

Mississippi Courts

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Judges rearrange facilities to move forward with jury trials

Judges around the state looked to alternative venues such as auditoriums and arenas or rearranged their courtrooms as they pushed to resume jury trials after months of delays due to COVID-19.

By mid-September, three jury trials got underway during the same week as Hinds Circuit Judges began to settle into special arrangements for holding jury trials during the pandemic. It was a coordinated effort among four judges as three of them took turns using the largest courtroom at the Hinds County Courthouse to select juries.



Hinds Circuit Judge Faye Peterson presides over a trial on Sept. 15. At left is Court Administrator Faye Jackson.

Circuit Judge Faye Peterson said that it felt great to see the coordination working “and to realize we can

try three cases at the same time and not cost anything extra other than PPE.” Jurors were provided with per-

sonal protective equipment of masks, face shields and hand sanitizer.

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CARES Act funds equip courtrooms to cope with COVID-19

CARES Act funds enabled courts to make electronic upgrades after inadequate equipment hindered efforts to conduct virtual court proceedings in some courtrooms during the pandemic.

First District Senior Chancellor Jacqueline Mask of Tupelo said, “The CARES Act has provided an excellent opportunity to fund improvements to the court system. These funds are arriving at a time when there is a need to make the courts safe and accessible during this pandemic. This equipment will begin a new way of moving court

forward in a productive, meaningful and safe manner. I am extremely appreciative for the availability of these

funds.”

Just over \$3 million in CARES Act funds have been approved for equipment and materials pur-

chases. Courts have until Dec. 15 to finalize purchases.

To qualify for funding,

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Chief Justice Randolph commends trial courts during pandemic

Mississippi Supreme Court Chief Justice Mike Randolph recently commended trial judges across the state for going above and beyond the call of duty to keep Mississippi’s courts open and serve our citizens during the ongoing pandemic.

“I want to congratulate each and every one of you for leading this state in

protecting the judicial system and all of the people that we collectively represent,” he told judges during an October 28 address to the Mississippi Trial and Appellate Judges Conference. The conference was held as a virtual presentation for the first time.

“It’s because of you and the work all of you have

done in fulfilling the responsibility that we all share under the Constitution to ensure that people get justice night and day,” he said. “There’s not a region in our state and not a judge in this state, that hasn’t stepped up and done more than required.”

Chief Justice Randolph also had high praise for the

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Staff Attorney Cassi Hill, at left, and Chancellor Jacqueline Mask unpack equipment bought with CARES Act funds. Boxes of computers are stacked awaiting distribution.

purchases must be for things needed as a result of the COVID-19 pandemic, said Lisa Counts, Deputy Director of the Administrative Office of Courts. “The test we use to determine if a purchase is COVID-related is the ‘but for’ test. But for the COVID-19 pandemic,

would this expenditure be necessary?”

Purchases have included computers, switchers, cameras, microphones and other electronics to enable courts to conduct proceedings via remote connections, air purifiers, personal protective equipment and disinfectants.

Courts had to catch up to technology in most of the eight counties of the First Chancery District. Chancery Courts in eight counties are installing wireless technology in the courtrooms to enable the court and multiple litigants to participate in virtual hearings with parties in the

Chief Justice commends trial courts, *continued from page 1*

Mississippi Judicial College under the leadership of Director Randy Pierce. The Judicial College met, sometimes multiple times a day, to address various courts’ needs throughout the ongoing pandemic.

Since our state has been under siege by COVID-19, Chief Justice Randolph has issued 17 separate emergency administrative orders addressing court operations, balancing our constitutional requirement to keep courts open while ensuring multiple safety precautions are taken to

prevent spread of the virus.

Open courts are imperative. The public’s need for access to and protection by the courts never stops. “What are you going to do when a spouse gets beat up in the middle of the night and needs a protection order? Who’s going to do it? Who is going to be there? Who is going to decide where children will have refuge when a meth lab blows up? The services that you perform for the citizens of this state are absolutely amazing,” Chief Justice Randolph said.

Chief Justice Randolph reminded the judges to continue to respect the dangers presented by COVID-19, but not to allow future responses to be dictated by fear, as that would lead to mistakes. A healthy respect for this adversary allows the courts to diminish the peril presented.

“That distinction highlights the leadership each of you have shown. You didn’t abandon your post. You weren’t paralyzed with fear. You didn’t abdicate your responsibilities.”

courtroom and at other locations. The district includes Alcorn, Itawamba, Lee, Monroe, Pontotoc, Prentiss, Tishomingo and Union counties.

Using Zoom and similar virtual meeting forums met with early difficulties with dropped connections and audio and video difficulties, said First Chancery District Staff Attorney Cassi Hill. Most of the First District courtrooms had no computers in the courtrooms. Some judges’ chambers also lacked computers. Judges and staff used their personal phones and other devices to patch together workable equipment for hearings.

“It was really a handicap to us when all this started,” Hill said. “We had the opportunity to conduct proceedings using Zoom, but it was ‘How do we make that work when we don’t have that equipment to connect?’ It’s been a band-aid approach. It has just not been reliable. When you are already in the midst of a hearing, it’s terribly frustrating because you have to stop and troubleshoot.” She recalled one instance when she hurried from the courthouse to an attorney’s office nearby to help him solve a noise feedback problem so that a hearing could continue.

The equipment purchases for the First Chancery District include six computers for each courtroom – one at the bench, one for the court reporter, two at counsel tables and two for separate rooms outside the courtroom, in case litigants need to avoid con-



Chancellor Deborah Giles is seated at bench behind a plexiglass screen in courtroom in Indianola.



Judge Lillie Blackmon Sanders

tact. The computers outside the courtrooms also will be available for use by litigants who have matters underway in other counties but have no computer or other electronic device to enable participation in a virtual proceeding.

Circuit Judge Lillie Blackmon Sanders of Natchez eagerly awaits approval and installation of computers and wi-fi connections in four courtrooms. None were equipped to conduct virtual hearings. Courthouses in Amite, Franklin and Wilkinson counties will get wi-fi hot spots. Internet connections in those counties

have been horrible, she said.

Judge Sanders said, “These are small counties with small budgets. Without the CARES Act money, I doubt seriously we would have gotten anything.”

New equipment will reduce the number of people in the courtroom for civil and criminal cases and enable criminal defendants to participate in hearings from jail.

“That’s going to make life a whole lot easier for us as judges because rather than being in the courtroom with a large number of people, there will be the staff in the courtroom or one or two lawyers, and they can interview witnesses,” Judge Sanders said. “You don’t have to do everything in person in the courtroom anymore.”

To provide protection in the close confines of its courtrooms, the Sixth Circuit District has installed removable plexiglass barriers at the bench, the court reporter’s desk and the clerk’s desk, Judge Sanders said.

Chancellor Debra Giles

also uses plexiglass barriers in the Sunflower County courtroom in Indianola and is waiting for CARES Act funds to install similar barriers in the Humphreys County courtroom in Belzoni. “What I wanted to do was make everyone who was coming into the courtroom feel as comfortable as possible. It gives that protection and allows us to proceed with our hearings, especially if you have to pull that mask down. That plexiglass gives the individuals in the courtroom a level of comfort,” she said.

Judge Giles expects to purchase a large screen projector and other equipment with CARES funds for the Humphreys County courtroom. The equipment is already in use in Sunflower County. “It really came in handy when we were in the midst of the pandemic because we wanted to make sure everyone saw who was in the courtroom and who was on Zoom,” she said.

She and her staff made adjustments of courtroom electronics so everyone could see and hear. “We

tried to figure out what was the best way to get it done so that everyone can feel like they are a part of the court although they may not be directly in the courtroom.”

Judge Giles said, “I think the biggest challenge we still have is the cleaning supplies. We still have that shortage of Lysol spray. Wherever I can find it, I buy it. I want to make sure everyone who comes in my courtroom has a feeling of safety.”

Chancellor Deborah Gambrell Chambers of the Tenth Chancery also reported limited availability of disinfectant. She buys the limit at each purchase.

The Tenth Chancery ordered infrared air purifiers for courtrooms in Forrest, Lamar, Marion, Pearl River and Perry counties. Chancellor Rhea Sheldon said, “They are portable, if we need to move them into our chambers.”

“We plan on keeping our disinfectant protocol after each hearing and to continue to require people to have masks,” she said. But having the air purifiers will provide an extra level of protection.

The Tenth Chancery also was among numerous courts that purchased computers to improve capability to conduct hearings via Zoom. “We feel like this equipment will allow us to continue, even if our number go up, to have a hybrid type with some people in the courtroom and some appearing by Zoom,” Judge Sheldon said.

Computers will also be available to pro se litigants.

Jury trials resume with jury selection in off site venues



Prosecutors and defense attorneys discuss potential jurors in the Canton Multipurpose Center. Seated, left to right are Assistant District Attorney Ashley Allen, Assistant District Attorney Scott Rogillio, Court Reporter Harvey Rayborn, Circuit Judge John Emfinger and defendant Darius Johnson. Standing are defense attorneys Tommy Savant and Tom Rich.



Madison County Circuit Court held jury selection at the Canton Multipurpose Center Sept. 8.

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The Canton Multipurpose Center lived up to its name on Sept. 8 as it became the venue for the selection of a Madison County Circuit Court jury. The trial moved to the Cir-

cuit Courthouse on Sept. 9.

"This was the largest place that I could find," Circuit Judge John Emfinger said during a break in jury selection. The large activity room would seat 91 people. Judge Emfinger

split the prospective jurors into two groups, conducting jury qualifying with one group in the morning and with a second group in the afternoon. By mid-afternoon, 88 people were ready to serve as jurors.

When trials moved back to courthouses, courtrooms were rearranged to continue social distancing and provide extra safety measures. In Madison County Circuit Court, three-sided plexiglass enclosures were installed around each juror's chair.

Judge Emfinger said, "It's just making sure we are as safe as possible." In an effort to deter sick people from coming to court, letters were sent to all prospective jurors telling them not to come to court if they were ill, were caring for someone who was ill, or if they had other risk factors. Everyone wore masks. The courtroom was cleaned multiple times each day. Blue tape "x" marks on a counsel table and on courtroom seats reminded everyone to keep

their distance. Jurors deliberated in an adjacent courtroom rather than the jury room.

Judge Emfinger told potential jurors, “You are here today to try to relieve that (backlog) that has built up over the past six months.” He said, “I’ve often heard that jury service is the most important peace time service that you can do. That is especially true during these times.”

Rankin County Circuit Court also had not been able to have a jury trial since mid-March. Jury qualifying was conducted on Sept. 8 at the Brandon Municipal Complex. Several defendants set for trial that day pleaded guilty, and two others on the docket failed to appear, said Circuit Judge Dewey Arthur. Three others scheduled for trial on later dates also pleaded guilty. Having a jury ready moves cases to resolution, often by way of guilty pleas.

Hinds County prospective jurors were summoned to The Westin hotel for jury qualification starting Aug. 31. In two days, judges qualified enough prospective jurors to serve during the six-week term of court. Judge Tomie Green said, “We are trying something that will allow us to have a pool for us to pull from for the six weeks” of the court term.

A total of 233 qualified prospective jurors were seated, just shy of 20 panels of 12 each, and 20 grand jurors were seated. “It went well. It went bet-

ter than I expected,” Hinds County Circuit Clerk Zack Wallace said.

In compliance with an administrative order issued by the Supreme Court, the Circuit Clerk sent a letter to all summoned jurors advising them of special circumstances during the COVID-19 pandemic. The letter said that the Court would excuse anyone who is ill, persons taking care of someone who had COVID-19, persons who had recent contact with someone who had COVID-19, persons having health conditions that could put them at risk, persons with recent jury service, and a few other circumstances.

Judge Green said, “It’s a fine balance between the rights of the defendants, who have a right to a speedy trial when demanded, and protecting the public the best we can.”

The space and equipment for two days of jury qualification cost \$3,200 at \$1,600 a day, Wallace said.

CARES Act funding is expected to cover extra trial expenses incurred as a result of the COVID-19 pandemic. The Administrative Office of Courts CARES Act COVID-19 Fund can cover COVID-19 related expenses through December. Expenditures must be approved in advance.

Judge Green said, “It was (cost) prohibitive until we were sure we could get some CARES Act funds. And we wanted to be sure we could provide the safety measures to be able to proceed.”



Circuit Judge Dewey Arthur sits at a temporary bench after jury selection at the Brandon Municipal Complex.



Hinds Circuit Court Staff Attorney Corey Harris disinfects a plexiglass shield at the witness stand after testimony.

Circuit Judge Winston Kidd presided over a civil jury trial the first week in September. The trial was held in the largest second floor courtroom at the Hinds County Courthouse in Jackson.

In Judge Peterson’s courtroom, jurors sat spaced out on four benches where spectators sat in the past. During breaks, jurors went across the hall to a County Court courtroom. They used the next door courtroom as a jury deliberation room.

“It took a lot of maneu-

vering. It’s the new normal,” Judge Peterson said after she recessed court for the day in a criminal trial.

Assistant Public Defender Stephen Edwards said, “The challenge is for all counsel to communicate and the jurors to see the witnesses.”

As soon as jurors left the courtroom, Court Administrator Faye Jackson, Staff Attorney Corey Harris and Bailiff Donnell Cannard sanitized benches, chairs and tables.

Hinds County Circuit

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Circuit Judge Adrienne Wooten

Judge Adrienne Wooten presided over a three-week civil jury trial that began in October. She conducted jury selection in the largest second floor courtroom, then moved downstairs to her courtroom. "I used the benches commonly used by spectators as the seating for the jury, exercising six feet in between each person. This required that I use all seating in that area solely for the jurors. I allowed staff members of the attorneys to occupy the jury box and the side bench to the left of the courtroom. I measured the six feet distance between each chair to ensure that social distancing was followed without exception."

"I also required disinfectant be sprayed between all breaks. Jurors, attorneys and any other person that entered the courtroom were required to sanitize their hands by making use of the sanitizer stations I have set up at the entrances to the courtroom before being seated. I received no complaints from the jurors, attorneys or the attorneys' staff," she said.

Circuit Judge Lillie Blackmon Sanders con-



Circuit Judge Lisa Dodson

ducted two trials at the Natchez Convention Center, and Judge Debra W. Blackwell held a trial at the Natchez City Auditorium. "The Convention Center was ideal. Jurors were able to socially distance," Judge Sanders said.

On the Gulf Coast, judges conducted jury selection at the courthouses. Fitting jurors and participants safely into available space meant adding seats to jury boxes and marking seats. In Hancock County Circuit Court in Bay St. Louis, Circuit Judge Lisa P. Dodson separated prospective jurors into two groups and did jury qualification in two different courtrooms so that people could maintain six feet of separation.

Judge Dodson said, "It was a lot more work than normal. Before, you summoned jurors, they came in and you didn't have to worry about who is sitting where, if they have a mask, if they had fever. It was a lot more labor intensive for everyone. It takes everyone to do it. It took clerks, deputies and my staff to make it work."

Judge Dodson tried a



Circuit Judge Chris Schmidt

five-day civil case in Bay St. Louis starting Aug. 18. If the case had not gone forward, the next available trial setting would have been a year later.

Plaintiff attorney David Pitre said that with jurors and witnesses wearing masks, "I've never studied eyes in a trial so much in my life, as that was the only facial feature we could see."

Circuit Judge Christopher Schmidt tried a two-day burglary trial in Harrison County Circuit Court in Biloxi Sept. 22 and 23.

Judge Schmidt said, "Potential jurors should not feel worried about coming in. We make the safety of jurors and the participants a priority."

Judge Schmidt said, "Potential jurors should not feel worried about coming in. We make the safety of jurors and the participants a priority."

Judge Dodson said, "It's just a matter of trying to follow the guidelines and keep everyone safe and keep things moving because we have folks that want a trial and that need a trial, and they are entitled

to a trial. We had to figure out how to do this to keep the system moving and keep the cases moving." In criminal cases, she said, "As we expected, a lot of the folks in the criminal cases who said they wanted trials, really didn't want trials. They just wanted a continuance." With prospective jurors at the courthouse, "now a lot of them have gone ahead and entered guilty pleas."

Circuit Judge Smith Murphey V conducted a criminal trial in the Batesville Civic Center June 1 and 2. He concluded a civil personal injury trial Nov. 10 at the Morgan Freeman Auditorium at Charleston High School. It was the first jury trial in Tallahatchie County since the start of the pandemic. "All went well," he said.

Chief Justice Mike Randolph said, "I would like to express my appreciation for the actions by these judges. It is beyond commendable. All of them are taking extra steps to figure out how we can do this. I'm very proud of them going forward."

Chief Justice Randolph commended the efforts of all judges throughout the state for "going above and beyond the call of duty to preserve and maintain our system of justice. The pandemic continues to create obstacles and challenges. The judges of our state have worked together to ensure public safety for all and to provide for the personal safety of the citizens who are called upon to participate in the judicial process."

Hinds Circuit Judge Faye Peterson begins livestreaming proceedings



Circuit Judge Faye Peterson

When COVID-19 forced courts to limit the number of people in courtrooms, Circuit Judge Faye Peterson turned to livestreaming to make court proceedings available to interested parties and the public.

Court proceedings were livestreamed from Judge Peterson's courtroom via the court's own website for the first time on July 15. Since then, she has livestreamed most criminal proceedings except those involving sexual assault.

"Livestreaming is working really well. We do have a few people who view online regularly," she said.

While some trial courts around the state use video conferencing equipment to conduct proceedings, it is believed that Hinds County is the first trial court in the state to allow the public to watch online through a video streaming service provided by the court.

Judge Peterson said that she is concerned about public access to court proceedings during the

COVID-19 pandemic. Limitations on the number of people who can be present in a courtroom have created access problems for families of crime victims, families of defendants and others interested in watching court proceedings.

"My concern is we can't get everyone into the courtroom," Judge Peterson said. "The court has to be open, especially for jury trials."

Judge Peterson said that she asked Hinds County's Information Technology department to modify the video conferencing equipment already used by the court. The modification allows public viewing via the county's website.

"This will allow them just to watch, so that we can fulfill that objective that the Courthouse is open to the public," Judge Peterson said. "It gives more people greater access."

The District Attorney's office now notifies victims that they can watch the proceedings via the livestream if they are unable to attend court.

News media also use the livestream to keep up with cases.

Courts in a few other states are using livestreaming to provide public access to their proceedings. Among those are courts in California, Indiana, Michigan, Oregon, Texas and Wisconsin. Most set up public access to livestreaming as a result of

the pandemic.

The Mississippi Supreme Court and the Court of Appeals have provided livestreamed webcasts of oral arguments since 2001.

Judge Peterson is the only one of the four Hinds Circuit Judges providing livestream access to the public at this time. Senior Hinds Circuit Judge Tomie Green said that Judge Peterson's efforts will serve as a pilot program to prepare the way for possible broader implementation.

"I wanted to be the guinea pig," Judge Peterson said of testing the program.

Judge Green said, "I think it is progressive and one of the things we will have to look at in terms of meeting our obligations to be open to the public."

Judge Green said that court rules will need to be adopted to address livestreaming by the courts, taking into account some proceedings which would not be subject to video livestreaming. For instance, some witness testimony would need to be protected, such as that of confidential informants or persons who might be threatened or harmed.

"I think it's a great idea in terms of the public having access to the court," Judge Green said. "I think it's something we should certainly start using in the future. We want to start looking at putting some rules in place that protect the sanctity of the trial, so that we don't open it up to

people who would abuse that system...We also want to be sure that we are protecting the people who come into our court."

During trials, jurors will be seated out of the camera's view, Judge Peterson said.

Judge Green said, "Hopefully when we perfect it, it will be something that other courts will consider. It's a great educational tool too. It's a part of our future. Clearly things are not going to be able to be done as they have been, and we are learning new ways."

Hinds County already used the video conferencing service Lifesize to allow judges to conduct video conference proceedings with detainees at the Hinds County Detention Center and to conduct hearings in civil cases. Hinds County's IT department was able to modify the service for public access at no extra cost.

A sound system upgrade is underway to allow attorneys to remain at counsel tables and still be heard clearly.

The livestream may be viewed while Judge Peterson's court is in session. Anyone wishing to view the proceedings may access the livestream via the Hinds Circuit Court Judge District 4 web page at <http://www.hindscountymys.com/court-systems/circuit-court-judges/district-4#overlay-context>.

Two new juvenile drug intervention courts open in Delta



Chancellor Debra Giles

The Chancery Courts of Humphreys and Sunflower counties and the Yazoo County Youth Court implemented juvenile drug intervention court in August.

Chancellor Debra Giles presides over Youth Courts and the new Drug Intervention Courts in Humphreys and Sunflower counties. Youth Court Judge Betsy Cotton leads the new program in Yazoo County.

Both drug intervention courts expect a capacity of about 20 participants.

Judge Giles said, "We are here to serve our community. We are here to make the world a better place for our children."

Juvenile drug intervention courts work to reduce juvenile substance abuse and delinquent behavior through a collaborative community process of interventions with juveniles and their families to help them lead clean and sober lives. Law enforcement, defense attorneys, Youth Court prosecutors, sub-



Judge Betsy Cotton

stance abuse counselors and school officials work together to help youth get off drugs and avoid future drug use. Juveniles 13-17 years old may be referred from the Youth Court, from law enforcement, from school officials and by parents.

Judge Cotton said, "Hopefully, we will be able to all come together to get the kids in here where we can get some help for them. I've seen too many kids waste their talents, waste their lives. We want to try to help them be successful."

The programs are structured as a way to help kids rather than punish them. Judge Cotton said, "My heart is with helping them to do better, not with the punishment."

Delinquent acts such as fighting or property crimes land juveniles in Youth Court. But drug use is an underlying factor in about three fourths of the cases that come into her court, Judge Cotton said.

She expects the Juvenile

Drug Intervention Court to reduce juvenile delinquency. "If we get to the root of the problem, then some of the other delinquent behavior will slow down as well. In the long run, what we will see is reduction (in delinquency) when we get to the bottom of it."

"If we can keep them out of the detention center and address the problem, that's what I want to do. That is my last option, to put them in detention."

The drug intervention courts refer juveniles to drug treatment if needed. The intervention courts require frequent drug testing and periodic meetings with the judge. Individual counseling and family counseling also are provided.

Drug intervention court staff assess the individual needs of juveniles and tailor programs for each one to address the problem.

Judge Giles said, "What we are trying to do is a good assessment of each individual child. If a parent needs drug and alcohol treatment, ensure that the mom or dad gets drug and alcohol treatment. If the child is behind in school, communicate with the school to see what are the needs for that child to progress....It's basically looking at wrap around services for each child."

"One of the things which I recognized was that we definitely needed a mental health or behavioral health person on

staff," Judge Giles said. In Humphreys and Sunflower counties, county funds that used to be used to pay part-time referee judges for Youth Court will soon be used to hire a mental health counselor in the drug intervention courts. Judge Giles began overseeing all Youth Court proceedings herself when she took the Ninth Chancery Court bench in January 2019. Boards of Supervisors in Humphreys and Sunflower counties recently approved redirecting the funding, Judge Giles said. She received the approval from Sunflower County Supervisors on Sept. 21.

Judge Giles said, "We are very limited here in the Delta with our mental health resources. Those funds will be used to hire a mental health counselor to be there to address the needs of our children."

The Administrative Office of Courts allocated \$75,000 to both courts for the state's fiscal year which started July 1, 2020, and runs through June 30, 2021. The \$75,000 is intended to partially cover staffing, drug testing and treatment costs for the two-county Ninth Chancery program and for the Yazoo County Juvenile Drug Intervention Court.

Yazoo County also received \$11,000 from the Mississippi Division of Public Safety Planning Edward Byrne Justice Assistance Grant, Judge Cot-

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Randy Pierce honored with 2020 Chief Justice Award



Director Randy Pierce

Mississippi Judicial College Executive Director Randy G. Pierce is the 2020 recipient of the Chief Justice Award.

Chief Justice Mike Randolph presented the award on July 17 during a virtual meeting of the Mississippi Bar.

The annual award recognizes individuals whose actions have significantly impacted the law, the administration of justice and the people of Mississippi.

Juvenile Drug Courts, *continued from page 8*

ton said.

Judge Cotton sought to create the Juvenile Drug Intervention Court to operate at little to no additional expense to Yazoo County. Even the furniture for the new program's office came from surplus county property and from donations by individuals. "Those were a huge help in working within the budgets created by the funds obtained to operate the program," she said.

"The idea for me was

Chief Justice Randolph said that he selected Pierce not only for his exceptional efforts to assist trial judges in dealing with the vastly changed legal landscape during the COVID-19 pandemic, but also for the Judicial College's participation in assisting the Court in its rule making capacity. Chief Justice Randolph said that the staff of the Judicial College has performed yeomen's work in assisting in the drafting of rules for the Supreme Court.

Since becoming executive director on Feb. 1, 2016, Pierce has tirelessly strived to broaden the scope of the Judicial College beyond that of planning and presenting periodic continuing education conferences for judges, court staff and clerks.

With most conferences forced to cancel this year, the Judicial College has filled the void with weekly

that I wanted to help the kids any way I could think of with the least amount of cost to the county," Judge Cotton said. "We are a county with limited resources."

A total of 44 drug intervention courts operate across the state. There are 15 juvenile drug intervention courts, three family drug intervention courts, four misdemeanor drug intervention courts and 22 felony drug courts – one in each Circuit Court district.

online meetings and video conferences. Interactive meetings were 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.

Pierce said, "It's really to educate and to give judges support as they go through these uncharted waters."

"Our job is to provide continuing education. We need to be broader. We tried to find a way to be a resource" as well as provide judicial education, Pierce said.

Chief Justice Randolph said that Pierce "has been an invaluable liaison for the Supreme Court, keeping me apprised of issues as they arose during the pandemic and directly assisting the Court in finding solutions."

Pierce served for more than seven years on the Supreme Court. He was elected in November 2008 and took office on Jan. 5, 2009. He was chair of the Rules Committee on the Legal Profession, and served on the Rules Committee on Civil Practice and Procedure and the Rules Committee on Criminal Practice and Procedure.

He previously served as Chancellor of the 16th

Chancery Court of George, Greene and Jackson counties. Gov. Haley Barbour appointed him in February 2005 to a vacancy. Pierce gave up a leadership role in the Legislature to join the judiciary. He was elected to House of Representatives District 105 in 1999, two and a half years out of law school. He rose quickly to prominence, becoming chairman of the House Education Committee and of the Appropriations Subcommittee on Public Education.

Pierce grew up in Greene County. He graduated from Leakesville High School in 1982. He attended Jones County Junior College 1984-1985. He became a certified public accountant after earning a Bachelor of Science degree in accounting from the University of Southern Mississippi in 1987. He earned his Masters Degree in business administration from the USM Gulf Park Campus in 1992. He earned his Juris Doctor in 1997 from the University of Mississippi School of Law, and served as president of the Law School Student Body. He was admitted to the practice of law in April 1997.

Pierce is a prolific writer. His first novel, *Pain Unforgiven*, was published in 2011. *Magnolia Mud* was published in 2014, and *The Peter Bay* in 2016. His fourth novel, *Missy*, was published in fall 2020.

MVLP honors Justice Dawn Beam with Beacon of Justice Award



Justice Dawn Beam

Justice Dawn Beam was honored Oct. 28 as the recipient of the Mississippi Volunteer Lawyers Project's Beacon of Justice Award.

The Award is given annually to a member of the judiciary who provides outstanding leadership in promoting and supporting equal access to justice, said MVLP Vice-chair Ben Piazza.

Justice Beam, of Sumrall, is co-chair of the Commission on Children's Justice. She also served as co-chair of the Commission on Guardianship and Conservatorship.

MVLP also recognized individual attorneys, a corporate legal department and a law school program for outstanding efforts in providing free legal representation to the poor.

MVLP presented Pro Bono Awards to attorneys Erica Haymer of Lexington, Louwlynn Vanzetta Williams of Jackson and the University of Mississippi School of Law Pro

Bono Initiative. The Pro Bono Award recipients contributed more than 135 hours of free legal services valued at more than \$20,000 between June 2019 and June 2020, said MVLP Executive Director Gayla Carpenter-Sanders.

Haymer has provided more than 20 hours of free legal service each year since 2017. She previously served as Municipal Judge of Cruger and Tchula, special prosecutor in Holmes County Justice Court and public defender in Lexington Municipal Court. Haymer currently serves as Holmes County Youth Court prosecutor.

Williams spent many years representing indigent death row inmates, first as a staff attorney then as director of the Office of Capital Post-conviction Counsel. She is now in private law practice. Williams has volunteered her time with MVLP since 2007.

Pro Bono Initiative students annually participate in more than 30 legal clinics and legal outreach presentations, providing approximately 1,000 volunteer hours, Carpenter-Sanders said. University of Mississippi School of Law Professor Deborah Bell and Pro Bono Initiative Director Kris Simpson accepted the award on behalf of the law students.

The Pro Bono Initiative began in 2011 as a poverty law class taught by Bell. Law students partnered with private attorneys in

Washington County Chancery Court's quarterly Pro Se Day starting in 2011. Students have worked in free family law clinics in four Chancery Court districts, helped with expungement clinics and veterans clinics and provided assistance to inmates.

Attorney Josie Mayfield Hudson of Vicksburg received the Curtis E. Coker Award for outstanding pro bono service. Hudson is a public defender in Warren County Circuit Court and maintains a private civil and criminal law practice. She has volunteered with MVLP since 2011. She received MVLP's Pro Bono Award in 2015. Since 2015, she donated more than 60 hours of civil legal representation in 22 cases through MVLP.

"The main purpose of this award is to foster awareness of the need for involvement of the private bar in delivering legal services to the poor, particularly through MVLP," Piazza said. The Curtis E. Coker Award is named in honor of the late Mississippi Bar President Curtis E. Coker, who was a leading advocate for making legal services available to all. The Mississippi Pro Bono Project, the forerunner of MVLP, was founded in 1982 during Coker's presidency.

MVLP presented its Torchbearers Award to the Entergy Mississippi Legal Department. Entergy's

attorneys co-hosted free legal clinics dealing with divorce, emancipation, guardianship and expungement, providing more than 65 hours of free legal services. Entergy attorneys also co-hosted an event to answer questions posed through the website <https://ms.freelegalanswers.org/>. Entergy provided \$20,000 that allowed MVLP to conduct 30 free legal clinics during the past five years, assisting more than 250 individuals, said Kimberly Jones Merchant, immediate past Chair of the Board of MVLP. Funding from Entergy also supported MVLP's direct representation program, assisting more than 40 people.

MVLP recognized Merchant for her service as board chair. Current Board Chair Courtney Cockrell said, "We sincerely thank you for your dedication and your service to the board."

MVLP provides legal assistance to low income people through direct legal representation and legal clinics for self-represented litigants who cannot afford to hire a lawyer. MVLP relies on the donated time of volunteer attorneys.

During 2019, nearly 500 attorneys provided more than 800 hours of free legal services through the Volunteer Lawyers Project, Cockrell said. Those efforts finalized almost 350 cases and provided services to more than 6,200 people.

Judge Trent Favre receives MS Bar Judicial Excellence Award



Judge Trent Favre

Judge S. Trent Favre of Bay St. Louis received the

2020 Judicial Excellence Award presented during the Mississippi Bar's 2020 Annual Business Session on July 17.

The Bar's Board of Commissioners established the Judicial Excellence Award to recognize judges who exceed the call of their judicial office. Recipients are considered to exemplify judicial excellence through leadership in advancing the quality and efficiency of justice and to possess high ideals, char-

acter, and integrity. Judge Favre received this honor for his outstanding leadership, efficiency, character and integrity.

Judge Favre was appointed Jan. 1, 2018, as the first full-time County Court judge for Hancock County. When he took the bench, there were 389 Hancock County children in the custody of the Mississippi Department of Child Protection Services. As of Jan. 1, 2020, children in CPS custody had

declined by 73 percent to 105 children

Judge Favre previously served as City Attorney for Bay St. Louis and was an assistant prosecutor for Bay St. Louis and the Hancock County Justice Court.

Judge Favre graduated cum laude from Millsaps College in 1996, earning a Bachelor of Arts in philosophy with a minor in French. He received his Juris Doctor from the University of Mississippi School of Law in 1999.

Judge Billie Graham appointed to 19th Chancery Court vacancy



Chancellor Billie Graham

Chancellor Billie Graham of Laurel was appointed to the 19th Chancery of Jones and Wayne counties on July 23.

Gov. Tate Reeves appointed her to a vacancy created by the retirement of Chancellor Frank McKenzie on June 30. The Governor said in a statement announcing the appointment, "Billie has been and continues to be a

leader in family law in our state, fighting for our children and families for decades."

Judge Graham's private law practice was in Chancery Court. She also served as a guardian ad litem in Chancery and Youth Court, and as a Youth Court public defender. She previously served as President of the Family Law Section of the Mississippi Bar and President of the Jones County Bar Association. She has been listed in the Family Law Section of Best Lawyers in America as well as Mid-South Super Lawyers.

Judge Graham said, "The most important thing to me in Chancery Court practice is children and seeing them treated fairly. I think one of the first things that we can do in that respect is to have the cases heard in a timely fashion. So I'm trying to

stay on top of deadlines and I try to prod the lawyers along when needed."

"I feel just so blessed to be in this position. I have big shoes to follow," she said. "It's a pleasure to be on the bench working with good lawyers on a consistent basis."

She came to the Chancery bench in the middle of the pandemic. "The staff have been very concerned about safety from the outset, and they had some protocols in place at the time I came in, which was extremely helpful," she said. "Chancery Court works a lot differently considering coronavirus."

Judge Graham, 68, was in her ninth year as a Jones County Justice Court judge at the time she received the appointment to the 19th Chancery, a single-judge district.

One of the biggest adjustments was having a

staff. In Justice Court, "if I wanted research done, I did my own."

"I have an excellent staff. I just can't say enough good things about them," she said. Court Administrator Noelle McKinnon, Court Reporter Alana Blackledge and Staff Attorney Sarah McCormick "were eager to work and do a good job, and that means the world."

Judge Graham is originally from Stringer. She is a graduate of Jones County Junior College. She earned bachelor's degrees in English and political science from Mississippi University for Women, and a Juris Doctor from the University of Mississippi School of Law.

Judge Graham's appointed term is set to end on Jan. 3, 2022. A special election will be held in November 2021.

Rankin Chancery and Justice Courts move to new Courthouse in Brandon



The new Rankin County Courthouse is located at 201 North Street in downtown Brandon.

an exterior of gray limestone and gray and brown brick. Deeply recessed glazed windows stand two stories high, providing abundant natural light inside. The architectural style is known as Contemporary Federal.

The new Courthouse cost about \$20 million, said County Administrator Laura Oster. JH & H Architects of Flowood designed the building and Chris Albritton Construction of Laurel built it. Site clearing began in the fall of 2017. Move in was in July.

Court proceedings were held for the first time in the new building on July 20. Court business went on without fanfare. There hasn't been a ceremony or open house. That may take place later after officials devise a plan for a come and go gathering that will limit the number of people in the building at one time due to COVID-19, Judge Roberts said.

The Courthouse was built with extra space for Chancery Court and Justice Court, in anticipation of growth. Rankin County Board of Supervisors President Jay Bishop said, "We tried to look toward the future when designing this... We built it for the future too."

The Rankin County Justice Court and the office of the Rankin County Prosecutor occupy the first floor. The largest courtroom in the new building, with a jury box and public



Chancellor Troy Odom stands at the back of his courtroom.

Rankin Chancery Court and Justice Court recently moved into the new state-of-the-art Rankin County Courthouse at 201 North Street in Brandon.

Rankin County officials hope that the building's public accommodations combined with its technology and security features will make it a model for future courthouse construction in the state.

Rankin County Chancellor Haydn Roberts said, "The building has everything we need and more. I hope that other counties, when they are contemplating constructing a new courthouse for trial judges, will come look at this courthouse. I think it serves as a model of how to make an efficient, safe, secure courthouse."

Chancellor Troy Odom said, "It is a jewel."

The 55,000 square foot, two-story Courthouse has



A 200-seat Justice Court courtroom is the largest in the building.



Rankin County Deputy Sid Norsworthy monitors security cameras that cover inside and outside the Courthouse.



Chancellor Haydn Roberts' chambers look out over a secure gated parking lot.



Attorney James Martin, at left, files a court document on Aug. 12. Deputy Chancery Clerk Ben Thomas assists Martin as Chancery Clerk Larry Swales, at right, looks on.

seating capacity of 200, is the larger of two Justice Court courtrooms. The second Justice Court court-

room has a seating capacity of 88. Four Justice Court judges share the two courtrooms. There was

only one courtroom for Justice Court in the former facility in the Historic Rankin County Courthouse.

The Rankin County Chancery Court and the office of the Rankin County Chancery Clerk occupy the second floor. Rankin County has three chancellors. The Courthouse has four courtrooms with four sets of chambers and staff offices. The fourth courtroom and chambers are available for visiting judges who are specially appointed to hear cases from time to time. Three Chancery courtrooms seat 40 people each. The fourth courtroom seats 60.

Priorities in the building design were security; an inviting, non-stressful environment; accessibility; and an exterior that projected the strength and durability of the justice system, said architect J. Carl Franco of JH &H Architects.

Judge Roberts said 87 security cameras cover the inside and outside of the Courthouse. During a recent tour, a deputy watching banks of monitors zoomed in on one to take a close look at someone near an outside door. There is restricted access to offices of judges and staff. Judges and staff park in a locked, fenced parking lot adjacent to the building.

Courthouse security is on the minds of judges across the state. Chancellor Charles Smith of Meridian was shot on the back parking lot of the Lauderdale County Courthouse

on March 16.

“State trial judges need to come look at what a secure courthouse needs to look like,” Judge Roberts said.

In the large first floor Justice Court courtroom, persons in custody are separated from the judge and others attending the proceedings. Detainees participate in the proceedings through a large heavy glass window.

Justice Court Judge Whitney Adams said, “They will be separated by a glass in a room where they can see and hear and they can be seen and heard. As for as safety goes, it’s the best feature in the courtroom.”

In Chancery Court, secure holding cells are located behind the courtrooms. Prisoners who come to court for divorce, child custody or other proceedings enter the courtrooms via a back entrance.

Waiting rooms outside the second floor Chancery courtrooms are designed with the litigants in mind. Chancery Court is the family law court which deals with divorce, child custody and support and other emotionally charged issues. The waiting areas seek to mitigate conflict by giving people space. There are 13 waiting areas and meeting rooms for lawyers and litigants. Six are partitioned for semi-privacy and seven allow closed-door conferences. Each courtroom also has two witness rooms.

Chancery Clerk Larry

Continued on Page 14

Swales said that the waiting area in the old Chancery building was small and put people in close quarters. “You can imagine the tension if you are going through a bad divorce and there’s not a lot of room. (In the new facility) we can separate all of that.”

Swales and chancellors are also pleased to have a children’s play room among the waiting areas. They hope to reduce the stress on children who have to come to court.

The entire building has wi-fi. Each Chancery courtroom has computerized audio-visual evidence presentation capability, an 82-inch display screen, cameras to monitor proceedings and high quality audio recording. A control room and a mechanical room are off the second floor back hallway. Acoustics include sound absorbing materials in each courtroom.

“We did not have anything remotely resembling this in the old courthouse,” Judge Odom said.

The former Rankin County Chancery Building, which has a small storefront on East Government Street, was originally a grocery store. Judge Roberts said his former downstairs chambers were built in what was once the grocery store loading dock. The building also formerly served as offices for an electric utility company and Brandon City Hall. Chancery Court has been there since 1994.

The new building meets requirements of the Americans with Disabilities Act in all public spaces and areas for judges and staff.

The Historic Rankin County Courthouse has an elevator, but access is difficult for persons with disabilities. Justice Court Judge Richard Redfern said, “You had to get a bailiff to come down and meet you and bring you up.”

The old Chancery Building has no elevator and could not be renovated to add an elevator, Judge Roberts said.

Chancery Court and

Justice Court moved from two separate buildings into one.

Judge Redfern said the higher case volume for Justice Court necessitated it being downstairs in the new building.

With as many as 250 cases set on the Justice Court docket in a single day, “to have a large courtroom is essential,” said Justice Court Judge Adams. While the second Justice Court courtroom is currently used for overflow seating due to social distancing requirements during the COVID-19 pandemic, in the future the extra courtroom will allow two Justice Court judges to hold court simultaneously.

Judge Adams said, “Justice Court probably reaches more people for Rankin County than any other court. I’m proud of the building and how it makes it easier for us to serve the people in our county.”

The new Courthouse has extra office space for Justice Court, as the needs of that court are growing,

Bishop said.

The Justice Court Clerk’s office is able to accommodate more people and allow them to receive service quicker. The old office had only one service window, and people often stood in line. The new office has five service windows, but only two are currently being used due to the need for social distancing, Judge Redfern said.

In Chancery and Justice Court, computerized panels in the hallways next to each courtroom display the day’s case docket. “It lets people know they are in the right place,” Judge Adams said.

“It’s very user friendly,” Judge Redfern said.

There’s also plenty of parking space at the new building.

“The thing most exciting to me is the parking,” Judge Redfern said. “At the old courthouse, the parking was terrible. You had to park across the road and down the road and hike the hill. It’s good so that people are not coming in late.”



The old Rankin Chancery Building in Brandon was originally a grocery store. It will be renovated to house county offices.

Chancellors, County Court Judges elect conference leaders



Chancellor Rhea Sheldon



Chancellor Robert G. Clark



Chancellor Larry Little



Judge Ed Hannan



Judge Vernita King Johnson



Judge Veldore Young Graham

Chancellor Rhea Sheldon of Purvis was elected chair of the Conference of Chancery Court Judges. Chancellor Robert G. Clark III of Lexington was elected vice-chair, and Chancellor Larry Little of Oxford was re-elected secretary-treasurer.

County Court Judges re-elected Madison County Court Judge Ed Hannan as chairman, Washington County Court Judge Vernita King Johnson as vice-chair, and Lauderdale County Court Judge Veldore Young Graham as secretary of the Conference of County Court

Judges.

Conference elections were held Oct. 29 during the fall Trial and Appellate Judges Conference, which was conducted by the Mississippi Judicial College as a virtual conference due to the pandemic.

Judicial College Executive Director Randy Pierce began scheduling virtual periodic meetings for judges soon after the pandemic began. Judge Sheldon said that one of her goals as Chancery Conference Chair is to continue those meetings so that judges can share ideas for solutions to deal with issues

served as Holmes County Youth Court Referee 2004-2014. He was Lexington Municipal Judge 2005-2014.

Judge Little took office in January 2019 in the 18th Chancery Court, which includes Benton, Calhoun, Lafayette, Marshall and Tippah counties. He previously served as district attorney for the Third Circuit for 10 years, and for 19 years as part-time Oxford Municipal Judge.

Judge Hannan has served as chairman of the Conference of County Court Judges since 2015. Judge Johnson has been vice-chair since October 2004. Judge Young Graham began her service as Conference secretary in April 2012.

Judge Hannan, of Madison, became Madison County Court Judge in January 2007. He previously served for more than nine years as Madison Municipal Judge.

Judge Johnson, of Greenville, has served as Washington County Court Judge since 1999. She previously served as Hollandale Municipal Judge 1986-1994, Arcola Municipal Judge 1992-1998, and Greenville Municipal Judge 1996-1998.

Judge Young Graham, of Meridian, has served on the Lauderdale County Court since January 2007. She was assistant district attorney for seven years and a public defender for the 10th Circuit Court District for two years.

related to COVID-19.

“It has changed the way we handle court,” she said.

Judge Sheldon previously served as vice-chair of the Conference of Chancery Court Judges. She is co-chair of the Commission on Children's Justice. She was appointed to the 10th Chancery Court Feb. 22, 2016. The 10th Chancery includes Forrest, Lamar, Marion, Pearl River and Perry counties.

Judge Clark has served on the 11th Chancery Court since January 2015. The district includes Holmes, Leake, Madison and Yazoo counties. He

Supreme Court makes appointments to Bar Complaint Tribunal



Judge Claiborne McDonald



George Philip Schrader IV



J. Rhea Tannehill Jr.



Judge Steve S. Ratcliff III



Gina B. Tompkins



Taylor A. Heck



Clarence Webster III



Judge LaRita Cooper Stokes



Judge Smith Murphey V

The Supreme Court in recent months made four new appointments to the Bar Complaint Tribunal and reappointed eight members.



Judge Anthony A. Mozingo

The Court in an order issued Aug. 14 appointed Circuit Judge Claiborne “Buddy” McDonald IV of Picayune and attorneys George Philip Schrader IV



Brehm T. Bell

of Vicksburg and J. Rhea Tannehill Jr. of Oxford to the Complaint Tribunal.

Tribunal members reappointed in August include Circuit Judge Steve S.



William H. Davis Jr.

Ratcliff III of Madison and attorneys Gina B. Tompkins of Biloxi and Taylor A. Heck of Senatobia.

Terms of the August appointees will conclude

Supreme Court reappoints three to Board of Bar Admissions



Anthony R. Simon

The Supreme Court reappointed attorneys Anthony R. Simon of Jackson, Kristopher A. Powell



Kristopher A. Powell

of Hattiesburg and Joseph D. Neyman Jr. of Hernando to the Mississippi Board of Bar Admissions.



Joseph D. Neyman Jr.

Chief Justice Mike Randolph signed the reappointment order on Sept. 24. The three-year terms

will end Oct. 31, 2023.

Simon has served on the Board since November 2011, and on the Board of Trustees of the National Conference of Bar Examiners since 2016. He previously served on the Committee on Character and Fitness. Neyman and Powell have served on the Board since September 2017.

Powell serves in the Office of General Counsel of the University of Southern Mississippi.

Neyman is Southaven municipal judge and previously was Hernando municipal judge.

Three attorneys reappointed to Commission on Mandatory CLE

The Supreme Court reappointed attorneys George S. Luter of Jackson, Richard W. Sliman of Gulfport and John Dickson Mayo of Oxford to the Commission on Mandatory Continuing Legal Education.

Chief Justice Mike Randolph signed the appointment order on behalf of the unanimous Supreme Court on July 21. The new terms will end July 31, 2023.

Luter served three years as chairman of the Commission on CLE, completing his most recent chair-



George S. Luter

manship earlier this year. He has served on the Com-



Richard W. Sliman

mission since 1998. He also has helped grade Bar



John Dickson Mayo

exams for 35 years.

Sliman has served on the Commission since 1996, including three years as chairman and three years as vice-chairman.

Mayo has served on the Commission for three years. He is board attorney for the Louisville Municipal School District, Noxapater town attorney and public defender for Winston County.

Complaint Tribunal appointments, *continued from page 16*

on Aug. 31, 2023.

The Supreme Court on Nov. 5 appointed attorney Clarence Webster III of Jackson as a new member of the Complaint Tribunal and reappointed Hinds County Court Judge LaRita Cooper Stokes of Jack-

son, Circuit Judge Smith Murphey V of Batesville, Circuit Judge Anthony A. Mazingo of Oak Grove, attorney Brehm T. Bell of Bay St. Louis and attorney William H. Davis Jr. of Corinth.

Three-year terms for the

November appointees will begin Jan. 1, 2021.

The 27-member Complaint Tribunal is made up of nine judges and 18 lawyers selected by the nine members of the Supreme Court.

Judge Roger Clark retired November 30 from 2nd Circuit Court



Judge Roger Clark

Circuit Judge Roger Clark of Gulfport retired Nov. 30 from the Second

Circuit Court District of Hancock, Harrison and Stone counties.

“It has been a pleasure to serve the people of this district and I will miss it after almost sixteen years on the bench,” Judge Clark said in his letter to the Governor.

Chief Justice Mike Randolph said Judge Clark’s retirement “was a loss for the judiciary, and more importantly the citizens of the Second Circuit Court District. He served the coastal community, Bench and Bar with great distinc-

tion.”

Gov. Tate Reeves will appoint a replacement to serve through the end of 2021. A special election will be held in November 2021 for a one-year term.

Chief Justice Randolph appointed retired Circuit Judge Forrest Johnson of Natchez to preside over the Hancock County term of Circuit Court from Nov. 30 through Dec. 18.

Judge Clark was senior judge of the Second Circuit District. He was appointed by Gov. Haley Barbour to a vacancy on

the court and took office in January 2005.

He grew up in Iuka and moved to Biloxi to work for the telephone company after he earned an undergraduate degree at the University of Mississippi. After he earned a law degree at the University of Mississippi School of Law, he moved back to the Gulf Coast. He had a civil law practice for 35 years before he was appointed to the bench. He practiced for 32 years with the firm of Bryant, Clark, Dukes and Blakeslee.

Tylertown businessman Max Luter appointed to Ethics Commission



Maxwell Luter

Supreme Court Chief Justice Mike Randolph has appointed Tylertown businessman Maxwell J. Luter to the Mississippi Ethics Commission.

Luter’s four-year term began Nov. 15.

Luter said, “I am excited to serve the people of Mississippi and look forward to working with the great members and staff of this commission. I want our citizens to have

confidence in their elected officials and for these officials to execute their offices with fairness, sincerity and integrity.”

Luter is president and CEO of Luter’s Supply, Inc., a kitchen and bath fixtures distributor. The family business grew from a plumbing and electrical company started by his grandfather in 1944. Luter joined the business in December 2001 after serving seven and a half years in the U.S. Navy.

Luter is a 1994 graduate of the U.S. Naval Academy. Duty assignments included service aboard the USS Clark and the USS Cole. His deployments included the North Atlantic and Baltic Sea, Caribbean Sea, the Persian Gulf and the Arabian Sea. He concluded his military service as AEGIS Combat System

officer course supervisor and air warfare instructor at the AEGIS Training and Readiness Center in

Dahlgren, Va., 1999-2001.

The Chief Justice appoints two of eight members of the Ethics Commission.

Chancery Court reporter Walden retires

Court reporter Mary Helen Walden of Ridgeland will retire as an official court reporter for the 11th Chancery District on Dec. 31.

Walden has served as a court reporter for 17 ½ years, and has worked for Judge Cynthia Brewer for 24 years. Walden was Brewer’s legal secretary before the Judge was elected to the bench. Walden became a certified court reporter in October 2003, shortly after she joined Judge Brewer’s Madison County Court staff. She became a court reporter for Chancery Court in 2007 after Judge Brewer joined the 11th Chancery bench.



Mary Helen Walden

Judge Brewer said, “Mary Helen Walden is the hardest working person I know. I don’t know what it will feel like once she’s retired. I’ve never had a court reporter other than her.”

Commission seeks to create culture of hope for children and families



Psychologist Chan Hellman discusses how to use the power of hope to improve outcomes for children and families.

The Mississippi Commission on Children's Justice during meetings in October asked leaders in child welfare to rethink how the state's system responds to allegations of child neglect rooted in poverty.

The model is centered on hope. The idea is to give hope to parents and children who encounter the Department of Child Protection Services and the Youth Courts.

The Commission conducted meetings with a leading proponent of hope-centered programs, Chan Hellman, Ph.D., of Tulsa, Oklahoma, on Oct. 20, 21

and 22 at the Gartin Justice Building and the Department of Child Protection Services in Jackson.

"The hope is that Dr. Hellman's presentation will change our mindset and we see a new way," said Taylor Cheeseman, Chief of Staff and former Interim Commissioner of the Department of Child Protection Services.

"Hope is the guiding framework of how we respond" in providing services to those in need, said Hellman, professor of social work at the University of Oklahoma and Director of The Hope Research Center. Giving hope is an

essential part of nurturing families and children toward improving their lives.

"Hope is the belief that the future will be better, and you have the power to make it so," Hellman said.

His approach includes teaching people to do three things:

- set desirable goals;
- identify viable pathways to goals, finding solutions to the problems that stand in the way;
- maintain the willpower to pursue those goals.

Hellman said action separates hope from a wish. "We are moving parents and families from wishing to hoping because we are going to make that pathway."

CPS Deputy Commissioner Tonya Rogillio said it's important to instill hope in the social work staff as well as the people they serve. The agency has a 30 percent turnover rate.

Hellman said, "I'm a firm believer that you can't give what you don't have." He believes that creating a culture of hope lowers staff burnout and improves job satisfaction.

Justice Dawn Beam, co-chair of the Commission on Children's Justice, said, "If Mississippi embraces this, it could have tremendous impact."

One of the biggest challenges of implementing a hope-centered program is getting beyond skepticism. "It feels like it's kind of a fluffy rainbows and unicorns thing," Hellman said.

Earlier in his career, he

would have laughed at the idea. But as a quantitative psychologist, he has measured and documented results including improved grades for children. He studies the effect of hope on outcomes for children and adults. His research is focused on hope as a psychological strength helping children and adults overcome trauma and adversity. He is the co-author of the book *Hope Rising: How the Science of Hope Can Change Your Life*.

Hellman spent 25 years working with victims of domestic violence, child maltreatment, homelessness and poverty. He knows the struggles. He grew up in poverty and was homeless from eighth grade through high school.

He experienced a eureka moment 12 years ago when he interviewed a 19-year-old homeless man who had recently been diagnosed with HIV. The man was filled with hope and had plans for attending college. Recalling the incident, Hellman said, "It was a realization that I had spent my entire career focused on the wrong question. 'What's wrong with you?'" His approach, he said, shifted to "What happened to you?" and "What's right with you?"

"Hope can be taught. It starts with goals, pathways and willpower," Hellman told members of the Mississippi Programs of HOPE Committee of the Commission on Children's Justice. "At the heart of

Continued on page 20



Justice Dawn Beam talks about creating hope for children and families during Oct. 21 program.



Child Protection Services Director Andrea Sanders and Chief of Staff Taylor Cheeseman, former Interim Director, listen to an Oct. 21 presentation about the power of hope.

Programs of Hope,
continued from page 19

change is our ability to understand the way things are and to imagine the way things could be.”

Chancellor Rhea Sheldon, co-chair of the Commission on Children’s Justice, said, “I’m excited to see what we are going to be able to do going forward with collaboration with non-profits and Child Protection Services.”

Justice Beam said, “It’s a vision that we all can work together for the children of our state.” She said. “We don’t need to dream with boundaries. We need to dream big.”

The Commission on Children’s Justice recently established Programs of HOPE to continue to address child neglect prevention.

Hellman is scheduled to provide training in the power of hope during virtual presentations on Jan. 26 and 27.

Representatives from 17 state agencies, non-profits and other entities have expressed interest, said Justice Beam.

The objective is to train a team of “hope navigators” who will train others within their organizations and create a culture of hope.

Hellman also is scheduled to present a series of hope centered lectures during three regional trainings on April 13, 14, and 15, 2021, in Oxford, Madison and Gulfport. Expected to attend are judges, court staff, Department of Child Protection Services social workers, representatives from Department of Human Services, Department of Education, Department of Mental Health, child advocacy centers and service providers. The presentations are part of the Court Improvement Program.

The interactive program also will be available for virtual participation via Zoom.

“We can change the whole atmosphere, not just a few people,” Justice Beam said.

The program is sponsored by the Commission on Children’s Justice and Casey Family Programs.

Hope training is Jan. 26 and 27 in Jackson and April 13, 14 and 15 in Oxford, Madison and Gulfport.

CPS and Hinds County Youth Court deliver Thanksgiving meals

Social services workers on the day before Thanksgiving delivered food boxes to 15 families recently reunited with their children in Hinds County Youth Court.

“These are families whose children have been in foster care,” said Hinds County Court Judge Carlyn Hicks. “These are families who have been recently reunited through the Court. The families have satisfied the Court’s requirements to safely reunite with these children.”

Judge Hicks organized the food collection and distribution. The Hinds County Department of Child Protection Services called upon private donors to pay for the meals, collecting more than \$2,000.

“We wanted to help those families prepare for the holidays and Thanksgiving meals so they could just focus on family,” Judge Hicks said.

The smell of fried turkey filled a conference room at the Henley Young Juvenile Justice Center in Jackson as Department of Child Protection Services workers began loading boxes of food for delivery to the recently reunited families. CPS social workers who have worked with those families delivered the meals to their homes Wednesday afternoon.

Thanksgiving is a time for family gatherings. “We are all fortunate to be able to sit around the table with our families,” Judge Hicks said. “It can feel very iso-



Child Protection Services case worker Janice Wilkerson, CPS Regional Director Cherrie Tobias and Judge Carlyn Hicks load food to be delivered to recently reunited families.

lating for a child in foster care during the holidays.” Even though they are well cared for, “that’s not their family. It’s not the same because they are in foster care.”

Judge Hicks has pushed to reunite families if children can be returned to their families safely. Since her appointment to the Hinds County Court on July 14, Judge Hicks has ordered reunification of 71 former foster care children with family members. They went home to live with parents or grandparents, aunts and other extended family. Twenty more children are in trial home placement, living with family members while remaining under the supervision of the Department of Child Protection Services to make sure that their transition is safe.

Judge Hicks has under-



Child Protection Services case worker Janice Wilkerson loads a box of food for delivery on Wednesday, Nov. 25.

taken an evaluation of every foster care child in the custody of the Department of Child Protection Services in Hinds County. “Only those children who

need to be in the foster care system are in foster care,” Judge Hicks said.

“When we work together, this is the result,” Judge Hicks said.

Retired Court of Appeals Judge Eugene Fair died December 2, 2020



Judge Eugene Fair is pictured in his office at the Mississippi Court of Appeals on July 1, 2014.

Retired Mississippi Court of Appeals Judge Eugene Love Fair Jr. of Hattiesburg died Dec. 2. He was 74.

A funeral service was held on Dec. 8.

Judge Fair retired from the Court of Appeals in December 2018 after seven years of service. He previously served for five years as a chancellor on the Tenth Chancery Court of Forrest, Lamar, Marion, Pearl River and Perry counties.

Former colleagues were saddened at his passing.

Court of Appeals Chief Judge Donna Barnes of Tupelo said, "He is respected and loved by all of us. It's just shocking that he's gone." She said, "Judge Fair's experience on the Chancery Court bench was invaluable to the Court of Appeals. He was an excellent judge and a better human being.

He was always fun. He brought cheer with him wherever he went."

Chancellor Deborah Gambrell Chambers of Hattiesburg said, "He was not only learned but compassionate. He believed in family and his faith." They practiced law in the same area, were both involved in Presbyterian church activities, ran for office against each other, later served together, and had daughters the same age.

"We always talked about our greatest assets in life were our daughters," she said. "He said those girls were his greatest accomplishment."

In their race for a spot on the Tenth Chancery Court, Fair won, and Gambrell Chambers later was appointed to the same court. "We had a very cordial race. He beat me but that didn't stop us from being friends. He is going

to be truly missed. He was one of a kind."

Sue Anne Werre was one of his law clerks at the Court of Appeals. "He absolutely loved working up here. He was usually the first car here in the morning, ready to talk with a cup of coffee."

"For someone who did not grow up with technology, he certainly mastered it! He was electronically filing our records before e-filing was common practice. I can just see him in that office with all his antique furniture, sitting in his creaky chair, looking at his big screen tv... also known as his computer screen."

Justice James D. Maxwell II of Oxford said, "Judge Fair was a great judge and an even better man. I can just see him now walking into our chambers holding that coffee cup. He loved to tell

stories, had tremendous pride in his children, and had an unmatched knowledge of his hometown of Louisville, Mississippi. His family is in my prayers."

Justice David M. Ishee of Gulfport said, "He was such a good man and an outstanding judge. It was always a pleasure to work with him. God bless his family."

Judge Fair is survived by his wife, Dr. Estella Galloway Fair of Hattiesburg; daughters Melissa Fair Wellons, M.D. of Nashville, Tenn., and Julia Fair Myrick of Bainbridge Island, Wash.; brother George Fair of Jackson, and four grandchildren.

Judge Fair engaged in the private practice of law in Hattiesburg for 34 years. During that time, he tried cases in 57 courthouses across the state. While in private practice, he also served by appointment as a special master in Chancery Court and as a guardian ad litem representing the interests of children in Youth Court. He was admitted to practice law in all state courts, the U.S. District Courts for the Northern and Southern Districts of Mississippi, the Fifth U.S. Circuit Court of Appeals, the Supreme Court of Texas and the U.S. Supreme Court.

Chief Justice Neville Patterson appointed him to the Mississippi Ethics Commission in 1984. He

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Bar Memorial honors 69 Mississippi attorneys who died in past year

The Mississippi Supreme Court and the Mississippi Bar on Oct. 13 honored the lives and service of 69 attorneys who died during the past year.

The ceremony was livestreamed and archived. It may be viewed at <https://livestream.com/supremecourtofms/2020-bar-memorial/videos/212076038>.

Supreme Court Chief Justice Mike Randolph, who presided over the ceremony, said, "Those we honor today cover the spectrum of the legal prac-

tice in our state: from solo practitioners to partners of some of Mississippi's finest law firms. We honor public servants. We honor former prosecutors, defenders, and jurists." They upheld "the highest standards of our profession: dignity, honor, integrity, and sacrifice."

Mississippi Bar President Jennifer Ingram Johnson of Hattiesburg in her eulogy said, "The men and women we memorialize today chose an honored profession, one that requires much of its mem-

bers, and they each lived up to the lofty requirements....As public citizens they sought improvement of the law, access to the legal system, the administration of justice and the quality of service rendered by the legal profession. They furthered the public's understanding of and confidence in the rule of law and the justice system, and they devoted professional time and resources to ensure equal access to our system of justice for all of those who could not afford adequate legal counsel."

David Maron, chair of the Bar Memorial Service Committee, read the Bar Memorial Resolution, and the names of each of the 69 attorneys who were honored.

Among those who died last year were former Supreme Court Chief Justice Lenore L. Prather of Columbus, former Court of Appeals Chief Judge Billy G. Bridges of Brandon, former Chancellor William G. Willard Jr. of Clarksdale, former Hinds County Court Judge Houston Pat-

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Judge Eugene Fair obituary, *continued from page 22*

served on the Commission for 20 years, including 19 years as vice-chair. He was board attorney for the Pat Harrison Waterway District 1988-1992.

Judge Fair grew up in Louisville, the son of Eugene L. Fair and Helen Robertson Fair Bennett. He had generations of roots in the Pine Belt. His great-grandfather was Perry County Justice of the Peace G. C. Robertson. His grandfather, Stokes Robertson Sr., served as the first member of the House of Representatives from Forrest County, as Clerk of the House for four years, and was Revenue Agent of the state of Mississippi, a statewide elective officer later renamed State Tax Collector. Judge Fair was the nephew of the late Mississippi Supreme Court Justice Stokes V. Robertson Jr.

Judge Fair earned a Bachelor of Arts degree from the University of Mississippi and a law degree from the University of Mississippi School of Law. During college, he was editor of *The Daily Mississippian* twice. The college newspaper became a five day a week newspaper during his first term. He was a member of the 1966 undergraduate Hall of Fame, and in law school was on the board of the *Mississippi Law Journal*.

He began working as a newspaper stringer at age 15, calling in sports scores and writing obituaries. While in college, he did freelance work for the *Clarion-Ledger*, the now defunct *Jackson Daily News*, the *Meridian Star*, the Associated Press and United Press International.

After he earned his law degree in 1968, he served

for four years on active duty with the U.S. Navy Judge Advocate General Corps during the Vietnam War, earning the rank of Lieutenant Commander. He spent two years as chief legal officer at the Naval Air Station at Corpus Christi, Texas. He was a reservist in the Jackson Naval J.A.G. Reserve Unit for five years.

He served as treasurer, secretary, vice-president and president of both the Young Lawyers Section of the Mississippi Bar and the South Central Mississippi Bar Association. He held numerous leadership positions in the Mississippi Bar, including two terms on the Board of Bar Commissioners. He was inducted as a Fellow of the Mississippi Bar Foundation in 1981, and was a Charter Life Fellow of the Young Lawyers.

He served on the Mississippi Supreme Court Committee on Technology in the Courts, 1988-1990, and on the Judicial Advisory Study Committee Technology Consulting Group 1993-1994. He later served as chair of the Judicial Advisory Study Committee. He helped screen and recommend lawyers to fill judicial vacancies as a member of Gov. William Winter's Judicial Nominating Committee.

He was an Eagle Scout, and remained active in the Pine Burr Area Council Scouting activities

He was a trustee, elder and Sunday School teacher at Westminster Presbyterian Church in Hattiesburg. He was chairman of deacons, and was church treasurer for 18 years.



Mississippi Bar President Jennifer Ingram Johnson gives the eulogy during the Oct. 13 Bar Memorial. Seated at the bench, left to right, are Justice Robert P. Chamberlin, Justice James D. Maxwell II, Presiding Justice Jim Kitchens, Chief Justice Mike Randolph, Presiding Justice Leslie D. King, Justice Dawn Beam and Justice David M. Ishee.

ton of Jackson, former District Attorney Cono A. Caranna II of Gulfport and former U.S. District Court Clerk J.T. Noblin of Jackson.

Johnson called Chief Justice Prather “a true mentor and trailblazer for all lawyers, but especially to the women who have been admitted behind her.”

Justice Prather was admitted to the practice of law in 1955. She was the first woman to serve on the Mississippi Supreme Court, and was the court’s only female Chief Justice. She died on April 11 at her home in Columbus.

Johnson and Chief Justice Randolph noted that Justice Prather wrote two landmark decisions that shaped the practice of family law. *Albright v. Albright* created a list of considerations, now known as *Albright* Factors, to determine the best

interests of the child in parental custody disputes. *Ferguson v. Ferguson* adopted guidelines for equitable distribution of marital assets in divorce, including recognizing both spouses’ contributions to the family.

Judge Bridges was one of the original members of the Court of Appeals, serving from January 1995 through December 2005. His career included service as a chancellor, district attorney and county prosecuting attorney. “Thirty-eight years he gave to public service,” Chief Justice Randolph said. Judge Bridges was a veteran of the Korean War, having attained the rank of sergeant in the U.S. Marines.

Chief Justice Randolph noted that District Attorney Caranna and Chancellor Willard were Vietnam War veterans. He said that Caranna was one of the

first attorneys he met 46 years ago, when Caranna was Biloxi city attorney and Randolph was in law school. “Cono and I hit it off very well. I suppose part of it was that both of us survived the Vietnam War,” he recalled. Caranna served as an Army rifle company commander, earning a Bronze Star with Valor device, two Oak Leaf Clusters, an Air Medal, and a Purple Heart. “Cono was one half of a great legal team, for he was married to the esteemed Chancellor, Margaret Alphonso. His legal accomplishments exceed my time limits.”

Judge Willard was awarded the Navy Commendation Medal with Combat Valor for his outstanding leadership under fire, as well as a Combat Action Ribbon. He was Chief Justice Randolph’s law school classmate and preceded him as president

of the Law School Student Body at the University of Mississippi.

Chief Justice Randolph recalled Jackson attorney Tom Royals, who in 40 years of law practice had “a reputation as a top criminal defense attorney. Those of you who know him better may recall that he produced Lucinda Williams’ first album, ‘Ramblin,’ in 1979, and later published *Conversations with Will D. Campbell* in 2018.”

Johnson said, “These men and women that we memorialize today played a vital role in the preservation of our society and they truly made a difference in our profession and in our state. Each and every one of the men and women served as role models for the remaining 11,000 men and women who are here now to carry out the responsibilities of the legal profession.”