



Perspectives

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A Ground-breaking Event

Mississippi did some serious ground-breaking on January 11, 2008. At the Davis Event Center on the campus of Itawamba Community College in Fulton, Mississippi, at 2 p.m., I witnessed an event that I was beginning to believe would not occur in my lifetime – *the investiture of Mississippi's first woman Article III judge*, Sharion Aycock.

Are we behind the times? Of course. There have been women Article III judges in the United States since 1948 when a Mississippi-born woman, Burnita Shelton Matthews, was confirmed as the nation's first Article III woman judge, serving the District of Columbia Circuit.

What is an Article III judge? For those of you not actively engaged in the legal community, the "Article III" that I refer to is Article III of the U. S. Constitution, which creates federal judgeships. Article III judges are appointed by the President of the United States and confirmed by the United States Senate. After appointment, they serve "during good behavior" – which in regular parlance means that they are appointed for life, and can be removed only should they defy the "good behavior" clause. In other words, they are appointed and confirmed, and then serve until they resign, die, or are impeached and convicted.

Because an appointment as an Article III judge is a lifetime appointment, lawyer humor suggests that in our little sphere of influence, the Article III judge is, indeed, a god. In fact, *Appointed Forever* is a little ditty that acknowledges this fact. Developed by the Bar & Grill Singers of Austin, Texas, a group of practicing lawyers, and sung to the old Turtles' tune Happy Together, the first stanza goes like this:

Imagine me as God, I do; I think about it day and night. It feels so right to be a federal district judge, appointed forever! Yes, that's right. Appointed forever! This is a fact which makes the selection of an Article III judge in any venue so very important.

Sharion Aycock, however, is just the individual that Mississippians would want to be on their federal bench for life. Her appointment by President Bush was confirmed by the United States Senate on October 4, 2007. The confirmation occurred after Judge Aycock was vetted for almost a year. In announcing the appointment, Senator Thad Cochran said of her: "The Mississippi legal community has long recognized Judge Aycock's competence as a practitioner and as a judge. Judge Aycock has earned the respect and

admiration of her fellow lawyers and judges who have worked with her and who know her well. She will serve on the federal bench with great distinction.”

Judge Aycock attended Mississippi University for Women, received her bachelor’s degree from Mississippi State University, and attended Mississippi College School of Law before sitting for the Mississippi Bar Exam. A native of Tremont, she practiced principally in the First Judicial District of Mississippi before becoming a Circuit Judge in that district in 2002. She is a resident of Fulton. Her position, United States District Judge for the Northern District of Mississippi, and her assignment, the federal courthouse in Aberdeen, suit her well.

I can tell you why Judge Aycock has earned the respect and admiration of Mississippi’s legal community. She is fair. She has, and will continue to, uphold the integrity and independence of the judiciary and to promote the public confidence in the integrity, independence and impartiality of the judiciary. At this time in our judiciary’s history, it is good to know that Judge Aycock is there.

She is accessible. While she acts at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary, she is charmingly real. She is someone with whom the citizens of Mississippi can identify and appreciate. She is one of us. In her mind, she is our equal.

And she is humble. As I listened to her response to the administration of the oath of office and enrobing on Friday afternoon, January 11, among friends and family (and what looked to me like the entire community of Fulton [who had all been invited]), her mantra was that she was humbled to be living this event, living this dream. Many judges that I have known have begun humble; alas, a judgeship is a heady place. But I know the Judge, and she is humble.

Importantly, she grasps the importance of the position which has been bestowed upon her. Interviewed in the Itawamba County Times, she commented: “I appreciate the fact that there will be some decisions [I make] that will have life-long impacts on people. More significantly, [decisions I make] in this position will change a course of direction for law in Mississippi for the rest of our lives.” Her appreciation of the position and her conscientious nature will serve her well, and she will serve us well. Judge Aycock is extremely intelligent, practical, and has a work ethic of the type generated in Mississippi’s small towns. I am glad she is appointed forever!

Appointed Forever, also known as The Federal Judge Song can be found at <http://ratiojuris.blogspot.com/2006/12/appointed-forever.html>.

