

THE FRAGILITY OF JUDICIAL INDEPENDENCE

Occupational Licensing
and The Opioid Crisis

Justice Sotomayor
Delivers 2020 Albritton Lecture

Clinic Thrives During Pandemic



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from the dean



Since March, I've found myself concluding conversations and correspondence with the words “be well.” They aren’t a command, of course. But they are a fervent wish, combined with a bit of encouragement, to act for one’s own sake and for the sake of others.

Wellbeing takes many forms: physical health, to be sure, but also psychological security, a sense of place and purpose, and habits of belonging and connection to others. In the past year, we’ve experienced profound challenges on each of these fronts, as we’ve wrestled with pandemic, the continuing struggle for racial justice, and deep social and political cleavages among the people of our nation.

The weight of these challenges has taken its toll on all of us and has required of our students no small amount of sacrifice. I can say with pride, however, that our students have displayed the kind of flexibility, resilience, and determination that demonstrate why Alabama Law is such a special place. And you, our alumni, have stepped up in significant ways to support our mission to provide the very best education for the next generation of members of a great profession.

The Law School, too, has been strong and resilient. We continue to press forward to ensure that students enjoy instruction from excellent teachers. To that end, we welcomed four new members to the faculty in the fall of 2020. And we are now in the initial phase of searches that I hope will grow our faculty again in the next two years.

The strategic planning process, which we paused in the spring, is now moving forward. We are focusing on enduring themes: enriching academic programs and curriculum; cultivating a cadre of top-flight teachers, mentors, and scholars; enhancing our physical facilities; ensuring that students and faculty of all backgrounds can flourish in the Law School; providing students and graduates with meaningful opportunities for careers that reach as far as ambition and talent can take them; and ensuring that the pursuit of those opportunities is not hobbled by debt.

Even in difficult times, I see reasons for optimism. New technologies are providing ways to gather safely for classes and activities. Talented students still want to study at the School of Law. Our alumni continue to engage in acts of overwhelming kindness, support, and generosity. Students work daily to make the Law School a better place for one and all.

I am moved by these shining examples of resilience. I look forward to even brighter days to come.

Be well,

A handwritten signature in black ink, reading 'Mark E. Brandon'.

Mark E. Brandon
Dean, The University of Alabama School of Law



briefcase

News and events from around the Law School

Justice Harwood Receives the 2020 Sam W. Pipes Distinguished Alumnus Award

The School of Law honored Justice R. Bernard Harwood, Jr. ('63) with the 2020 Sam W. Pipes Distinguished Alumnus Award at the Alabama Law Alumni Society Banquet on February 21, 2020.

The Law School Foundation gives the award to an outstanding alumnus who has distinguished himself or herself through service to the bar, The University of Alabama, and the School of Law. The award is named for the late Samuel Wesley Pipes ('38), who was a partner in the Mobile law firm of Lyons, Pipes & Cook until his death in 1982.

After Justice Harwood graduated in 1963, he had many occasions to encounter Mr. Pipes in Mobile. "I really enjoyed those opportunities," Justice Harwood said, "so it is doubly meaningful to me to think that I have some connection with his legacy by virtue of this honor you're giving me tonight."

In 1967, Justice Harwood joined with Gordon Rosen to form the law firm of Rosen Harwood in Tuscaloosa. During his career, he served in many roles, including Deputy City Judge of Tuscaloosa, Special Assistant Attorney General for the State of Alabama, Tuscaloosa County Circuit Judge, Associate Justice of the Alabama Supreme Court, and Lecturer in Law at the Law School. For more than 40 years, Justice Harwood has taught courses as an adjunct professor at Alabama Law, teaching trial advocacy, evidence, and advanced evidence.

Justice Harwood said that he was grateful to have attended the School of Law and that it shaped his life.

"I really am so happy to have an opportunity to be of service to the Law School in the various ways that I have," Justice Harwood said.



Top: Justice Bernard Harwood with Dean Mark Brandon. **Above:** Justice Harwood with family.

BLSA Mock Trial and Moot Court Teams Advance to National Tournament

On January 30 through February 1, 2020, two groups of students traveled to their respective regional BLSA mock trial and moot court competitions, returning with numerous individual wins and a place in each competition's national tournament held in Cincinnati, Ohio in March.

Maya Hoyt ('20), Alex Williams ('20), Chenelle Jones ('21) and Gavin Baum-Blake ('21), represented Alabama Law in the Constance Baker Motley Mock Trial Southern Regional Competition during the Southern Regional Black Law Students' Association's Convention held in Charleston, South Carolina. Due to their incredible efforts, and with the guidance of coach Justin Jones ('12), the team took second-place in the regional round, securing a trip to the national competition.

Karmen Gaines ('20) and Stephanie Avant ('20) also traveled to Charleston with coaches Anil Mujumdar ('00) and Anita Kay Head ('06) for the BLSA Southern Regional Thurgood Marshall Moot Court Competition. Gaines and Avant won an award for the Best Petitioner Brief and placed second overall, also scoring a trip to nationals.

This is the second consecutive trip the mock trial team has made to the national competition, due in no small part to the efforts of veteran team members and co-captains Hoyt and Williams.

The moot court team made an excellent showing during their national rounds, winning 4th place overall.

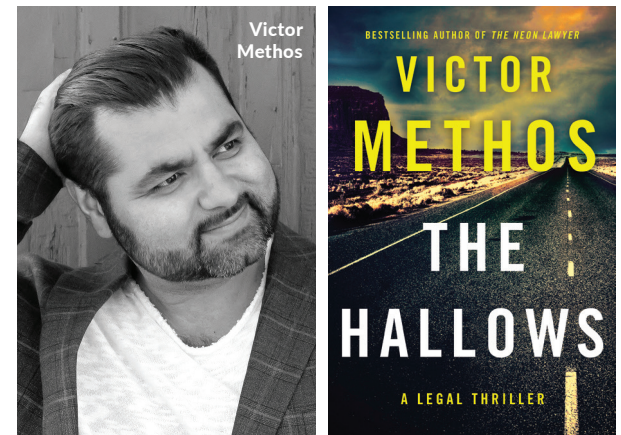
Victor Methos Wins 2020 Harper Lee Prize for Legal Fiction

Victor Methos, author of *The Hallows*, received The University of Alabama School of Law's 2020 Harper Lee Prize for Legal Fiction during a virtual ceremony at the Library of Congress's National Book Festival in September 2020.

"It is such a privilege to receive this award," Methos said. "Every criminal lawyer will tell you the same thing: Atticus Finch was our earliest inspiration. I first read *To Kill a Mockingbird* when I was 13, and to this day, when the injustices of our legal system discourage me, it is that book I turn to for inspiration. To think the committee saw something



Top: Maya Hoyt, Gavin Baum-Blake, Chenelle Jones and Alex Williams. **Above:** Anita Kay Head, Karmen Gaines, Stephanie Avant, Anil Mujumdar



of it in my own work humbles me, and I will always be grateful.”

Ten years ago, to commemorate the 50th anniversary of the publication of *To Kill a Mockingbird*, and to honor the former Alabama Law student and author, the School of Law created the Harper Lee Prize for Legal Fiction.

The Hallows tells the story of Tatum Graham, a Miami defense attorney who re-examines his life after he helps a guilty client walk free. Graham moves back home for a simpler life, but he soon joins the county attorney’s office as a prosecutor, where he finds redemption.

“In this tightly focused and masterful thriller, we watch Tatum Graham come to terms with the profound personal failures associated with his professional successes,” said James Crank, University of Alabama Associate Professor of English and Prize Selection Committee member. “His redemption comes in the form of a dogged pursuit of justice, even though it means waging war on the very people and institutions that created him. In *The Hallows*, Victor Methos channels the very best of Harper Lee’s prose.”

Fellow Selection Committee member and 2018 Prize winner C.E. Tobisman agreed. “Written with panache and humor, this book features deep, believable character relationships and a satisfying David versus Goliath courtroom battle,” she said.

Professor Elliott Wins Outstanding Commitment to Teaching Award

Brilliant. Approachable. Great. Dedicated. Caring.

When you ask Alabama Law students about Professor Heather Elliott, these are words you hear repeated often. Achieving well-deserved recognition, Elliott received The University of Alabama’s Outstanding Commitment to Teaching Award at the 2020 Virtual Campus Assembly on October 12, 2020.



Heather Elliott meets with students.

Second-year student Tucker Crain has Elliott as his academic advisor. “Interacting with Professor Elliott outside of class is awesome,” he says. “She’s one of the smartest people ever, but she’s super approachable and always willing to help with any issue.”

Elliott teaches civil procedure, land use law and planning, water law, legislation and regulation, and professional responsibility, and conducts research and scholarship in the areas of Alabama water law and policy and the role of courts and agencies in a democratic society. Having joined the faculty in 2008, she is the Alumni, Class of ’36 Professor of Law.

“Not only has she done terrific scholarship in areas as diverse as environmental law, federalism, administrative law, and the constitutional doctrines of standing, but she has also built a record as a spectacular teacher,” said Mark Brandon, Dean and Thomas E. McMillan Professor of Law.

The Outstanding Commitment to Teaching award was created in 1976 by the University of Alabama National Alumni Association. The award recognizes four faculty members annually, based on the faculty members’ commitment to teaching and the impact they have had on students through the teaching and learning process.



Judge John England talks with Yusef Salaam.

Yusef Salaam, Member of Exonerated Five, Speaks at Alabama Law

Yusef Salaam, a member of the Exonerated Five, formerly known as the Central Park Five, discussed his legal case on January 27 with Judge John H. England, Jr. (’74) in the Bedsole Moot Court Room.

On April 19, 1989, a young woman was raped and left for dead in New York City’s Central Park. Five teenagers — four Black and one Latino — were tried and convicted of the crime. They became known collectively as the Central Park Five.

Looking back on the case, Salaam said the evidence didn’t point to the five teens. “I think — and I truly think — they knew that they had the wrong people. And I don’t think it mattered,”

he said. He added that prosecutors and others were trying to quickly ensure the public that the city was safe, a move that also worked toward protecting their careers.

The five convictions were vacated in 2002 after another man, who was in prison for similar crimes, confessed to the attack. That man’s DNA matched evidence from the crime scene. The exonerated men served between seven and 13 years for crimes they did not commit. In 2003, they sued the city for their wrongful convictions. In 2014, the city settled the case and agreed to pay them a total of \$41 million.

Since his release, Salaam has been committed to advocating for and educating people on the issues of false confessions, police brutality and misconduct, press ethics and bias, race and law, and the disparities in America’s criminal justice system.

Alabama Law Enrolls Three PLUS Participants in Class of 2023

When the University of Alabama School of Law welcomed the Class of 2023, Layne Lightfoot, Roxana Ramos and Courtney Zotaj had already walked the halls of the building as members of the inaugural class of the Alabama Pre-Law Undergraduate Scholars (PLUS) Program.



PLUS participants pose for a photograph outside the Birmingham Civil Rights Institute.

Funded by a grant from the Law School Admission Council, the PLUS Program attracts promising students from groups historically underrepresented in the legal profession, students who come from socioeconomically disadvantaged backgrounds, as well as students facing other significant barriers to entering the legal profession.

In just a few years, PLUS has grown into a pipeline program for Alabama Law. “The program gives participants the skills necessary to be competitive law school applicants,” said Joshua Porter, Director of Diversity and Inclusion and Assistant Professor of Law in Residence.

“PLUS is an essential program to develop the core competencies necessary for success in the legal profession,” he said. “In order to create a diverse and inclusive legal community, it’s imperative that programs like PLUS continue to thrive.”

“From our resume and professional skills workshops to panels on career paths in the law, the PLUS Program solidified my decision to apply to law school and gave me the tools I would not have had otherwise to navigate the application process,” Zotaj, of Huntsville, said.

During the program, the participants received an introduction to the law, including legal writing and analysis and legal ethics. Students also received professional development training and advice on how to become competitive law school applicants, and were introduced to different legal practice areas.

“It gave me the opportunity to network with professors, practicing attorneys, and judicial representatives,” said Ramos, who is from Crossville, Alabama. “I was able to build a strong network of friends to assist me in my journey to law school,” Lightfoot, an Atlanta native, added.

Two at Alabama Law Win Pro Bono Awards

During the October 2020 celebration of Pro Bono Month, the Alabama State Bar highlighted recipients of the Pro Bono Awards, including two members of the Alabama Law community. Susan Donovan, the director of the Mediation Law Clinic, won the Mediator Award, and Mindy Kidd, third-year student, won the Law Student Award.

“Volunteer work led me to law school,” said Kidd in a video created by the State Bar. “After several years volunteering in that capacity, it seemed like the next logical step was to attend law school.”

Donovan highlighted the impact of pro bono legal work in her video interview. “There are a lot of people in our state that can’t afford lawyers and yet they need legal services; so in some small way, I like to give back.”

Of the relationship between pro bono service and the legal skills and training she is receiving at The University of Alabama School of Law, Kidd said, “[it] made me see the value of what my education can do for not just my own benefit but hopefully for those around me, too.”

The Alabama State Bar Pro Bono Awards are given annually, recognizing students, mediators, attorneys and firms.



Susan Donovan



Mindy Kidd

Moot Court Championship

The Hunton Andrews Kurth Moot Court National Championship, held in Houston, Texas, invites only 16 of the nation’s elite law school moot court teams to participate in the championship each year. The University of Alabama School of Law was among the invited participants for the tournament held in February 2020.

Alabama Law earned an invitation to this select competition based on its overall performance during the 2018-19 academic year. The Law School’s accolades during that time included two national championships, impressive victories at regional competitions, and multiple best brief and best speaker awards. As part of their evaluation, the competition’s organizers ranked the Alabama Law Moot Court Program fourth in the nation coming into the 2020 tournament.

Arguing two complicated issues of Supremacy Clause Immunity, the team of Lindsey Barber (’20), Cory Church (’20), and Anne Miles Golson (’20) turned in a fine performance. With the help of student coach and team manager Josh Kravec (’20), the team advanced to the quarterfinal round of the competition, receiving exceptional praise from judges and fellow competitors. In a painfully close decision, the team was narrowly eliminated by the defending tournament champion.



Josh Kravec, Lindsey Barber, Mary Ksobiech, Anne Miles Golson, Cory Church



Carl W. Bentzel ('89) was sworn in to serve as a Commissioner of the Federal Maritime Commission. His term expires on June 30, 2024.



LaBarron Boone ('95) of Beasley, Allen, Crow, Methvin, Portis & Miles, PC in Montgomery, AL, has been selected to serve on the Executive Committee for The National Trial Lawyers – Top 100 Civil Plaintiff Lawyers group.



Katie Boyd Britt ('13) has been named as a member of the Board of Trustees at Stillman College in Tuscaloosa, AL.



Myla Calhoun ('85) has been named Vice President of the Birmingham Division of Alabama Power.



Aubrey Coleman ('14) received the Up & Comer Award from the American Bar Association. The award is presented to a young practitioner who, through their efforts and accomplishments, shows great promise to continue these contributions.



Prim F. Escalona ('08) has been appointed Interim U.S. Attorney for the Northern District of Alabama.



Kevin D. Finley ('15) has been appointed to the Board of Directors of the John M. Langston Bar Association of Los Angeles.



Larry Golston ('98) was sworn in as President of the Montgomery County Bar Association.



Roger Guilian ('98), General Counsel, Vice President, and Corporate Secretary for Volkert, Inc. in Mobile, AL, accepted membership in the International Association of Defense Counsel.



Michael Kirtland (LL.M. '99) published “Getting Started with Advance Directives,” along with Donna Jackson. The book was published by the American Bar Association.



Robert Landry ('94) has been appointed by the American Business Law Journal to its six-member editorial board.



Justin Ladner ('10) has been named President of Illinois American Water.



Katharyn I. Christian McGee ('08), pro bono counsel at Duane Morris, has been recognized with a Next Generation Leader Award by United Way of Greater Philadelphia and Southern New Jersey. Kat was also named to The Legal Intelligencer's 2020 Pennsylvania Lawyers on the Fast Track list.



Marie Brady Mott ('95) has been named the Health Officer and Administrator for the Florida Department of Health in Escambia County.



Laterrica Shelton ('14) has been named Vice President for Diversity, Equity, and Inclusion for The University of Alabama in Huntsville.



John M. Shoemaker ('14 LL.M.) has been elected to the Society of Trust and Estate Practitioners (STEP) Singapore Branch Committee for 2020-2021.



Allison O. Skinner ('94) has been named the 2020 Award of Merit recipient by the Alabama State Bar. The award is the highest honor given to an attorney and serves to recognize outstanding service in the legal profession.



Matthew Slaughter ('15) earned the Louisiana State Bar Association's 2020 Pro Bono Publico Award.



Navan Ward, Jr. ('02) has been selected to serve as President-Elect of the American Association for Justice. This will be Ward's fifth consecutive year serving on the Executive Committee of AAJ.

class notes

Newsworthy items of interest for alumni



new faculty

Law School welcomes
four faculty in 2020



Kara Deal Gamble

Professor Gamble joins the Law School as an Assistant Professor of Legal Writing. She brings experience from private practice, and from appeals courts in Florida and Alabama. While teaching Legal Writing to first-year students, she will also continue to engage in service through the Bar, including as an officer in the Women's Section of the Birmingham Bar Association.



Russell Gold

Professor Gold joins the faculty as an Associate Professor of Law. His scholarship, comparatively examining civil and criminal procedure, considers insights that each system can learn from the other. An award-winning professor with a commendable scholarly record, he also possesses a background in class action and appellate matters. Professor Gold's role will include service as Faculty Advisor to the Alabama Civil Rights & Civil Liberties Law Review.



Tara Leigh Grove

Professor Grove joins the faculty as the Charles E. Tweedy, Jr. Endowed Chairholder in Law. She is a preeminent scholar whose research focuses on the federal judiciary and problems of constitutional law, including especially the separation of powers. With extensive publications in leading journals, she has received awards for both her research and her teaching. Professor Grove will also serve as Director of a new Program in Constitutional Studies.



Joshua Porter

Professor Porter joins the Law School as Director of Diversity & Inclusion and Assistant Professor of Law in Residence. He has experience both in the public sector and in public interest law. Professor Porter will teach courses in education law. His background as an attorney with the U.S. Department of Education's Office for Civil Rights and as a teacher in a Title I high school will be invaluable assets to our students.

recognition

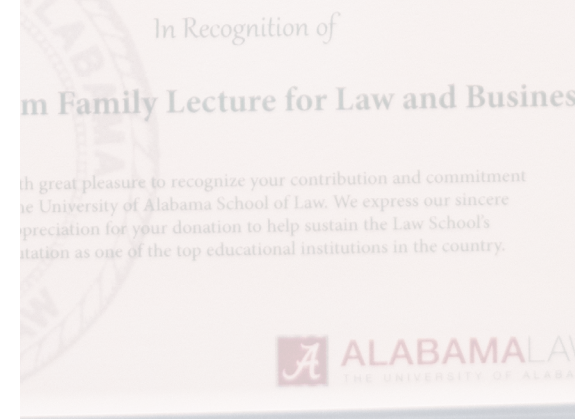
New annual awards

Law School Foundation Board of Governors and Alumni Society Leadership Council Announce New Annual Awards

Designed to recognize the outstanding achievements of those affiliated with the Law School, the Board of Governors created the Alabama -Lawyer Hall of Honor. Criteria for the award include making significant and extended contributions to the life of the Law School, having a distinguished career, and sustaining involvement in service activities.

The Alabama Rising Young Attorney Award was created by the Alabama Law Alumni Society to recognize one or more young alumni who have made outstanding contributions benefiting the profession, community and The University of Alabama School of Law. To receive the award, an individual must be a graduate within the last 10 years who shows significant leadership and engages in service within the profession, community and Law School. Additionally, the recipient must be engaged in supporting the development of peers in the early stages of their legal careers.

All alumni are welcome to submit nominations through the Law School's website (www.law.ua.edu/alumni/awards) or by contacting the Advancement Office. The first recipients for these awards are being chosen now and will be announced at a virtual ceremony in February 2021. 🎉





leadership
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THE FRAGILITY OF JUDICIAL INDEPENDENCE

BY TARA LEIGH GROVE



Tara Leigh Grove

What is Judicial Independence?

Let me take you back to a moment from just a few years ago. On January 27, 2017, President Donald Trump issued an executive order, which is now often referred to as the first “travel ban.” The order suspended the entry of individuals from seven named countries, all with predominantly Muslim populations. Almost immediately, chaos broke out at airports throughout the United States. Many individuals, including green card holders and college students, were stranded at airports or sent back to their countries of origin.

Several individuals and state attorneys general filed suit, challenging the executive order on constitutional and statutory grounds. And on February 3, 2017, just six days after President Trump signed the order, a single federal district court judge in Washington issued a nationwide injunction against the travel ban. The President was not pleased by this judicial interference. He dismissed the member of the Article III judiciary as a “so-called judge” and denounced the judicial decision as “ridiculous.” And the Department of Justice questioned whether the court had the power to issue an injunction that applied throughout the country.

Nevertheless, as soon as that federal judge issued the nationwide injunction, everything stopped. The chaos at the airports, the stranding of individuals — all of it came to a close. The Department of Homeland Security complied with the federal court order. With the stroke of a pen, and in defiance of a President, a single federal court judge stopped the federal government in its tracks. *That* is judicial independence.

Much of my academic work traces the legal rules and norms that protect judicial independence in the United States. I want to focus here on two such norms: the norm of complying with federal court orders (illustrated by the travel ban episode) and the norm against “packing” the Supreme Court. I have uncovered a few things that

First, these norms are of relatively recent vintage; they developed only in the mid-twentieth century. That fact alone underscores the fragility of these norms. Second, these norms depend heavily on the way that political leaders and other actors talk about the federal judiciary. Accordingly, as the discourse changes, so may the protections for the federal courts.

seem especially relevant to current debates over judicial independence. First, these norms are of relatively recent vintage; they developed only in the mid-twentieth century. That fact alone underscores the fragility of these norms. Second, these norms depend heavily on the way that political leaders and other actors talk about the federal judiciary. Accordingly, as the discourse changes, so may the protections for the federal courts.

Obeying the Courts

Let's start with the norm regarding compliance with federal court orders. In the nineteenth and early twentieth centuries, there was no such strong bipartisan norm. When political actors disobeyed the federal judiciary, they were often cheered on by their political supporters. For example, in the 1830s, many Democrats praised the governor of Georgia, when he openly defied two Supreme Court decisions involving the interests of Native Americans. Along the same lines, in the 1860s, many Republicans defended President Abraham Lincoln when his administration declined to release a prisoner — despite a habeas corpus order by a federal judge.

This trend continued into the civil rights movement of the 1950s and 1960s. Following the Supreme Court's 1954 decision in *Brown v. Board of Education*, prominent political leaders in the South resisted federal court orders. Arkansas Governor Orval Faubus, for example, in 1957 obstructed a federal desegregation decree when he directed state troops to prevent black students from entering Little Rock High School. And in 1962, Mississippi Governor Ross Barnett violated a federal court order by blocking the admission of James Meredith, who was about to become the University of Mississippi's first black student.

The norm requiring compliance with federal court orders was not established until after the civil rights movement. Indeed, I have argued that the norm arose in large part *because* of the civil rights movement. In subsequent decades, the massive resistance to *Brown* became the paradigmatic example of defiance of the federal courts. And as *Brown*



James Meredith, after attempting to enroll at the University of Mississippi, is blocked by Mississippi Governor Barnett, New Orleans, La, September 25, 1962. BY CSU ARCHIVES/ EVERETT COLLECTION

President Roosevelt broadcasts his proposal to pack the Supreme Court, March 9, 1937. In this Fireside Chat, he accused the Court of improperly setting itself up as a 'third house of the Congress'. EVERETT COLLECTION



became canonical (that is, one of the most respected and admired decisions in Supreme Court history), the resistance to the decision was viewed as one of the most disgraceful moments in American history. Subsequent political actors did not want to be equated with the segregationists who sought to obstruct *Brown*.

Court Packing

Now let's turn to the norm surrounding "court packing"—that is, efforts to alter the size of the Supreme Court in order to influence the future course of judicial decisions. There was no strong bipartisan norm against court packing for much of our history. At various times in the nineteenth century, political actors changed the size of the Supreme Court — and often did so in part for partisan reasons. Following the election of 1800 (when Thomas Jefferson's Republicans soundly defeated John Adams' Federalists), the outgoing Federalist Party decreased the size of the Supreme Court from six to five members. One goal was to deprive incoming President Jefferson of an opportunity to fill a Supreme Court seat. The Jeffersonian Republicans then swiftly undid that change and returned the Court to six members.

In the 1860s, Congress made a number of changes to the size of the Supreme Court — in part to influence future decisions. During the Civil War, the Republican Congress increased the Court's size to ten members, so that President Lincoln could appoint Justices who favored the Republicans' antislavery agenda. But in 1866, after Democratic President Andrew Johnson took office, Congress reduced the Court's future membership to seven. The Republicans who controlled Congress in the post-Civil War era apparently did not trust Johnson to nominate Justices sympathetic to the reconstruction efforts in the South. By contrast, in 1869, the Republicans were happy to push the number of Justices back to nine — once fellow Republican (and former Union army general) President Ulysses S. Grant was in charge.

The most famous (or infamous) attempt to alter the size of the Supreme Court occurred in 1937, when President Franklin Roosevelt sought to expand the Supreme Court from nine to fifteen members. There is an oft-told story that Roosevelt's proposal was swiftly rejected, as even his fellow Democrats were appalled by this Court-packing plan. But in fact, although some legislators (including some prominent Democrats) did oppose the plan, many supported it as did many members of the public. Roosevelt's Court-packing plan came close to passage.



Beginning in the 1950s, when lawmakers opposed *any* judicial reform, they described it as equivalent to “court packing.” That was true, even when the reform had nothing to do with the size of any federal court.

The strong norm against court packing did not develop until later. As I have detailed in my scholarship, the norm emerged in large part because of the bipartisan discourse of political actors. Beginning in the 1950s, when lawmakers opposed *any* judicial reform, they described it as equivalent to “court packing.” That was true, even when the reform had nothing to do with the size of any federal court. If legislators disliked an effort to restrict federal jurisdiction, they called it “court packing.” If lawmakers objected to any judicial nominee, they accused the President of attempting to “pack” a court with ideologues. For example, after President Ronald Reagan offered Robert Bork for a Supreme Court vacancy, then-Senator Joe Biden declared: “[T]oday, 50 years after Roosevelt failed, ... we are once again confronted with a popular President’s determined attempt to bend the Supreme Court to his political ends.” And when President Obama sought to fill three open seats on the D.C. Circuit Court of Appeals, Republican Senator John Cornyn charged that Democrats were “attempting to pack the court ... in order to stack it in the administration’s favor.” In this way, “court packing” became a political epithet in our constitutional discourse.

Today, there are signs of a change in that discourse. In the past few years, in the wake of bitter partisan contests over Supreme Court nominees, there have been growing concerns about the legitimacy of the Court. And since around fall 2018, there have been growing calls to “pack” the Supreme Court with additional members. Court packing went from a political epithet—something deemed for decades to be the worst possible kind of judicial reform—to a serious proposal almost overnight.

The Fragility of the Norms

Judicial independence is fragile. So far, these norms have held. But if observers question the legitimacy of the federal judiciary, how much longer will those observers be willing to obey rulings that they dislike? Relatedly, would rulings from a “packed” Supreme Court command the respect of Court rulings today? Five years ago, no one would have asked such questions. But today, many aspects of judicial reform seem to be on the table. It is a fragile independence indeed. 🏛️



Clinic Thrives During Pandemic



Amy Kimpel

The University of Alabama School of Law's Criminal Defense Clinic has been operating for more than 25 years. And despite changes in laws, changes in clinic directors, and even paradigm-shifting changes in technology, perhaps no change has been as big as the change brought on by the COVID-19 pandemic.

"The spring was difficult," said Amy Kimpel, Assistant Professor of Clinical Legal Instruction and Director of the Criminal Defense Clinic. "The students had four misdemeanor trials set for March and April and then courts closed due to

the pandemic." The trials were postponed and the students enrolled in the spring 2020 Clinic course graduated before new trial dates were set.

But neither the court closings nor the University of Alabama's move to virtual instruction stopped the Clinic's work. Kimpel quickly re-thought the rest of the semester, remaining committed to providing students opportunities that would help build their skills and serve Clinic clients. "The Clinic students pivoted to working on template motions to reconsider sentences and bail in light of the coronavirus and started working more on post-conviction relief cases," she said.

"I feel like working in the Clinic during the pandemic gave me a glimpse of the future of law practice—digital files, digital communications, digital meetings, and even a digital workroom," said Allen Slater, a third-year student. "It gave me some ideas about how I might like to run a practice of my own in the future."

In preparing for the fall 2020 semester, Kimpel knew her students would be back in the courtroom and would need to build skill-sets that no faculty member had ever taught before. "I added pieces to the curriculum about client counseling on Zoom, communicating with clients effectively in masks, and trial practice during the time of COVID-19," she said.

"We've also used the increased familiarity with Zoom to host panels with public defenders and prosecutors all over the country." Panelists logged in from as far away as New York and California and even included an alumna of the Criminal Defense Clinic.

"It was an incredible experience. I feel privileged to have had the opportunity to speak with and learn from them," Slater said.

When they aren't in court representing their clients this semester, Criminal Defense Clinic students are honing their skills with highly realistic practice sessions. Recently, Northport Municipal Judge Paul Patterson ('98) hosted Clinic students for a mock suppression hearing. At the mock hearing, with facts based on an actual past case, students also had the opportunity to examine new officers with the Northport Police Department, who participated as witnesses.

"The main goal is for us to get simulated exercise on what a suppression hearing looks like," third-year student Reave Shewmake said. "And also the officers getting

practice on being cross examined by different attorneys."

Speaking about the value of applying the skills she teaches, Kimpel said, "Students had to think through, on their own, the interactions between officer and client, and had an opportunity to cross-examine an actual police officer."

"It was just a collaborative effort from all of us here trying to give back to the community to help law enforcement and the law school," Patterson said.

Ultimately, the Clinic is designed to help students apply what they are learning in the classroom to real-world legal problems. Of the students, Kimpel says, "Many are going right from campus to picking up hefty caseloads. Experiences like these help develop confidence to practice right after the bar. The clinic is a bridge between those experiences." 📖





OCCUPATIONAL LICENSING AND THE OPIOID CRISIS

BENJAMIN J. MCMICHAEL

Everyone gets sick from time to time, and in the age of COVID-19, sickness or the threat thereof seems to be an ever-present companion. The last time you “went to the doctor” because you had a runny nose, sore throat, cough, or COVID exposure, did you actually see a doctor? Or did you see a nurse practitioner? Especially if you visited an urgent care center, I would not be surprised if you never saw a physician.

Nurse practitioners are highly trained nurses—they must complete a master’s degree and



Benjamin McMichael

many have doctorates—who provide many of the healthcare services traditionally provided by physicians. They successfully treat millions of patients across the country every day.

Though they do not provide all of the services offered by physicians—they cannot perform surgery for example—they provide primary care in every state, and they are the sole source of care in many communities. Indeed, many policymakers see the increased use of nurse practitioners as an effective solution to the ongoing healthcare access problem in the United States.



To put it bluntly, the quality or even existence of one's health insurance is meaningless without healthcare providers to deliver the needed care.

What good is insurance without access to healthcare?

Before looking at this potential solution, however, it is useful to correctly frame the problem. Increasing access to healthcare has dominated healthcare law and policy debates for decades. Unfortunately, this debate has become somewhat confused as many researchers and policymakers treat access to healthcare as co-extensive with access to health insurance. Treating healthcare access in this way often hides the more fundamental problem of lacking access to healthcare providers. To put it bluntly, the quality or even existence of one's health insurance is meaningless without healthcare providers to deliver the needed care.

Nurse practitioners can solve this more fundamental access problem because they are easier (and cost less) to train than physicians and are willing to

provide care to historically underserved populations, e.g., rural communities. State laws, however, often prevent them from doing so. Specifically, state scope-of-practice laws inhibit the ability of nurse practitioners to provide care by restricting the services they can provide and requiring physician supervision of their practices. These supervision requirements prevent nurse practitioners from providing care in certain locations, i.e., those without physicians, and impose costs in the form of supervision fees.

Many states have removed these restrictions. For example, Florida passed a law last year allowing nurse practitioners to practice independently of physicians, and California passed a law in August eliminating physician supervision requirements. On the other hand, many states, including Alabama and most other southern states, maintain restrictive

scope-of-practice laws, preventing nurse practitioners from providing care to the full extent of their training and ability. These states generally do so for the stated reasons of promoting patient safety and preventing the delivery of low-quality care.

The biggest proponents of these patient-safety and quality-of-care arguments are often medical associations, which frequently contend that nurse practitioners complete less education than physicians and therefore cannot deliver high-quality care without physician supervision. Groups in favor of removing restrictive laws regularly respond that medical associations are simply trying to protect their legally conferred monopoly power within healthcare services markets. Without restrictive scope-of-practice laws, nurse practitioners can better compete with

Overall, the analysis revealed that, contrary to the claims made by some groups, relaxing scope-of-practice laws for nurse practitioners decreased opioid prescriptions.

physicians, which hurts the latter's bottom line.

Kill-o-grams

To evaluate the various claims surrounding patient safety and quality of care that states rely upon in continuing their restrictive scope-of-practice laws, I recently conducted an empirical analysis. In doing so, I examined a context where patient safety concerns have been front and center—the opioid crisis. In fact, some of the claims made by physician organizations opposing the recent California bill eliminating physician supervision requirements specifically address the concern that, without physician supervision, nurse practitioners would overprescribe opioids and deepen the opioid crisis.

The dataset I analyzed included approximately 1.5 billion opioid prescriptions, which represented approximately 90% of all opioid prescriptions filled at outpatient pharmacies in the United States between 2011 and 2018. With such granular information on opioid prescriptions, I was able to generate specific measures of opioid prescribing, including the total morphine milligram equivalents prescribed, which offer a more accurate measure of opioid prescriptions than simply counting prescriptions.

Overall, the analysis revealed that, contrary to the claims made by some groups, relaxing scope-of-practice laws for nurse practitioners decreased

opioid prescriptions. For example, allowing nurse practitioners to practice independently reduced total annual morphine milligram equivalents across all physicians and nurse practitioners by approximately 4.4 percent. To place this effect into perspective, a state with 10,000 nurse practitioners and physicians could expect to see the equivalent of 31.5 fewer kilograms of morphine prescribed to patients each year by allowing nurse practitioners to practice independently.

Prescribing policy-based relief


The results of the analysis support the decisions recently reached by the Florida and California legislatures in eliminating restrictive scope-of-practice laws and allowing nurse practitioners to practice without physician supervision. The results also cast doubt on the more general claims that such laws are necessary for the protection of safety or the delivery of high-quality care. If granting nurse practitioners independence improves, not harms, patient safety in the context of the opioid epidemic, one of the worst patient safety crises in history, then granting these providers more autonomy is not likely to undermine patient safety in other contexts.

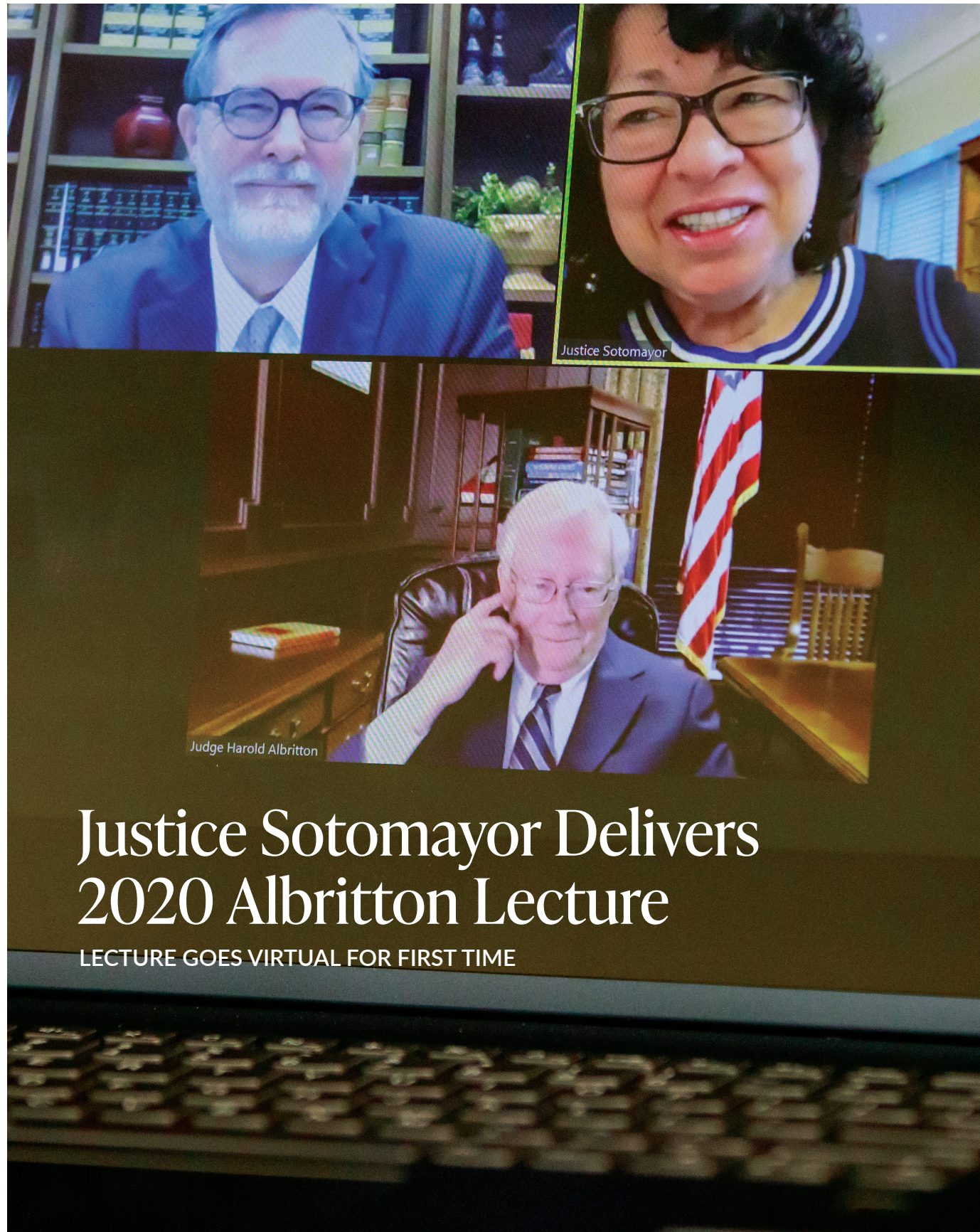
That grants of independence to nurse practitioners tend to improve access to care without harming patients is further evidenced by recent responses to the COVID-19 pandemic. As states began to struggle with lack of access to care, many waived physician supervision



requirements through executive orders or other administrative action. States should strongly consider making these changes permanent to improve access to care for underserved communities.

While states have historically maintained responsibility for regulating healthcare providers, the benefits of expanded access through increased nurse practitioner autonomy warrant federal action if states refuse to change their laws. The federal government already exercises authority over many aspects

of the healthcare system, and without additional state action to remove scope-of-practice barriers, it may be time for policymakers to consider federal action. Such action may come in the form of direct federal intervention, or Congress may elect to leverage its control over Medicare and other programs to encourage states to relax their scope-of-practice laws. The specific form that federal legislation takes will be subject to both legal and policy debates, but given the benefits at stake, it is time to start those debates. 



Justice Sotomayor Delivers 2020 Albritton Lecture

LECTURE GOES VIRTUAL FOR FIRST TIME

The University of Alabama School of Law hosted Sonia Sotomayor, Associate Justice of the Supreme Court of the United States, for the Albritton Lecture on Nov. 10. The Lecture, held virtually, was moderated by W. Harold Albritton, Senior District Judge of the U.S. District Court for the Middle District of Alabama, and Mark Brandon, Dean and Thomas E. McMillan Professor of Law.

In the question-and-answer format event, Justice Sotomayor spoke to students, faculty and invited guests on a wide range of topics from collegiality on the Court and its public image to advice for current law students.

“I really do believe that the law can help society, and I hope all of you will maintain that in your work and in your ambitions in what you do as lawyers,” she challenged the students in attendance. “Will you take pride in being a lawyer? Will you do it with a sense of pride and honor and decency and commitment to working as hard as you can to protect your clients and advise the people who depend on you? That’s what I expect. That’s what I hope.”

“It was an honor to welcome Justice Sotomayor to the School of Law. The fact that this year’s lecture was held virtually didn’t dampen excitement within the Law School community,” said Brandon. “The Justice’s talk was informative, insightful, engaged, and even joyful,” he added.

Wading into the question of public perceptions of the Court, Justice Sotomayor remarked, “Are we suffering from a crisis of legitimacy? I can say to you that we are.” She added, “That is very, very concerning to all of us.” She discussed her view of how political groups have taken terminology and discussion from the academic sphere and used it to try to predict how judges would rule. “They have created, I think, in the public perception, a sense that judges are political because politicians tell you how they’re going to rule from their philosophy,” she said. “I do fear that our legitimacy crisis has been created by the political branches, using judges and their appointment and the discussions as political weapons rather than the academic and philosophical underpinnings that were originally intended.”

In this time of deep division in our country, Justice Sotomayor praised her colleagues on the Court for their ability to passionately disagree and yet

maintain caring friendships. “It’s an example I wish more of the country would follow,” she said. “You can disagree but still be agreeable to each other as human beings.”


Justice Sotomayor also spoke about oral argument and opinion-writing. She acknowledged that in some cases, she enters oral argument unsure about what the outcome should be, and is influenced by the arguments. She also said she finds some arguments useful in informing her reasoning as she is writing. But citing the extensive work of the lower courts and the briefs they receive when grappling with a case she said, “In a good majority of the cases, argument doesn’t change our mind because we’ve heard or read the counter[arguments] before.”

When describing the difference between writing an opinion of the Court and writing a dissenting opinion, Justice Sotomayor pointed to the importance of the authorial voice. When writing an opinion of the Court, “you’re writing for the voice of the Court and so you have to write with more care and more narrowly to say only as much as necessary to resolve the issue in front of you.” She went on to say, “When you’re a dissenter, however, it’s your own voice.”

“My Court right now is stagnant in its professional experiences,” Justice Sotomayor said of the Court’s lack of breadth in background of practice among the Justices. “I think that’s very, very dangerous,” she added. Citing as examples civil rights, immigration, environmental and criminal defense law, she talked about the importance of lived experience as the Court makes decisions having an impact on individuals.

“Take work that you find exciting. Do it well,” Justice Sotomayor told students, concluding her remarks. “It’s been a real pleasure to be with you,” she added.

“This was a treat, and we are grateful that Justice Sotomayor was willing to carve out time from a very busy schedule to talk with us,” Brandon said of the event.

Justice Sotomayor is the 12th United States Supreme Court Justice to deliver the Albritton Lecture. The Albritton Lecture Series was established by Judge Albritton, a 1960 graduate of Alabama Law. It is supported by The Albritton Fund, created by the Albritton family of Andalusia, Alabama, a family that includes four generations of Alabama Law graduates. 



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A summary of law school funds and contributions

New Scholarships & Funds

January 1, 2019-December 31, 2019

The Carol Andrews Moot Court Endowed Support Fund

Friends and former students of Professor Carol Andrews contributed gifts of \$25,000 to establish The Carol Andrews Moot Court Endowed Support Fund. The endowed fund will be used to support the ABA National Appellate Advocacy Team.

The Nathaniel Hansford and Frances Fincher Hansford Endowed Scholarship

Former Alabama Law Dean Nathaniel Hansford and his wife Frances Hansford established The Nathaniel Hansford and Frances Fincher Hansford Endowed Scholarship.

The Francis (Brother) Hare Award For Excellence in Civil Trial Advocacy

The annual award funded by the Attorneys Information Exchange Group will be given to a second year or third year student who has excelled in the art of Trial Advocacy, demonstrating an excellent understanding, grasp and appreciation for Civil Litigation via legal research, legal writing and Pre-Trial Advocacy. Or the award will be given to a member of the Trial Advocacy Competition Team that exemplifies the most outstanding grasp of the skills of a civil litigator.

The Jerry and Suzanne Perkins Endowed Scholarship Fund

Jerry and Suzanne Perkins of Mountain Brook, Alabama established the Jerry and Suzanne Perkins Endowed Scholarship Fund. The award will be given to students who have an interest in business and corporate law.

Jerry W. Powell and Carolyn W. Powell Professor of Practice for Law and Business

Jerry and Carolyn Powell of Mountain Brook, Alabama established the Jerry W. Powell and Carolyn W. Powell Professor of Practice for Law and Business. The endowment will be used to attract and/or retain nationally recognized scholars or experts in law, who will make a difference in the quality of teaching and research in Business Law.

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Individuals listed below have designated the Law School or the Law School Foundation as a beneficiary of a testamentary or other deferred gift and have given permission to publicize their gifts. This list is current as of June 30, 2020.

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A gift through a will or living trust is one of the easiest gifts you can make, and it can create a lasting impact on the future of The University of Alabama. Your estate planning attorney can include a provision in your will that could list a specific asset, a dollar amount, or a percentage of your estate. A bequest could also be made from the residual of your estate after all gifts have been made to your heirs.

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One of the simplest long-range gift arrangements is to designate the School of Law as beneficiary of all or a portion of your IRA, other retirement account, or life insurance policy. Changing a beneficiary is usually quite simple and can be handled through your retirement plan administrator or your life insurance company.

Charitable Gift Annuity

A charitable gift annuity is a simple contract between you and the Capstone Foundation at The University of Alabama. You make a gift of cash or securities, and in return the University agrees to pay you and/or another person a specific amount for the rest of your life or lives. You may direct the remainder of your gift to support the program(s) in the School of Law that you specify.





funding & contributions

Summary of Law School Funds as of June 30, 2020

This summary of funds includes corpus accounts in excess of \$5,000, as of June 30, 2020.

Endowed funds reflect market value and unendowed funds reflect book value.

I. ACADEMIC CHAIRS

Endowed:		Bruce C. Strother Memorial Fund	\$24,193
Tom Bevill Chair of Law	\$1,811,761	University Research Professorship	\$191,312
Francis H. Hare Chair of Law	\$1,410,912	Judge Robert S. Vance Professorship	\$128,091
Robert W. Hodgkins Chair of Law	\$2,118,531	Herbert D. Warner Professorship	\$122,100
D. Paul Jones, Jr. & Charlene Angelich Jones	\$1,537,388	Wiggins, Childs, Quinn & Pantazis Professorship	\$233,016
Endowed Chair of Law		* Perpetual trusts with a market value of \$1,238,142.68 benefit this fund.	
Frank E. Spain Chair of Law	\$1,248,829		
John J. Sparkman Chair of Law	\$2,314,639		
John S. Stone Chair of Law	\$1,938,709		
Charles E. Tweedy, Jr. Chair of Law	\$3,474,207		

II. FACULTY SUPPORT FUNDS

Endowed:		III. SCHOLARSHIPS	
Class of 1936 Professorship	\$214,857	Endowed:	
Douglas Arant Professorship	\$118,389	Lillian Duffee Adair	\$46,108
Frank Bainbridge - Walter L. Mims Professorship	\$423,050	Ralph Wyatt Adams	\$99,256
Jere L. Beasley, Sr. Professorship	\$121,147	Alabama Pattern Jury Instructions/William Sullivan	\$123,004
Edgar L. Clarkson Professorship	\$222,348	Gary Aldridge Memorial	\$32,252
Marc Ray Clement Professorship	\$95,901	Captain Howard R. Andrews, Jr.	\$320,580
John D. and Janis P. Clements Research Fund	\$40,083	Kathryn Whittingham Baker - Schuyler A. Baker	\$127,700
Alton C. and Cecile Cunningham Craig Professorship	\$184,153	Balch & Bingham - John F. Mandt	\$146,441
Lyman F. Holland, Jr. and Leannah P. Holland	\$241,617	James C. Baldone, Sr.	\$27,137
Endowed Visiting Assistant Professorship		T. Massey Bedsole	\$101,869
James M. Kidd, Sr. Professorship	\$392,557	Judge Travis Jesse Bedsole Memorial	\$56,980
Marcus McConnell Faculty Friends and Benefactors	\$178,856	Travis Massey Bedsole, Jr.	\$97,841
Enhancement Fund		Robert Kirk Bell Memorial	\$197,113
Thomas E. McMillan Professorship	\$208,561	Charlotte Pool Bennett Memorial	\$54,285
Joseph D. Peeler Professorship	\$254,716	Maurice F. Bishop	\$60,081
Jerry W. & Carolyn W. Powell	\$93,793.68	Judge John G. Bookout Memorial	\$48,551
Professor of Practice for Law & Business		Donald Richard Bounds, Jr. Memorial	\$334,782
Ira Drayton Pruitt, Sr. Professorship	\$194,258	Bradley Arant Boulton Cummings	\$237,886
L. Drew Redden Endowed Fund	\$132,054	Verne Bradley	\$699,180
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William Alfred Rose Professorship	\$268,514	Doreen S. Brogden	\$23,395
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* Sadler Support Fund	\$110,791	Burr & Forman	\$170,365
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Scholar Endowment		Capell & Howard	\$54,785
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Elton B. Stephens Professorship	\$192,822	Carey J. Chitwood	\$869,798
		Raynold Chiz Memorial	\$69,153
		Samuel Clabaugh	\$22,587
		James E. "Red" Clark	\$46,781
		Class of 1979 In Memoriam	\$129,830
		Class of 1982 Scholarship	\$54,602

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W. Allen Cox	\$95,997	Thomas Bowen Hill, Jr. Memorial	\$46,792
John H. and Lola B. Curry	\$38,252	Paula W. Hinton (1979) and James F. Hinton, Sr. (1948)	\$70,886
Gregory S. Cusimano	\$50,135	Dexter C. Hobbs Memorial	\$217,228
Delony Family	\$2,550,332	Judge Robert E. Hodnette	\$80,638
Dominic DeSimone Memorial Endowed Book	\$59,069	Judge Hugh Edwin Holladay	\$12,259
Dean's Discretionary	\$55,557	Perry Hubbard	\$31,493
Judge W. Aubrey Dominick	\$18,957	James F. Hughey, Jr.	\$47,061
L. Susan Doss	\$57,128	John Evans Jackson	\$40,972
L. Susan Doss Prize, Endowed by Harper Lee	\$42,494	William P., Jr. and Barbara Seignious Jackson	\$232,903
Chester Ellingson	\$520,317	Paul W. Jevne	\$226,694
Mike and Lori Erment	\$90,999	Judge Frank M. Johnson, Jr. and	\$136,001
Robert Foster "Buck" Etheredge Memorial	\$55,419	Ruth Jenkins Johnson Memorial	
John C. and Charles H. Eyster	\$67,507	Johnstone, Adams, Bailey, Gordon & Harris	\$65,499
Edward W. Faith and Lyman F. Holland	\$61,844	Devane King Jones Memorial	\$83,514
Michael A. Figures	\$172,392	Thomas Goode Jones	\$928,418
Anna C. Fitts	\$29,887	Thomas L. Jones Fund	\$104,409
McDavid and Jeanie Flowers	\$103,651	Jones Walker, LLP	\$18,552
Walter Flowers Memorial	\$18,006	Stephen Douglas Kane in honor of	\$113,295
John S. Foster	\$128,862	former Dean Kenneth C. Randall	
James Timothy Francis	\$82,171	Nicholas DeB. Katzenbach Civil Rights	\$178,859
Abraham Franco Memorial	\$43,116	Judge Robert G. Kendall	\$163,469
Michael D. Freeman Memorial	\$12,711	Judge Robert E. L. Key	\$16,791
General E. M. Friend, Jr. Scholarship	\$100,271	Judge Hardie B. Kimbrough	\$98,632
presented by Sirote & Permutt		James C. "Jimmy" King	\$92,903
Kenneth T. Fuller and Byron D. Boyett	\$45,334	Douglas Lanford	\$55,064
Ralph Gaines, Jr.	\$64,920	Law Minority	\$16,056
William and Virginia Gaines	\$37,537	Judge Thomas W. Lawson	\$39,964
Fournier J. "Boots" Gale III	\$517,169	Blake Lazenby Memorial	\$47,129
Charles W. Gamble	\$71,418	The Alice Finch Lee Memorial	\$94,535
William C. Gamble, Jr.	\$13,454	James G. Lee Memorial	\$26,812
Lucian D. Gardner	\$77,364	George A. LeMaistre	\$70,176
Edgar C. Gentle III	\$41,274	William T. Lewis	\$380,642
Judge Walter P. Gewin	\$20,348	Lightfoot, Franklin & White	\$30,234
E. W. Godbey	\$55,346	Curtis O. Liles III Endowed Scholarship in Tax Law	\$28,824
Edwin L. and Julia T. Goodhue	\$13,904	Robert J. and Jane K. Lowe	\$176,126
Gene M. Hamby, Jr.	\$50,426	Judge Seybourn H. Lynne	\$1,526,043
Claude E. Hamilton, Sr. and Family	\$305,779	M. Cecil Mackey	\$329,564
Powell A. and Magaria Simpson Hamner	\$60,098	Richard S. Manley	\$15,880
Sam Harvey Hamner Memorial	\$80,656	Frank J. Martin	\$47,023
Nathaniel Hansford and Frances Fincher Hansford	\$47,431.90	Ben May	\$56,207
Ed and Lila Hardin	\$112,253	Maynard, Cooper & Gale	\$86,357
Estes H. and Florence Parker Hargis	\$141,516	George W. McBurney	\$44,581
Larry W. and Nancy L. Harper	\$19,381	Judge and Mrs. Leon C. McCord Memorial	\$47,813
Claude Harris, Jr.	\$64,904	M. Clinton McGee	\$12,147
Judge Robert B. Harwood Memorial	\$98,367	Jan B. McMinn	\$15,641



funding & contributions

Oakley W. Melton, Jr.	\$122,865	Yetta G. Samford III Memorial	\$397,831
William D. Melton	\$108,995	Lucille Tisdale Sauls	\$203,247
Walter J. Merrill	\$33,550	Matthew A. Schenck	\$10,200
Mavis Clark Metzger	\$88,655	Charles J. Scott, James M. Scott and	\$20,960
Stanley D. Metzger	\$457,588	Lucy Elizabeth Scott Memorial	
Nina Miglionico	\$372,268	Elizabeth Kirksey Shaw and Robert H. Shaw, Jr.	\$50,978
John C. H. Miller, Jr.	\$48,657	David Walter Shipper Memorial	\$46,919
William E. Mitch	\$46,254	Arthur Davis Shores	\$77,703
William H. Mitchell, Sr.	\$60,498	Sirote & Permutt	\$36,724
Henry H. Mize	\$187,199	Morris K. and Joseph H. Sirote	\$167,001
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Charles Morgan	\$59,592	General Holland M. Smith	\$44,040
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Jay W. and Alberta Murphy	\$46,885	Frank E. Spain	\$14,986
V. Bonneau Murray Memorial	\$211,130	Nettie Edward Spain	\$48,026
Neal C. Newell	\$97,143	Finis E. St. John III Memorial	\$97,097
Alex W. Newton	\$105,309	Stancil R. Starnes	\$98,908
Ray O. Noojin	\$44,120	Cherry and Bart Starr	\$81,293
James L. and Lettie Lane North	\$153,609	Robert E. Steiner, Jr. Memorial Fund	\$60,069
Lewis G. Odom, Jr.	\$49,089	Student Alumni Law Society	\$38,568
Richard F. Ogle Memorial	\$25,875	Eugene Phillip Stutts	\$100,986
M. Camper O'Neal	\$13,174	David L. Thomas	\$11,362
Order of the Coif	\$112,322	James W. Traeger Memorial	\$21,551
M. T. Ormond	\$143,744	Charles Stephen Trimmier, Jr.	\$45,853
Prime F. Osborn Fellowships	\$166,716	Edward P. Turner, Jr. Family	\$51,563
Craig and Andrea Parker	\$70,290	Charles E. Tweedy, Jr.	\$351,422
Judge Eris F. Paul Memorial	\$54,855	William L. Utsey	\$121,618
John C. Pearson	\$30,362	William L. Utsey, William D. Melton,	\$65,834
John C. Pearson Memorial	\$23,875	and E. Tedford Taylor	
Jerry and Suzanne Perkins	\$13,696.65	Vickers, Riis, Murray and Curran, LLC	\$52,482
Phelps Dunbar, LLP (formerly Lyons Pipes & Cook)	\$87,280	Lanny S. Vines	\$202,663
Samuel W. Pipes III Memorial	\$33,336	George C. Wallace	\$12,241
Pittman Dutton & Hellums	\$108,394	A. Brand Walton, Jr.	\$55,564
Joe and Angeline Pittman	\$85,425	Marvin L. Warner	\$104,327
Judge Virgil Pittman	\$37,872	Judge Robert J. Wheeler	\$531,071
Judge Sam C. Pointer	\$209,326	Jeanne G. Wiggins and Charles Wiggins, Jr.	\$48,203
William S. Pritchards	\$206,759	Wilmer & Lee, P.A.	\$56,574
Proctor Family	\$61,916	Jerry D. Worthy	\$8,215
Ira Drayton Pruitt, Jr.	\$12,901	Reuben H. Wright Memorial	\$27,667
Judge John M. Puryear	\$41,932	Olin W. Zeanah	\$54,476
L. Drew Redden	\$25,632		
Hugh Reed, Jr. Memorial	\$437,707	Unendowed:	
Judge Ben Reeves	\$523,654	William H. Albritton III Fund	\$8,439
Reunion	\$178,580	Collegiate License Fund	\$56,025
J. Allen Reynolds, Jr. Memorial	\$118,673		
Patrick W. Richardson Memorial	\$155,603	Annual:	
Rives and Peterson	\$57,995	Alabama Federal Tax Clinic	\$30,000
Edward Maurice Rogers	\$473,219	Christian & Small LLP Annual Diversity	\$5,000
W. T. Goodloe Rutland	\$62,048	Order of the Coif	\$12,000
Leon Y. Sadler, Jr.	\$25,208	Porterfield, Harper, Mills, Motlow & Ireland	\$5,000
M. Louis Salmon Fund	\$13,775		

IV. PRIZES

Endowed:	
Dean T. W. Christopher Prize	\$8,100
H. M. Somerville Law Prize Fund	\$6,852

V. UNRESTRICTED FUNDS

Endowed:	
George M. and Mary C. Akers	\$54,211
Ball Family Endowment	\$39,511
Hugo L. Black Fund	\$54,251
Cathryn and Mark Boardman Endowed Support Fund	\$18,195
The Crosby Support Fund	\$23,615
Dancy Law School Fund	\$56,142
Roy M. Greene	\$63,393
M. Brooks Hayes	\$28,766
Howell T. Heffin	\$400,235
James T. Kirk	\$69,300
Justice Alva Hugh Maddox Fund	\$13,084
Manley Servicemen & Veterans Program	\$9,110.80
Endowed Fund	
Gessner T. McCorvey	\$14,171
Nina Miglionico Dean's Discretionary	\$490,231
Endowed Fund	
Morris, King & Hodge, P.C. Endowed Support Fund	\$23,647
Reese Phifer/Special Law School Fund	\$12,318
Edward Brett Randolph	\$1,234,521
John D. Rather, Jr.	\$13,085
* Albert and Hester Rives	\$1,378,185
Charles Oscar Stokes	\$397,986

* A perpetual trust with a market value of \$2,675,174.74 benefits this fund.

Unendowed:	
Hugo L. Black Fund #2	\$42,009
Lanier Dean's Discretionary Fund	\$158,928
Manley Servicemen & Veterans Program Fund	\$5,638
Joseph Mosby Dean's Discretionary Fund	\$6,250
2010 Class Reunion Project Fund	\$5,246
School of Law Naming Opportunities Support Fund	\$95,765
James E. Smith, Jr. Memorial	\$7,418
Judge C. C. Torbert Jr. Fund	\$9,441
Unrestricted Funds	\$122,420
Stephen R. Windom Dean's Enhancement Fund	\$38,768

VI. RESTRICTED FUNDS

Endowed:	
The Albritton Fund	\$97,791
Carol Andrews Moot Court Support Fund	\$32,131
Ben & Julie Bucy Public Interest Law Fund	\$72,341

Program for Law and Business	\$71,762
The Crum Family Endowed Lecture	\$266,996
for Law and Business	
Judge Leon Hopper Academic Award	\$10,483
in Bankruptcy Law	
Judge Frank M. Johnson, Jr. Memorial Endowed	\$86,629
Lecture On Constitutional Rights & Liberties	
The Daniel J. Meador Annual Lecture Fund	\$226,949
L. Drew Redden Endowed Alabama Law	\$209,224
Review Support	
Dr. Norman J. Singer Endowed Public Interest	\$49,540
Law Fund	
William Baker Oliver Lectureship	\$22,811

Unendowed:	
Class Composite Preservation Fund	\$21,935
Arthur B. Foster Loan Fund	\$67,129
A. G. Gaston Loan Fund	\$46,195
J. W. Mosby Loan Fund	\$20,366
The Jerry Powell Technology Fund	\$20,099
Paul E. Skidmore Award	\$32,239
Silver Annual Faculty Scholar Gift Fund	\$16,029

VII. LIBRARY SUPPORT FUNDS

Endowed:	
J. Rufus Bealle	\$62,592
Robert C. Brickell Memorial	\$44,823
Marion Maxell Caskie, Jr. Memorial	\$7,161
Barbara H. Hunter Library Endowment	\$38,863
Irene Feagin Scott Tax Library Collection	\$248,797

Unendowed:	
Judge Gordon Kahn Library Fund	\$14,891
Thomas G. Mancuso Library Collection for Tax	\$8,291
and Corporate Law	
Francis (Frank) J. Mizell, Jr. Legal History Collection	\$25,082

VIII. ADVOCACY SUPPORT FUNDS

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Pittman, Dutton, Kirby & Hellums Advocacy	\$104,145
C. Neal Pope Trial Advocacy	\$30,012
George Peach Taylor Trial Advocacy	\$26,920
L. Drew Redden Trial Advocacy	\$209,224
James A. Yance Trial Advocacy	\$81,655



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**in
memoriam**
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