named her Alumna of the Year in 1995, and in 2012 inducted her into the Law Alumni Hall of Fame. Gov. Haley Barbour awarded her the Mississippi Medal of Service in 2009.

## 49 new Justice Court Judges may be largest group ever



Forty-nine new Justice Court judges took office in January.

It may be the largest group of new Justice Court judges in the history of the Mississippi Judicial College's training program, said Judicial College Director Randy Pierce. The state has a total of 198 Justice Court judges.

Pierce noted that 40 of the new judges are lay persons and nine are lawyers. Justice Courts are the only courts in Mississippi in which judges don't have to be lawyers.

Supreme Court Chief Justice Mike Randolph and Court of Appeals Chief Judge Donna Barnes spoke to the new judges at the Supreme Court on Dec. 2, the first day of the training program. Both told the new judges that more people will encounter the jus-

tice system in their courtrooms than in any other level of court.

Chief Judge Barnes said, "The perception of justice of most citizens is forged out of contact with Justice Court judges."

Chief Justice Randolph told the new judges to be fair, not harsh; to treat everyone with dignity; and to avoid conflicts of interest.

"Treat them the way you would like to be treated if you were on the other side. That's what everyone has to realize: when they come to your court, they are getting a fair deal."

State law requires new Justice Court judges to complete an 80-hour training course put on by the Mississippi Judicial College and pass a minimum competency examination.

New judges are: Whitney Adams and Bo Ag-

new, Rankin County; Lisa Bell, Sunflower County; Shirley Blakley, Noxubee County; Jeremy Blaylock, Alcorn County; Teresa Bozeman, Copiah County; Benjamin Breland, Pearl River County; Fulton Brewer, Pike County; Cathy Brittenum, Marshall County; Shannon Busby, Greene County; Justin Chaney and Scott Round, Newton County; Brandon Davis and Sarah Stevens, Monroe County; Phyllis Dye, Marilyn Reed, and Tony Rogers, Lee County; Paul Earley II, Ondray Harris, Sr., and Buck Roberts, Lauderdale County; David Easterling, Smith County; Tinesha Erve-Earnest, Carroll County; Grant Hedgepeth, Jones County; Derek Hopson Sr., Coahoma County; Trent Howell, Yalobusha County; Benny Jackson,

Tippah County; Kimi Kitchens and Trent Moore, Prentiss County; Kenneth Lewis, Hinds County; Eileen Maher and Audrey Minor, Adams County; Adam McCurdy, Scott County; Eric Moran and Brian Necaise, Hancock County; Mareesha Odom, Claiborne County; Sheila Osgood, Jackson County; Nick Patano, Harrison County; Paul Payne, Neshoba County; Johnny Pope, Leake County; Steve Ross, Tallahatchie County; Brandon Rowell, Marion County; Charles Savell, Simpson County; Martin Seib, George County; Carolyn Shead, Tate County; Ian Smith, Lincoln County; Ralph Smith, Wayne County; Zachary Vaughn, Forrest County; Larry Wallace, Franklin County; and Marcus Walton, Jefferson County.