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Chief Justice of the U.S. helps celebrate Mississippi Judiciary Bicentennial



The Chief Justice of the United States John G. Roberts, Jr., helped the bench and bar celebrate the Bicentennial of the Mississippi Judiciary on Sept. 27.

Chief Justice Roberts told more than 500 lawyers at an evening banquet that state courts have the largest role in handling legal matters. "I am always conscious that since the earliest days of this country, the overwhelming portion of the legal and judicial business of our citizens has been handled in the courts of our states, and therefore, it is indeed a privilege to help celebrate the 200th year of such work here in Mississippi," he said.

The Bicentennial of Mississippi's Judiciary and Legal Profession Committee hosted the banquet.

Chief Justice Bill Waller Jr. noted that Chief Justice Roberts is only the third sitting Chief Justice to visit Mississippi. Chief Justice Salmon P. Chase visited the state in 1865, weeks after the end of the Civil War. Chief Justice Warren Burger spoke in Jackson on March 8, 1976, at a dinner honoring Sen. James O. Eastland.

Continued on page 2



Above, the Moot Court panel listens to arguments from Lindsay Roberts of Mississippi College School of Law. The panel includes, left to right, Mississippi Court of Appeals Chief Judge L. Joseph Lee, U.S. District Judge Louis Guirola Jr., Mississippi Supreme Court Chief Justice Bill Waller Jr., Chief Justice of the United States John G. Roberts Jr., Chief Judge Carl E. Stewart of the Fifth U.S. Circuit Court of Appeals and U. S. District Judge Sharion Aycock. At left, Chief Justice Roberts, presiding over the panel of judges, asks a question during the Moot Court competition.



Waiting to take the oath to practice before the U.S. Supreme Court are, left to right, Gabe Goza, Amanda Woodruff, Rob Nations, Lisa Counts, Shalon Wansley, Dan Edwards and Jennifer Malik. Others, not pictured, who took the oath are Judge Jim Greenlee, Judge Latrice Westbrooks, Elizabeth Archer, Michael Brown, Chad Byrd, Adrienne Dupre', Drew Guyton, Ann Maree Heidke, Christen Kazery Hobbs, Stephanie Ingram, Matt Steffey, Alexander Sullivan, Ashley Sulser and Katharine Surkin.

Chief Justice Roberts swore in 19 appellate court staff attorneys and law clerks and two judges to practice before the U.S. Supreme Court, visited with Supreme Court and Court of Appeals judges and staff.

The oath ceremony lasted several minutes, like the ones held at the U.S. Supreme Court. Chief Justice Roberts told the new admittees, "You are in good fellowship. It is a significant milestone in your professional career."

Chief Justice Roberts spent about an hour and a half fielding questions from law students from the University of Mississippi School of Law and Mississippi College School of Law.

He presided over a Moot Court panel of judg-

es that included Chief Judge Carl E. Stewart of the Fifth U.S. Circuit Court of Appeals, Chief Justice Waller, Mississippi Court of Appeals Chief Judge L. Joseph Lee, Chief Judge Sharion Aycock of the U.S. District Court for the Northern District of Mississippi, and Chief Judge Louis Guirola Jr. of

the U.S. District Court for the Southern District of Mississippi.

"It's a very distinguished bench and I am very proud and privileged to sit with these formidable judges," Chief Justice Roberts said.

The panel vigorously questioned University of Mississippi School of Law students James Kelly and

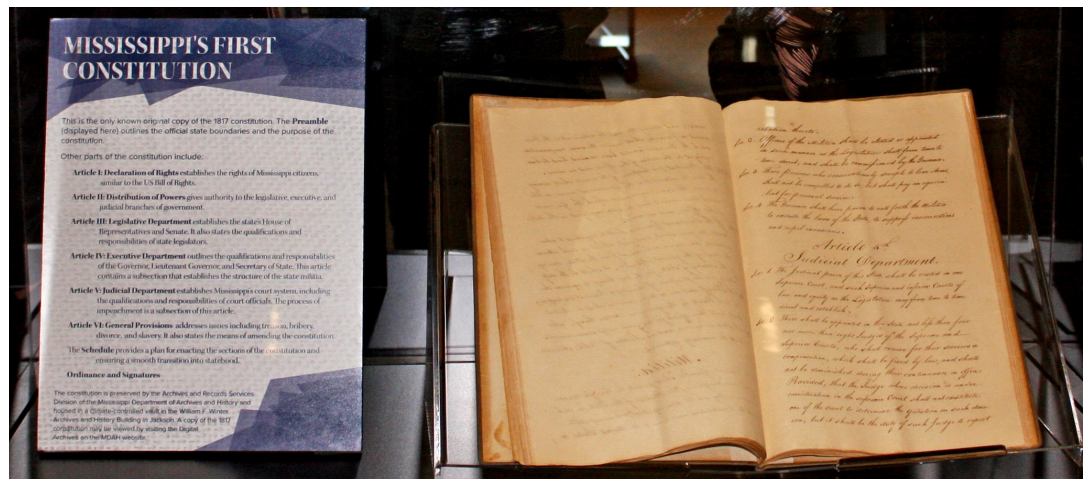
Meredith Pohl and Mississippi College School of Law students Patrick Fields and Lindsay Roberts. As the panel withdrew to deliberate, the audience burst into applause. The Ole Miss team won.

"It was a very realistic duplication of how we do it in Washington," Chief Justice Roberts said, except for the applause. "I think we appropriately challenged the advocates. We were much more polite than in Washington." He encouraged any visitor to the nation's Capital to see an oral argument. "It's the best show in town."

"All of you did hit some very high points as to the skill of advocacy," Chief Justice Roberts told the students. Recalling his own moot court experience as a law student, he said, "You might be interested to know I was eliminated in the first round."

Judge Guirola told the competitors, "All of you should be very proud. I'm happy that I don't have to compete."

The 1817 Constitution was on display in the Law Library during the Sept. 27 Bicentennial program.



Observing Bicentennial of Mississippi's judiciary and legal profession

By *William L. (Bill) Waller, Jr.*
Chief Justice,
Mississippi Supreme Court

This year marks the Bicentennial for the State of Mississippi. The judiciary and legal profession are a proud part of this celebration. Our founders understood the importance of the judiciary and the legal profession. In most counties, the Courthouse was one of the earliest public structures constructed, often in the center of the county seat with significant architectural details and situated on a prominent location with abundant green space all around. In *Requiem for a Nun*, William Faulkner vividly described the courthouse:

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

Our early citizens sacrificed to build the courthouse because they understood the importance of the rule of law as an essential feature of our democ-



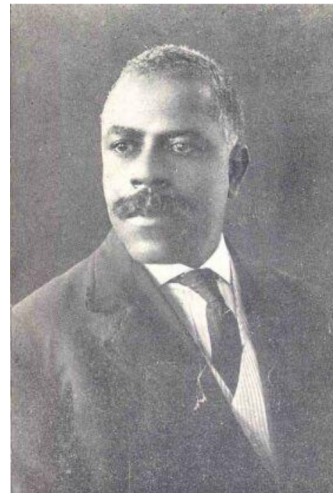
Anselm J. McLaurin

racy.

In the book *Why Nations Fail*, the authors compared the United States with other countries. In just one sector, information technology, which has produced famous innovators such as Steve Jobs, Bill Gates, Jeff Bezos and others, the authors noted: "These entrepreneurs were confident from the beginning that their dream projects could be implemented: they trusted the institutions and the rule of law that these generated and they did not worry about the security of their property rights."

Today we do not question whether an underlying title to a deed will be secretly altered, whether a properly closed estate will be challenged or if a court will be available to enforce a contract or redress an injury or wrong.

But by themselves, laws and a constitution are not enough to implement the rule of law. The Constitu-



Samuel A. Beadle

tion of the Third Reich guaranteed freedom of religion, yet 6 million Jews were executed. Today, citizens of the People's Republic of China are constitutionally provided freedom of speech and religion, yet scores of church congregations must meet secretly in homes.

Our judges and lawyers implement the rule of law at the courthouse in public view, and their efforts are recorded for posterity. One such example occurred in 1884, where civil rights were asserted and ultimately recognized at the bar of justice long after the end of Reconstruction in 1877.

Anselm McLaurin, a white Brandon attorney, sponsored Samuel A. Beadle, an African American, for his examination to become a member of the Bar. Back then, the examination took place in open court before the chancellor. The local Bar was invited to attend and par-

ticipate. McLaurin's first attempt to sponsor Beadle was rebuffed by the chancellor because of Beadle's race. Not to be deterred, McLaurin returned, bringing with him Patrick Henry, under whom Beadle had studied the law. This time the examination was permitted to proceed. Beadle was given a rigorous examination by the chancellor, followed by questioning from members of the Bar, which included 26 attorneys from Jackson.

At the conclusion of the interview, Beadle was admitted to practice. His friends and supporters lifted him to their shoulders and carried him around the courthouse to celebrate the occasion. McLaurin would later be elected Governor and U.S. Senator. Henry would be elected to Congress. Beadle enjoyed a successful law practice in Jackson, Vicksburg, Natchez, and Canton. But for the steadfast determination of McLaurin utilizing the Courthouse as the public forum to press, prod and insist for the public examination, Beadle would never have had the opportunity to take the examination.

I ask that each of you pause to consider the importance of the Courthouse and the rule of law, and their role in our lives today.

Judge Sean Tindell takes Court of Appeals oath of office



Judge Sean Tindell, center, takes the oath of office on Oct. 17. Harrison County Court Judge Gaston Hewes, at right, administered the oath. Judge Tindell's family are sons John Thomas and Sam, daughter Meredith, wife Claire and son Henry.

Court of Appeals Judge Sean Tindell of Gulfport is a man of integrity and honor, Gov. Phil Bryant said before his appointee took the oath of office in Jackson Oct. 17.

Gov. Bryant said, "I have had the good fortune to find a young man with such a great support that will serve his state, that has served in the legislative, executive and now judicial branch of the state of Mississippi, and perhaps that service is long from being over. It is our honor to have you serving in our judiciary now, Judge Tindell."

Judge Tindell said, "I appreciate that confidence that you've shown in me, Governor, to give me this

opportunity, and I appreciate the foundation that my mom and my step-dad gave me."

Judge Tindell said that he grew up in a courthouse. His mother, Dora Harvey of Biloxi, worked as a court reporter for Harrison County Court Judge Gaston Hewes Sr. when Tindell was a child. Judge Gaston Hewes Jr., who currently serves on the Harrison County Court, gave him the oath of office.

Recalling his mother transcribing her notes in the evening, he said, "I would listen to the sound of a typewriter all night long because she was a court reporter, and that's how she made extra mon-

ey." Speaking to Judge Hewes, he said, "I remember running behind your dad's chambers and up and down the halls of the courthouse, and so the law has always been something that has intrigued me even as a young man, and something that I knew would make my mother proud if I went into this profession."

Dora Harvey is proud. "This is the most important day of my life," she said after watching her son take the oath. "He has always made me proud. He's always worked hard at any quest. He will do a good job."

Judge Tindell said his father, the late Sidney Tindell of Biloxi, "always told

me when you leave somewhere, I want you to leave it better than you found it, and so I've tried to take that with me everywhere I go." He got his work ethic from his step-father, Tom Harvey, who ran a Cajun chicken restaurant. He busied tables at age 10. Harvey watched him take the oath.

Growing up around the County Court, which also serves as Youth Court, gave him a strong sense of the needs of young people who come into the courts. He hopes to see continuing improvements in Youth Courts. "I see what happens when kids come in there when they don't have loved ones that stand behind them." He personally had the strong support of family. "When we give our youth that, when we give our children that, it gives them the strength to go on and do great things."

Tindell served for six years in the Mississippi Senate from District 49. Many of his former legislative colleagues watched him take the judicial oath. He pointed out, to audience laughter, that the House and Senate groups sat on different sides of the aisle. He had acted as a go-between in legislative negotiations. Tindell was chairman of the Senate Judiciary A Committee and vice chairman of the Senate Tourism Committee.

Continued on page 5

Justice David Ishee appointed to Supreme Court

Justice David M. Ishee said his appointment to the Supreme Court was a dream come true.

“It’s a goal I’ve had for a long time. I’m very honored that the Governor selected me for this,” he said. “It’s a great honor to be appointed to the Mississippi Supreme Court. It has been something I have aspired to for most of my career, and I greatly appreciate the Governor’s confidence in me.”

“So far its been very rewarding. I’m enjoying it a great deal,” he said.

Gov. Phil Bryant announced the appointment Aug. 31. Justice Ishee was sworn in Sept. 18.

“Judge Ishee’s extensive experience in presiding over cases for more



Photo by Glenn Anderson

Justice David Ishee, at right, was accompanied at his oath ceremony by Gov. Phil Bryant, daughter Lauren Ishee and wife Linda Lang Ishee.

than two decades in Mississippi will serve him well on our state’s highest court,” Gov. Bryant said. “I am pleased he has agreed to accept this ap-

pointment.” Judge Ishee served on the Court of Appeals for 13 years. Gov. Haley Barbour appointed him to a vacancy in September 2004.

“There are really good people there. I enjoyed my time on the Court of Ap-

peals,” he said. Judge Ishee served as youth court judge pro tem for Jackson County for five years. He served for six years as a municipal judge in Pascagoula and five years as municipal

Continued on Page 6

Judge Tindell oath, *continued from Page 4*

“I love all of y’all. I’ve enjoyed serving with each and every one of you. I think we’ve accomplished a lot of great things in the Legislature in the last six years, and I think we are moving this state in a very positive direction,” he said.

Tindell, 44, of Gulfport, was an assistant district attorney for the Second Circuit District of Harrison, Hancock and Stone counties from 2002 to 2007. He entered private practice in 2007, also serving as a prosecutor for the city of Biloxi and as city

attorney for the city of Diamondhead. He earned a master's degree in business administration from the University of Southern Mississippi. He received a juris doctorate in 2001 from Mississippi College School of Law, where he served as student body president.

Gov. Bryant appointed Tindell to the Court of Appeals position previously held by Judge David Ishee. The Governor appointed Ishee to the Supreme Court. Judge Tindell's appointed term is through Jan. 1, 2019.



Judge Donna Barnes, at right, reads a Court of Appeals proclamation honoring Justice David Ishee.

Justice Dickinson bids farewell to the Supreme Court



Justice Jim Kitchens, at right, presents a plaque to Presiding Justice Jess Dickinson, center. Justice Dickinson's wife Janet Dickinson is at left.

Jess Dickinson reflected on almost 14 years of service on the Mississippi Supreme Court and the

challenge of leading the Department of Child Protection Services as friends and colleagues gathered on

Sept. 14 to wish him well.

On Sept. 18, he became head of the agency tasked with investigating 30,000

reports of child abuse and neglect annually. "If that doesn't grab your heart, I don't know what will," Dickinson said, his voice quavering as he explained his decision to accept the job of Commissioner of Child Protection Services rather than retire from the court in December as he had planned.

He described a faith-based call to service. He cited Jesus' admonition in Mark 9:37: "Whosoever shall receive one of such children in my name, receiveth me...."

"And so, as I leave this place that I've loved working for all these years and I leave all of you who I have worked with and who have been such a great contribution to my work on the court, and I take on the responsibility of the care and the protection of these children, I ask you very sincerely to pray for me that I will have wisdom and discernment and I will know what I am supposed to do. It is a very scary prospect to take on the responsibility for those children."

Dr. David Chandler left the Supreme Court in December 2015 to lead Child Protection Services. Chandler retired Sept. 15. He was unable to attend Dickinson's ceremony because his own retirement ceremony was the same afternoon. In a letter to Dickinson, he said, "I know of no one who is better suited to handle this job than you

Justice Ishee appointed to Supreme Court, *continued from Page 5*

judge in Gulfport. He spent almost 14 years in private practice in Pascagoula with his father-in-law, the late Elmo Lang, and two years with the firm of Franke, Rainey & Salloum, PLLC in Gulfport.

He served as president of the Jackson County Young Lawyers Division, and president of the Jackson County Bar Association. He was appointed as president of the Mississippi Bar's Historical Preservation Committee.

He chaired the Criminal

Section of the Model Jury Instructions Revision Committee. He served as a special Circuit Judge and Chancellor by appointment of the Supreme Court.

He graduated from the University of Southern Mississippi in 1985 with a Bachelor of Science Degree in history. He attended the University of London and received his Juris Doctor from the University of Mississippi School of Law.

He is a member of the Law Alumni Board of Directors for the University

of Mississippi School of Law. He was inducted into the USM Alumni Hall of Fame in 2014, and as a Fellow of the Mississippi Bar in 2016.

He teaches business law and ethics at the USM Gulf Coast Campus. He is an adjunct professor at the University of Mississippi School of Law and Mississippi College School of Law, where he teaches criminal litigation and trial practice. He previously served as an adjunct professor at Mississippi Gulf Coast Community College.

Commissioner takes lead of Child Protection Services



Justice Jess Dickinson served under three Chief Justices. Former Chief Justices Edwin Lloyd Pittman, below at left, and former Chief Justice Jim Smith, above left, wished him well along with Chief Justice Bill Waller Jr., above at right.

are.”

Presiding Justice Michael Randolph explained that Dickinson’s son, Gulfport attorney Michael Dickinson, helped set in motion a chain of events that prompted Jess Dickinson to leave the court to tackle child abuse and foster care.

Several years ago, Michael Memorial Baptist Church in Gulfport began Rescue 100, an effort to recruit, train and certify

prospective foster parents. Michael Dickinson and his wife were among couples wanting to be certified to become foster parents. The process was slow and cumbersome. The Dickinsons, father and son, met with Chandler, who asked Justice Dawn

Beam to move the effort forward. Michael Memorial Baptist Church hosted a three-day mass training for foster parent certification in April 2016. It was the first of six Rescue 100 mass training events.

Michael Memorial Baptist Church Pastor Rev. Tony Karnes gave the benediction at the ceremony for Justice Dickinson. “Thank you for being willing to take on this task to protect our children.”

Chief Justice Bill Waller Jr. said that Dickinson’s goal when he joined the court was to improve public trust and confidence in the judiciary, and he has done that. He authored 347 majority opinions. He worked to create plain language court rules. He pushed to increase funding for civil legal services. He founded the Access to Justice Commission, which works to improve civil access to the courts for the poor.

“His greatest legacy, I believe, is Access to Justice,” Chief Justice Waller said. “Our system of justice must be accessible to everyone, regardless of their economic status.”

Justice Jim Kitchens presented Dickinson with an engraved plaque from the court, in appreciation of his public service. Justice Kitchens said he tried to talk Dickinson out of

leaving the court. “Suffice it to say that I’ve never known anyone who was possessed of higher integrity or grater intellectual honesty than Jess Dickinson,” he said.

With Dickinson’s departure, Justice Kitchens by seniority became a Presiding Justice, and he inherited Dickinson’s old desk. The antique oak desk is a piece of court history, one of two that may be original furniture purchased for the Supreme Court when the New Capitol opened in 1903. It’s a two-sided desk designed to be shared.

By court tradition, Dickinson signed his name and service dates inside a desk drawer, alongside names of previous occupants that included, among others, former Chief Justice Virgil Griffith, former Chief Justice Lenore Prather and Presiding Justice Michael Sullivan.

Indian Child Welfare Act training explains law and human impact



Angel Smith tells her life story.

Angel Smith was born in 1978, the year Congress passed the Indian Child Welfare Act. The federal mandate to preserve Native American children's connections to their families and tribal culture has defined her life.

"Had it not been for ICWA, I would not be here today. ICWA matters," Smith, an Oklahoma attorney and member of the Cherokee Nation, told participants in the Seventh Annual Indian Child Welfare Act Conference Aug. 10 at Choctaw. Smith has devoted much of her law practice to advocacy to enforce ICWA.

The annual conference began seven years ago to educate judges, court staff, social workers and other professionals who deal with Native American children in a Youth Court setting. ICWA sets out federal requirements regarding removal and placement of Native American children in foster or adoptive homes. IC-

WA requirements apply to state child custody proceedings involving any Native American child who is a member of or eligible for membership in a federally recognized tribe.



Rae Nell Vaughn, chief of staff of the Mississippi Band of Choctaw Indians,

said, "It's important that we continue with the education of our practitioners, our judiciary, our different jurisdictions and our partners."

Department of Child Protection Services Commissioner David Chandler said the many jurisdictions have one vision: "That every child is safe and secure and enjoys a healthy and happy childhood."

Smith said that she was abandoned at the hospital where she was born and abandoned again at a women and children's shelter. Her grandmother picked her up at the hospital, but her grandparents couldn't find her after she was left at the shelter. She was placed in foster care with a non-Native American family. Her mother showed up before her parental rights were to be terminated, and it was determined that Smith was a Native American child subject to ICWA. Litigation over who should have custody – biological fami-

ly or foster family – went to the Oklahoma Supreme Court twice between 1981 and 1987. She was sent back to live with her mother, where she was again neglected, she said. She went back and forth between her mother and grandparents. As a teenager, she lived with her grandparents in ICWA kinship foster care placement.

"Indian children have a right to be with their parents and with their extended family. It's a right of the child," Smith said. While she says that her mother failed her, "it didn't mean that I didn't have a right to my grandparents, who were good people. That is what ICWA is about....It's not just a legal right. It's a basic, fundamental human right."

Vaughn said, "When there is a thought that a child may be Native American, it's important to reach out to the Tribe."

"You treat it as an ICWA case until it's not an



ICWA case," said Sheldon Spotted Elk. "It's up to the tribe to decide."

An attorney and member of the Northern Cheyenne Nation, he is director of the Indian Child Welfare Unit at Casey Family Programs in Denver, Colorado. Casey Family Programs is the nation's larg-

est private foundation focused on foster care and improving the child welfare system.

ICWA cases happen in state courts, Spotted Elk said. Collaboration is necessary to bring about systemic change. "They are building a bridge, not a fence."

The landmark U.S. Supreme Court case *Mississippi Band of Choctaw Indians v. Holyfield* interpreted the enforcement of ICWA. Twins were born in Gulfport to parents who lived on the reservation in Neshoba County and were members of the Choctaw tribe. The parents agreed to adoption by Orrey and Vivian Holyfield. Two months after the adoption was finalized in Harrison County Chancery Court, the Mississippi Band of Choctaw Indians moved to vacate the adoption, asserting that the Tribal court had exclusive jurisdiction under ICWA. The U.S. Supreme Court agreed.

The *Holyfield* decision recounted history that preceded Congress' adoption of ICWA, noting that the legislation "was the product of rising concern in the mid-1970's over the consequences to Indian children, Indian families, and Indian tribes of abusive child welfare practices that resulted in the separation of large numbers of Indian children from their families and tribes through adoption or foster care placement, usu-

ICWA Conference, *continued from Page 8*

ally in non-Indian homes.”

Spotted Elk, Smith and others traced a tragic history from the military’s killing of Indians, to government-sponsored efforts to erase Indian culture by sending children to boarding schools, to the late 1950s Indian Adoption Project’s efforts to adopt Native American children into non-Native American families.

Spotted Elk recalled taking his two sons to the site of the Nov. 29, 1864, Sand Creek Massacre on the 150th anniversary. His great, great grandfather, Howeche’ Spotted Elk, survived the Colorado massacre at age 2 because an older sibling took him to safety in the creek bed. “I have that undying need to heal,” Spotted Elk explained. “It’s about societal healing.”

Tom Lidot said, “ICWA is the first law that was trauma-informed.”

“You can’t really do an effective training until you reach

someone’s heart,” said Lidot, a consultant with Tribal STAR, Successful Transitions for Adult Readiness in San Diego, Calif. He is an enrolled member of Chilkat Indian Village, the Central Council of Tlingit and Haida Indians of Alaska.

“History presents tribal folks as a victim or a vil-

lain,” Lidot said. “Our approach to training is there is no race of people who are the bad guys....Our opponent is intolerance. Our opponent is apathy. Our opponent is bias.”

ICWA’s purpose is to protect the best interests of Indian children and promote stability of Indian tribes and families, Lidot said. ICWA works to keep the child “connected to their family and the tribe. It is part of the restorative justice and the remedial aspect of the law.”

Rose-Margaret Orrantia,



a tribal elder and member of the Yaqui tribe of Arizona, has spent most

of her professional career working with American Indian foster children in California. She emphasized that questions about tribal connections should be asked in foster care placement, termination of parental rights and prospective adoptions. “At every step, you need to be asking the question again,” she said. Parents may not know. Look to grandparents, aunts and uncles and other extended family. Extended family should be considered when seeking family members for placement of children. “When you are looking for those placements, cast that net large,” she said.

Hancock County Court begins Jan. 2

Hancock County will implement a County Court on Jan. 2, 2018, by authority of a proclamation from the Governor.

Chief Justice Bill Waller Jr. said he looks forward to the creation of the new court, which will function as a full-time Youth Court as well as a County Court. Having a County Court will allow Hancock County “to have a full-time judge to deal with child delinquency and neglect issues which have been pervasive in Hancock County. Every child deserves a chance and a full-time County Court judge will provide the necessary oversight and attention to insure that no child is left out,” he said.

The Hancock County Board of Supervisors unanimously adopted a resolution on Oct. 2 calling for the creation of a County Court and requesting the Governor to appoint a County Court judge.

Elise Deano serves as Youth Court Referee. She has said that she will not seek election.

Resident Jurist John Hudson said, “Judge Deano has been working tirelessly to address the issues that have come up.” But he believes that having a full-time County Court will be a more effective system. “It’s critical that there is a full-time County Court judge addressing County Court matters, particularly child welfare cases.”

Creation of a full-time

County Court was among 16 recommendations of the Hancock County Youth Court Task Force in its July 2016 final report. The Task Force was created in January 2015 to determine why so many Hancock County children were then in Department of Human Services custody and how to reduce those numbers. In January 2015, Hancock County led the state with 459 children in DHS custody.

A total of 368 Hancock County children were in custody of the Department of Child Protection Services as of Oct. 25, 2017, ranking third behind Harrison and Hinds counties.

Rep. David Baria of Bay St. Louis served as chair of the Task Force. “The Task Force felt that establishing a County Court was certainly a step in the right direction,” he said. With a full-time judge and staff, “more resources could be focused on parents who found themselves under the jurisdiction of Child Protection Services. Those parents could have a better understanding of what the process was, and we could speed the process of unification, and if that was not going to happen, the process of termination of parental rights would be moved along.”

“Having a full-time judge is very important to the whole process and assists with other civil and criminal cases,” Baria said.

Librarian of Congress visits State Law Library

The U.S. Librarian of Congress would like to borrow and exhibit the University of Southern Mississippi's *Curious George* manuscripts and materials.

Librarian of Congress Dr. Carla Hayden asked on Aug. 18 when she met Children's Book Festival Coordinator Karen Rowell during an early celebration of the State Law Library's Bicentennial. Rowell presented Hayden with – what else would one give the nation's top librarian? – books, including one of the children's classic *Curious George* series.

"We'd love to exhibit it in the Library of Congress," Hayden said of the extensive *Curious George* materials held by USM. "It's one of the most significant collections worldwide in children's literature."

Rowell is excited at the prospect. USM has the literary estate of H.A. and Margret Rey, creators of the popular monkey character Curious George. Dr. Lena de Grummond, who taught children's literature at USM, obtained the collection in her extensive work of gathering original materials from authors and illustrators.

Hayden in her early career worked with young readers at the Chicago Public Library, where she served as young adult services coordinator from 1979 to 1982, and as a library associate and chil-



Librarian of Congress Dr. Carla Hayden, second from right, is pictured with State Librarian Stephen Parks, Children's Book Festival Coordinator Karen Rowell and Justice Jim Kitchens.

dren's librarian from 1973 to 1979. She said that she came into her first job as a librarian by accident. She spent time at the library between job interviews. The library had openings. She went on to be deputy commissioner and chief librarian of the Chicago Public Library. As the fourteenth Librarian of Congress, she is the first woman and the first African American to lead the national library.

Hayden, who observed her first anniversary on Sept. 14, said, "The biggest surprise is there is still material to be found." The Library of Congress houses 164 million items on

836 miles of shelving.

State Librarian Stephen Parks said one of the State Law Library's treasures was rediscovered in similar fashion in 2001 when someone opened a drawer and found a folded copy of an 1845 map of the state of Mississippi. Records show that 100 copies were originally produced. The only known surviving copy had been sent to the State Law Library some time earlier from Maryland. The huge map is displayed prominently near the entrance of the Law Library.

Known officially as the State Library, the Law Library is a specialized public library which provides

legal research *materials* to the judiciary, state agencies, lawyers, students and the general public. Its mission is to collect, preserve and make available to the public the foundation of Mississippi law. Housed at the Supreme Court, the 265,000-volume collection includes state and federal legal sources including court decisions and rules, codes, regulations, law reviews and government documents as well as texts that explain law for laymen.

The Law Library will observe its Bicentennial in 2018. A handwritten document of the Law Library's beginnings was on

Interim Dean Deborah Bell is 2017 recipient of Chief Justice Award

Deborah H. Bell, who recently completed two years as interim dean of the University of Mississippi School of Law, received the 2017 Chief Justice Award.

Chief Justice Bill Waller Jr. presented the award on July 14 during the Mississippi Bar Convention in Destin, Fla. The annual award recognizes an individual whose work has significantly improved the judicial system.

Chief Justice Waller cited Bell's visionary leadership in legal education and programs of the Mississippi Bar, her extensive teaching both at the law school and in continuing legal education seminars,

and her dedication to assisting low-income people.

"Professor Bell's work significantly improved legal education, the practice of family law and the lives of the poor," Chief Justice Waller said.

A member of the law faculty since 1981, she has taught commercial law, property, family law, housing law, lawyering skills and poverty law. She is the founder of the law school's Civil Legal Clinic and was its director until 2009. She developed the University of Mississippi Pro Bono Initiative, which provides law students with opportunities to gain practical experience working with attorneys to assist low



-income people in free family law clinics across north Mississippi. In May 2013, Bell was appointed as the law school's first Associate Dean for Clinical Programs. She leads the law school's expanded clinical program, which includes 10 practice areas.

Bell's book, *Bell on Mississippi Family Law*, is considered the foremost treatise on family law.

Bell was attorney for the Governor's Housing Task Force in 1988-89 and was involved in drafting legislation that created the Mississippi Home Corporation and the Mississippi Landlord-Tenant Act of 1991. She has served on the Access to Justice Commission Pro Se Committee, the Mississippi Gender Fairness Task Force, and the Domestic Violence Task Force.

Bell's numerous honors and awards include the Mississippi Bar's Susie Blue Buchanan Award in 2009, and the Mississippi Center for Justice Champion of Justice Award in 2007. In 2005, she received the Mississippi Women Lawyers Association Outstanding Woman Lawyer of the Year Award, the University of Mississippi Law Faculty Public Service Award and the Mississippi Bar President's Award.

Bell was born in Indiana. She earned a Bachelor of Arts degree from Mississippi College and a law degree from the University of Mississippi School of Law. She served as Editor-in-Chief of the *Mississippi Law Journal*. She worked as a law clerk for Judge Elbert P. Tuttle of the Fifth U.S. Circuit Court of Appeals and was a staff attorney for the Atlanta Legal Aid Society.

Librarian of Congress visits Mississippi, *continued from Page 10*

display in honor of Hayden's visit. The Law Library had its inception in an act of the General Assembly of 1818, which authorized the Secretary of the Mississippi Territory to purchase a set of the acts of the United States Congress and a digest of the laws of the states of the Union. The Law Library was officially established by an act of the Mississippi Legislature in 1838.

The Library of Congress began as a library for the U.S. Congress in 1800. "Over time, it has grown to be what is arguably one of the biggest legal collections in the world," Hay-

den said. It's also a repository of knowledge, culture and creativity, not just in books.

Each year, the Librarian of Congress names 25 movies deemed to be "culturally, historically or aesthetically significant" to the National Film Registry and 25 audio recordings to the Library of Congress National Recording Registry. The selections range from Thomas Edison's first audio recording to the 1987 movie "The Princess Bride," which was inducted into the National Film Registry in 2016. A recent showing of the movie at the Library of

Congress drew adoring fans who could recite the dialogue. After singer Gloria Gaynor's 1978 hit "I Will Survive" was placed on the registry, she performed at the Library of Congress in May.

The Library of Congress has first edition Superman, Batman and The Avengers comic books. "The Library of Congress has the largest comic book collection in the world," Hayden said. U.S. Capitol Police closely guarded a special display of first editions because of their value.

What's it like to work there? "It's like a kid in a candy shop," Hayden said.

Judges Owens, Westbrook and Wise honored as Trailblazers



Judges Denise Owens, Latrice Westbrook and Patricia Wise are honored as Legal Trailblazers.

Court of Appeals Judge Latrice Westbrook and Hinds County Chancellors Denise Owens and Patricia Wise were among women lawyers honored as Legal Trailblazers by the Metro Jackson Black Women Lawyers Association.

Also honored as Trailblazers at the Little Black Dress Soiree on Oct. 19 were Mississippi College School of Law Interim Dean Patricia Bennett, MCSOL Professor Angela Mae Kupenda, Rep. Debra Gibbs, Mississippi Department of Corrections Commissioner Pelicia Hall, Clarksdale City Attorney Margarette Meeks and attorneys Amanda Green Alexander, Carshena Bailey and Constance Slaughter-Harvey.

Judge Wise said, "There are many black lawyers who were leaders, and we

are the beneficiaries of that." She recalled lawyers such as Nausead Stewart and Lynda C. Robinson. "They were trailblazers," she said.

Judge Wise said there were few job opportunities for early African American women lawyers. She noted that Judge Owens began her legal career at Legal Services. Judge Wise started out in private practice, but also worked one day a week for Legal Services.

Judge Owens and Judge Wise became the first African American female chancellors in the state when they were elected to the Hinds Chancery bench in 1989. Judge Westbrook became the first African American woman assistant district attorney in the Second Circuit Court District in October 1997. Judge Westbrook is the third

African American woman to serve on the Mississippi Court of Appeals.

Judge Owens was the 2016 recipient of the Susie Blue Buchanan Award presented by the Mississippi Bar's Women in the Profession Committee. She served as secretary, vice-chair and chair of the Conference of Chancery Judges. She served for 10 years as co-chair of the Access to Justice Commission. She has worked with the National Association of Women Judges to present The Color of Justice, an annual program which introduces female middle school students to careers as lawyers and judges. She serves as pre-law program adviser and adjunct professor at Tougaloo College. She helped organize the Black Law Student Association and annual mock

trial competitions for the Magnolia Bar Association. She has taught paralegal technology for many years at Hinds Community College.

Judge Owens is a graduate of Tougaloo College and George Washington University Law School. She worked for two years as a law clerk at a Washington, D.C., Legal Services elderly law clinic. She was a staff attorney for the former Central Mississippi Legal Services in Jackson.

Judge Wise is former chair of the Commission on Judicial Performance, and served on the Bar Complaint Tribunal. She was the first female President of the Magnolia Bar Association. She served as state coordinator and district director of the National Association of Women Judges. She has taught at numerous seminars, including programs of the Mississippi Judicial College and the National Judicial College. She teaches torts and family law at Hinds Community College and Mississippi College.

Judge Wise is a life member of the NAACP. She is a charter board member of Ole Miss Women's Council for Philanthropy. She was the 1990 recipient of the University of Mississippi NOW award for outstanding leadership. She was the first recipient of the Black

Continued on Page 13

Women's Political Action Forum Brown-Hall-Young Achievement Award for outstanding contributions to the legal profession. She is a former president of Zeta Phi Beta Sorority.

Judge Wise received a Bachelor of Science in special education, a Masters Degree in communicative disorders and a Juris Doctor, all from the University of Mississippi.

Judge Westbrook was elected to the Court of Appeals in November 2016 and took office in January 2017. She previously served as Lexington municipal judge, public defender in Holmes County, prosecutor for the city of Durant and as Isola city attorney. She was interim communications director for former Jackson Mayor Chokwe Lumumba and legal counsel for the Jackson Police Department.

The Mississippi Women Lawyers Association named her Outstanding Woman Lawyer of 2017. She was the 2016 recipient of the NAACP Delores Orey Lifetime Service Award.

She served as a Southeast Regional and Central Director of the Magnolia Bar Association. She is a life member of the NAACP, and previously chaired the Criminal Justice Committee for the State Conference of the NAACP.

She earned a Bachelor of Science degree from Austin Peay State University and a law degree from the University of Detroit Mercy School of Law.

Circuit Judge Mark Duncan sworn in June 6



Photo courtesy of the Neshoba Democrat

Circuit Judge Christopher Collins, at left, administers the oath of office to Circuit Judge Mark Duncan on June 6 at the Neshoba County Courthouse in Philadelphia.

Circuit Judge Mark Duncan of Philadelphia was sworn in June 6 at the Neshoba County Courthouse.

Gov. Phil Bryant appointed Judge Duncan to fill the vacancy created by the May 31 retirement of Circuit Judge Vernon Cotten of Carthage. Duncan's appointment was effective June 2. The term ends in December 2018.

Duncan spent almost 30 years as a prosecutor in the Eighth Circuit District of Neshoba, Newton, Leake and Scott counties. He was an assistant district attorney for 16 years. He became District Attorney in 2003.

"Mark's experience as a prosecutor and the record he has established serving the people of the Eighth District make him the perfect fit to replace Judge Cotten," Gov. Bryant said.

Duncan's most notable case as a prosecutor was the manslaughter conviction of former Ku Klux Klan leader Edgar Ray Killen for the June 1964 slayings of James Chaney, Andrew Goodman and Michael Schwerner.

Duncan said, "My primary motivation in joining the District Attorney's office those many years ago, was a desire to have a positive impact in the commu-

nity that I love and where I live. I look forward to the chance to be able to continue to have a positive influence in our community as circuit judge and will work my hardest to do my part in giving our citizens a court system they can be proud of."

Duncan earned a bachelor of business administration and a law degree from the University of Mississippi.

Complaint Tribunal members appointed

The Supreme Court on Aug. 10 appointed Circuit Judge Steve S. Ratcliff III of Madison, attorney Gina B. Tompkins of Biloxi and attorney Taylor A. Heck of Senatobia to the Bar Complaint Tribunal. The court reappointed Circuit Judge David B. Strong of

McComb, attorney Tonya Powell Franklin of Greenville and attorney Taylor D. Buntin of Southaven.

Judge Ratcliff replaced 11th District Chancellor Cynthia L. Brewer on the Tribunal.

Judge Vernon Cotten honored at retirement reception



Circuit Judge Vernon Cotton, center, is surrounded by all of the Eighth District Circuit Clerks: left to right, Ken Adcock, Leake County; Becky Gray, Scott County; Patti Duncan Lee, Neshoba County; and Mike Butler, Newton County.

A long line of people stretched outside the National Guard Armory in Carthage as colleagues and friends gathered at a May 18 retirement ceremony honoring Circuit Judge Vernon R. Cotten. He retired May 31.

“More than anything I can say here today, this room is a testament to you,” fellow Eighth District Circuit Judge Christopher Collins of Union told Judge Cotten and those who gathered to honor him. Visitors came from across the four-county district and across the state. They were fellow judges, court clerks and staff, lawyers, law enforcement officers, professional and business men and women, friends and family that included three of his nine grandchildren.

Supreme Court Chief Justice Bill Waller Jr. ex-

claimed, “What a great occasion to celebrate a wonderful career.” He presented a plaque signed by all nine Supreme Court justices honoring Judge Cotten’s 43 years of public service, including nearly 20 years as Circuit Judge.

After shaking hands and accepting congratulatory hugs for more than an hour, Judge Cotten told the crowd, “This is a little bit overwhelming. I’m not sure how to begin.”

He looked to scripture, quoting the Book of Luke: To whom much is given, much is expected.

Judge Cotten’s greatest contribution was his creation of the Eighth Judicial District Drug Court, which began in 2003 and has expanded to include special programs for DUI offenders and veterans. The Drug Court in Leake, Neshoba, Newton and Scott counties

was the fourth such program in the state.

Hinds County Circuit Judge Winston Kidd told Judge Cotten, “You serve as a wonderful example of what every drug court judge should aspire to be.”

Judge Collins said that Judge Cotten strived to rehabilitate those who came into the Drug Court, telling participants that human lives would not be thrown away. “I know what your heart is. I know what your passion is. It’s the Drug Court,” Judge Collins said, pledging to carry the work forward.

Judge Cotten said of the Drug Court participants: “These are people who have fallen, broken lives. They are just like us.”

He deflected the praise, crediting the Drug Court’s organization and success to Drug Court Coordinator Marcus Ellis, a retired

Army Senior Counterintelligence Warrant Officer who has been the driving force behind the program. “Thank the Lord that I’ve been a part of that,” Judge Cotten said. “It’s been a wonderful journey.”

Court Administrator Lindsey S. Lickness presented Judge Cotten with a gift from court staff for his continuing journey in retirement: a handcrafted walking staff. “It’s not a bicycle,” Ellis quipped as the judge began to unwrap the package, with help from youngest granddaughter Abigail Frost. Judge Cotten, 80, is an avid bicyclist.

The Drug Court staff gave him a wood framed desk clock. It is a reminder, Ellis said, of their many conversations about the sands of time.

Judge Frank Coleman retires after 31 years of service; Lisa Howell appointed to Lauderdale County Court



Lauderdale County Court Judge Frank M. Coleman will retire Oct. 31 after 31 years of service.

Gov. Phil Bryant has appointed Lisa Howell to fill the unexpired term. Howell's appointment is effective Nov. 1 and extends through the end of 2018.

Gov. Bryant said, "Lisa's experience in private practice and as a prosecutor make her a very good fit for Lauderdale County Court judge. She has proven herself an outstanding public servant, and I am delighted she has accepted this appointment."

Howell has served as assistant district attorney for the 10th Circuit Court District since 1995.

"I am humbled by the amazing opportunity given to me by the Governor," Howell said. "It is my desire, working along with



Judge Young Graham, to continue transforming our youth court and drug court into real solutions for the problems facing the most vulnerable among us."

Howell earned a bachelor of arts degree from the University of Southern Mississippi in 1986, and a juris doctorate from Mississippi College School of Law in 1991. She is a 1982 graduate of Meridian High School.

She is welfare chairman of the Junior Auxiliary of Meridian and is a member of the Lauderdale County Bar Association and the National District Attorneys Association.

Judge Coleman told the Governor in an Aug. 31 letter announcing his retirement, "Now having sat on the bench for 31 years, I find myself in that time of life where my priorities have changed and my wife and family should come first."

He has served eight terms. "Having no opponents since my first election, I hope reflects the approval of my service to Lauderdale County, Mississippi by both my peers, the local bar and the community as a whole...I hope I have served my community and the people of this state with integrity, consistency, fairness and yes, with grace and compassion."

Judge Coleman served as chairman of the Conference of County Court Judges and the Mississippi Juvenile Justice Conference, and as vice-chairman of the Commission on Judicial Performance. He served on the Governor's Uniform Youth Court Commission, the Uniform Circuit and County Court Rules Committee and the Juvenile Justice Advisory Commission.

Chancellor T.K. Moffett to retire

Chancellor T.K. Moffett of Tupelo will retire Jan. 31, 2018.

"It has been an honor to serve as Chancery Judge, and I have enjoyed it immensely," he said in an Oct. 5 letter to the Secretary of State.

He cited personal reasons for his decision to leave the bench after two years as chancellor.

Gov. Phil Bryant appointed him Jan. 4, 2016, to fill the First Chancery Court vacancy created by the death of Chancellor Talmadge Littlejohn. The Governor is expected to make another appointment.

"His resignation comes as a great loss to the judiciary," said Chief Justice Bill Waller Jr.

Judge Moffett served for 10 years as Tupelo City Prosecutor. He practiced law for 35 years and had a military career of more



than 37 years. He served with the 25th Infantry Division, the 155th Armored Brigade and the 66th Troop Command of the Mississippi National Guard, the 91st Division and the 104th Division. He commanded at every level from platoon leader to division commander. He retired at the rank of Major General.

Circuit Judge Justin Cobb died Sept. 9, 2017

Circuit Judge Justin Cobb of Meridian collapsed while jogging on Sept. 9, and died at Rush Foundation Hospital. He died on his 43rd birthday.

Less than a month later, his brother, Brent Benjamin Cobb, 41, of Madison, died in an auto accident in Alabama. He was Vice President of Safety and Quality for Miller Transporters.

Lauderdale County Circuit Clerk Donna Jill Johnson told the *Meridian Star* that Judge Cobb “was young and energetic, refreshing. He was a breath of fresh air and very by the book. He was consistent and fair and everyone respected that and loved that.”

Circuit Judge Lester Williamson said, “It’s a real tragedy for the whole legal community. . . . He was a joy to work with and he’s going to be missed.”

Chief Justice Bill Waller Jr. said, “Judge Cobb was an outstanding trial judge whose watchwords were fairness, integrity and sound legal reasoning. He will be missed.”

Judge Cobb served on the 10th Circuit Court of Lauderdale, Clarke, Kemper and Wayne counties since July 1, 2015. Gov. Phil Bryant appointed him to the vacancy created by the retirement of Circuit Judge Robert Bailey. Judge Cobb was elected without opposition in No-

vember 2016. He previously served 14 ½ years as Lauderdale County Prosecuting Attorney.

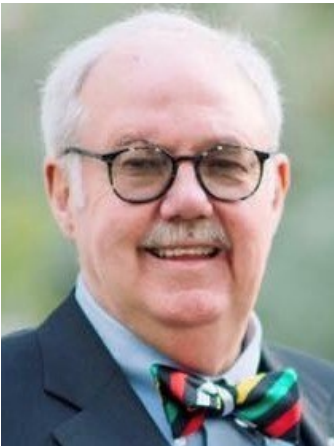
He earned a bachelor’s degree from Mississippi State University and a law degree from the University of Mississippi School of Law. He served as vice-president and president of the Lauderdale County Bar Association as well as president of the Young Lawyers Division. He was a member of Meridian’s Downtown Optimist Club and served on the board of the Boys and Girls Club of East Mississippi. He was past division chairperson for United Way. He was an Eagle Scout and a volunteer for Wesley House-



Meridian’s Playground for Jesus. He was a deacon at First Baptist Church of Meridian. He served as a youth baseball coach.

Read Judge Cobb’s obituary at this link: <http://www.legacy.com/obituaries/clarionledger/obituary.aspx?>

Charles Wright appointed to 10 Circuit Court bench



Charles Wright of Meridian will be sworn in as Circuit Judge at 10 a.m. Oct. 30 at the Lauderdale County Courthouse. He’s scheduled to take pleas in criminal cases later the same day.

“I’m honored and hum-

bled by the appointment by Gov. Bryant and I look forward to the opportunity to serve the people of the 10th Circuit Court District as their Circuit Judge,” Wright said. “I would be remiss if I did not send my condolences to the Cobb Family for the loss of Judge Justin Cobb at such a young age.”

Gov. Phil Bryant appointed Wright to fill Judge Cobb’s term, set to end in December 2018.

“I am grateful to Charles for accepting this appointment after we so tragically lost Judge Cobb,” Gov. Bryant said. “As a former district attor-

ney and with his work in private practice, Charles has gained a unique perspective in the courtroom that will serve him and the people of the 10th District well.”

Wright said, “When I was elected, I was the youngest District Attorney in the state. I always had the ambition to become circuit judge.”

Wright served as assistant district attorney for the 3rd Circuit Court from 1976 to 1978, and as assistant DA for the 10th Circuit 1978 to 1979. He was district attorney for the 10th District from 1979 to 1988.

He has been in private practice since 1988, handling civil and criminal defense in state circuit and chancery courts and in federal courts.

Wright is a 1967 graduate of Yazoo City High School. He earned a bachelor of arts degree from the University of Mississippi in 1971 and a juris doctor from the University of Mississippi School of Law in 1976.

No reception or investiture are planned. “I feel that is more appropriate under the circumstances,” Wright said.