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JUDICIAL TRAILBLAZER

An Insight into the Life and Work of Chief Judge Sharion Aycock

*Jim Rosenblatt**

I. INTRODUCTION

Editor-in-Chief Bud Sheppard spoke with me about the issue of the *Mississippi College Law Review* that he was planning to honor Chief Judge Sharion Aycock of the Northern District of Mississippi. I offered some suggested sources of folks with whom he could consult to get information about Chief Judge Aycock and her work. Later, he asked me to prepare an article that would add additional background and perspective to this issue. I am honored to offer this article in recognition of this distinguished jurist.

II. BACKGROUND

U.S. District Court Judge Mike Mills was the Chief Judge of the Northern District before Chief Judge Aycock assumed that role. Not only did he have a professional association with Judge Aycock as a fellow member of the Federal Judiciary, but he and Judge Aycock share community roots and even some relatives.

Michael Mills, U.S. District Court Judge for the Northern District of Mississippi.

Sharion (Judge Aycock) and I both go back many generations in Itawamba County, and I like to think that both of us are products of the good hard-working people who came before us. Sharion's son and my children are cousins, though I am not related to Sharion. She and my wife are cousins about seven different ways.

I have known Sharion since we were both in junior high. She was at Tremont and I attended Fulton. Tremont and Fulton were big rivals in girls basketball in those days, and Sharion was a real star at Tremont.

I have been friends with Sharion's parents, Darrell and Ruth Harp, for many years. They have a very successful farm implement businesses in Tremont and Red Bay, Alabama. I am also close to her brother, Buck Harp,

* Dean Emeritus and Professor of Law at Mississippi College School of Law.

who is a very successful businessman in his own right. These are good solid people. I have used their Bigbee Bush Hogs for forty years on my farm.

Sharion Aycock received her undergraduate degree from Mississippi State University and enrolled in the Mississippi College School of Law in Jackson in 1977. Mississippi College had purchased the Jackson School of Law in 1975 and moved the Law School to cramped quarters in the Library on the Mississippi College campus in Clinton, Mississippi. Judge Aycock was an excellent student and served as the Co-Editor of the Mississippi College Law Review's initial publication working in an area affectionately known as "The Cage." Following graduation, she turned down an opportunity to serve as a judicial clerk at the Mississippi Supreme Court in order to begin her multifaceted practice in Fulton, Mississippi. In 2003, following 23 years of practice, she began her service as a circuit court judge for the First Judicial Circuit until her confirmation to serve as a U.S. District Court Judge in 2007. Judge Aycock is married to Randy Aycock, and they have one son and four grandchildren. Randy was an insurance adjuster for two major insurance companies and retired when Judge Aycock went on the Federal Bench.

Judge Aycock notes that living in northeast Mississippi often requires her to drive considerable distances. Randy is a faithful supporter of Judge Aycock and drives while Judge Aycock works. When choosing a vehicle Judge Aycock requires that it have a large, expansive dashboard to permit her to spread out her papers. Judge Aycock is a wonderful team builder, and that team building starts with her husband Randy.

III. NOMINATION AND CONFIRMATION

Before there can be any mention of a nomination for a Federal judgeship, there first needs to be a vacancy. The vacancy which Judge Aycock would fill was created when then Chief Judge of the Northern District Glen Davidson decided in the fall of 2006 to take senior status. Chief Judge Davidson was serving a three year term on the Judicial Conference of the United States which would end in June 2007 at the same time would end his seven year term as Chief Judge.

Due to his Judicial Conference committee work Chief Judge Davidson made frequent trips to Washington, D.C., and on one of those trips stopped by Senator Thad Cochran's office to let the Senator know of his plans to take senior status in June 2007. When hearing this news, Senator Cochran responded with this telling statement, "I think it is time that we had a female Federal judge in Mississippi." Both Senator Cochran and Chief Judge Davidson were aware of Judge Aycock who was serving as a circuit judge for the 1st Judicial Circuit. The informal nomination

process began, and Judge Aycock was well served by her sterling reputation among the local bar and the attorneys who practiced before her and her noted reputation for an admirable work ethic.

Judge Davidson recalls that he became aware of Judge Aycock in November 1985 when she was a relatively new attorney and was serving as the Secretary of the First Judicial Circuit Bar Association. The Association provided a lovely reception for Judge Davidson following his investiture as a U.S. District Court Judge in the Aberdeen Courthouse, which Judge Aycock helped organize. Judge Davidson continued to hear professional compliments about Judge Aycock during the next 18 years of her practice in firms, as a solo practitioner, and as a prosecuting attorney, and from 2003 onward while she was a circuit judge. Thus, it is not surprising that Judge Davidson was ready to offer immediate support for her nomination.

Judge Aycock admits that she was rather naive when approaching a Federal judgeship. While attending a judicial conference in Tunica, she was approached by a past president of the Mississippi Bar who commented on her good news. Not aware of what he was speaking, Judge Aycock pressed him to find out what was this news and was surprised to learn her name had been mentioned as a possible candidate for a Federal judicial nomination.

Shortly afterward, she was dining with long-serving U.S. Magistrate Judge Jerry Davis and his wife, Administrative Law Judge Deb Davis, in Tupelo's Park Heights restaurant. Judge Davis referred to Judge Aycock as "Kiddo" and asked her, "Are you doing what you need to be doing?" Judge Aycock replied that she was not doing anything. Judge Davis said, "Kiddo, you need to be calling family and friends to advocate on your behalf." Several family friends, leaders in the business community, and members of the bar would add their support for her candidacy in their conversations with Mississippi's senators.

Senator Trent Lott recalls these calls and mentioned one from a supporter of his in the area who commented on what a well-educated person, respected attorney, and thoughtful judge was Judge Aycock. Senator Lott was pleased to join with Senator Cochran in support of her nomination and their work to diversify the Federal bench in Mississippi and commented, "Judge Aycock was a superb nominee to be a Federal Judge and enjoyed great respect from attorneys and judges."

In November of 2006, Judge Aycock was trying a case in Prentiss County when she got a call from a 202 area code that she did not recognize. The call was from Senator Cochran's Chief of Staff, who inquired of Judge Aycock whether she would be interested in being nominated for a Federal judgeship to fill Chief Judge Davidson's position. Her enthusiastic response was, "Yes, I would." She was then advised to meet with Senator Cochran on the Friday after Thanksgiving for an interview.

Judge Aycock remembers how nervous she was, but how Senator Cochran put her at ease with an account of how scared he was when he traveled to a rural jurisdiction to defend a railroad company whose train had killed a leading citizen of the county. Nerves calmed, they had a pleasant conversation which sealed the deal with Senator Cochran's plan to nominate Judge Aycock. Mindy Maxwell on Senator Cochran's staff commented that it must have been a good interview because it went on for some time and was not the usual "in and out."

Early in 2007, Chief Judge Davidson met with Judge Aycock in the Lee County Courthouse, where Judge Aycock held court. Judge Davidson let Judge Aycock know that he planned to take senior status in June 2007 and wanted her to be aware of that fact in case it affected her plans. It goes without saying that her plans were affected!

Following Senator Cochran's and Senator Lott's recommendation to the White House, President George W. Bush formally nominated Judge Aycock on March 19, 2007. Later in 2007, Judge Aycock traveled to Washington for her hearing before the Senate Judiciary Committee which was to be held on July 19, 2007. In preparation for that meeting, she met with a team of Executive Department attorneys who, in a grueling session, peppered her with questions about cases, legal principles, and her background. The critique comments were complimentary--she handled herself well, her answers to questions were concise and direct, and her personality came through in a positive manner. However, there was one concern raised that she seemed to be a bit weak when discussing the Commerce Clause. Leaving that meeting, the conscientious Judge Aycock was so concerned that she went back to the Mayflower Hotel, found a vacant meeting room, and reviewed cases and articles about the Commerce Clause until 3:30 in the morning.

Tired but confident and enthused, Judge Aycock was ready to meet with the Senate Judiciary Committee and take their questions. Appearing with her before the Committee was a nominee for the Fifth Circuit and another District Court nominee. Senator Cardin substituted for Senator Leahy as the Committee Chair and posed questions that Judge Aycock answered precisely and confidently. There were no substantive issues, or disputes from her testimony, and the Committee forwarded her nomination to the Senate.

The presentations of Senator Trent Lott and Senator Thad Cochran to the Senate Judiciary Committee on behalf of Judge Aycock and the questions posed to Judge Aycock by the Committee and Judge Aycock's responses can be found in the Appendix.

On October 4, 2007, Judge Aycock and Randy were on a trip in Canada when the Senate was scheduled to vote on her nomination. She and Randy were watching C-Span to view the vote on the Senate floor when

she received a call from Senator Lott congratulating her on her unanimous confirmation vote by the Senate. Judge Aycock was surprised by this call, for she thought the vote was still underway and did not realize there was a time delay for the TV broadcast. Senator Lott was in real-time, and Judge Aycock was on TV time. She was thrilled with the news and graciously thanked Senator Lott for his support.

On October 22, 2007, Judge Aycock received her commission under Article III of the U.S. Constitution as a U.S. District Court Judge and later became the Chief Judge on June 2, 2014.

IV. JUDICIAL SERVICE

The relationship between a U.S. District Court Judge and the U.S. Magistrate Judge is a special working relationship with each being dependent on the other. Each has specific duties and responsibilities, which at times are defined by the particular relationship. Often a Magistrate Judge is associated with a single District Court Judge, while in other jurisdictions several Magistrate Judges might work with a District Court Judge.

Following are some comments from the three Magistrate Judges who work with Chief Judge Aycock.

David Sanders, U.S. Magistrate Judge for the Northern District of Mississippi.

I've had the great fortune to work alongside Chief Judge Aycock in the Northern District for the past twelve years and specifically in Aberdeen for the past nine. Because I work just one floor below her chambers in Aberdeen, it is not uncommon for me to walk upstairs to ask a question or discuss a particular case we have together. I have never yet gone up there and found I was not welcome. To the contrary, not only does she make time for anyone who needs to see her, she makes us feel like she has all the time in the world for us. I enjoy talking with her so much that at times I'm forced to remind myself I need to leave!

When I do go upstairs with an issue, I can tell you that her thoughts or opinions on a particular topic are always enlightening. I know that when I'm struggling to make a decision, her thoughts will very often push me in the direction I need to be pushed. On the other hand, however, if I feel strongly about an issue, she has always been supportive of any decision I make. I know there are places in the country (thankfully, not many) where the magistrate judges and the district judges rarely interact. I don't know how such districts perform efficiently, but I can tell you that all three magistrate judges in the Northern District work closely with the district

judges. I just happen to be the most fortunate one, working in the same building with Judge Aycock.

Also, as a magistrate judge, I very much appreciate how she handles her docket and caseload. In the Northern District, for instance, the magistrate judges handle the pretrial conferences typically about one month prior to trial. Rarely do I have a pretrial conference scheduled when the docket has anything pending at all. To conduct a pretrial conference and develop a pretrial order can be difficult with motions pending. Should a case be particularly complicated and there are motions pending, it is always a simple matter to contact her a day or so before the conference and get a real feel for where she is going with the motions. This helps me immeasurably during the conference.

Finally, I very much appreciate the time she takes with particularly difficult decisions. When I am working on a case – perhaps trying to settle it – and Judge Aycock has entered various rulings during the litigation, I always enjoy reading her decisions to help me with whatever I’m trying to accomplish. I can always rely on her decisions to be thorough and well-reasoned, and the Northern District bar feels the same way.

I think those of us who work with her in the judiciary as well as the bar members themselves feel like we have in Judge Aycock a “lawyer’s judge” who is both a joy to work with and a decision-maker we admire. I hope that’s what every judge aspires to be.

Roy Percy, U.S. Magistrate Judge for the Northern District of Mississippi.

I will say that Judge Aycock is the hardest working woman in court business. She is the only Chief Judge I have known here since taking the bench, but I cannot imagine there ever having been another, anywhere, who has taken the role as seriously or who has devoted the effort she has in making the court work better for the litigants and attorneys it serves. She has left no stone unturned in looking for ways to make improvements, whether it be soliciting an AO review of our pro se prisoner litigation program and establishing a committee to study and implement the AO’s recommendations for improvement, or meeting the enormous challenges in securing funding and design of a new Greenville courthouse and renovation of the Aberdeen courthouse.

There is not a single member of the “court family,” as she calls it, from judges to cleaning staff, whose quality and enjoyment of work has not benefitted in some way from Judge Aycock’s administration as Chief Judge. What is even more impressive is that her core responsibility – her work presiding over cases -- has not suffered. She remains as diligent and effective in that regard as ever, and from a magistrate judge’s perspective,

her lines of communication are always open for ways we can help one another handle cases fairly and efficiently and solve problems as they arise.

Jane Virden, U.S. Magistrate Judge for the Northern District of Mississippi

I am delighted to share my thoughts about Judge Aycock. I have served now as a Magistrate Judge for about 10 years-most of it under Judge Aycock as Chief Judge for the Northern District of Mississippi. In that time, I have marveled at her energy, persistence, optimism, and genuine kindness and concern for others. On top of all that, she is the most down to earth and comfortable in her skin person I know. She makes everybody feel at ease and of importance. And, she does love a meeting , a “to do” list, and a party!

As a female judge, she is just a stellar example for women of all walks. I don't know how you teach that, but she has it in spades.

While U.S. District Court Judges maintain their chambers and sit in their courtrooms, there is interaction among these District Court Judges. Following are some comments from Chief Judge Aycock's fellow District Court Judges.

Mike Mills, U.S. District Court Judge for the Northern District of Mississippi and formerly the Chief Judge before Chief Judge Aycock.

Sharion (Chief Judge Aycock) brought her solid work habits and attention to detail, which she learned from her parents, to the Court. Former Chief Judge L. T. Senter was also from Itawamba County and set the pattern of honorable service for both of us.

Neal Biggers, U.S. District Court Judge (Senior Status) for the Northern District of Mississippi

During my tenure on the Northern District of Mississippi federal court we have had six chief judges, and I include myself as one of those six. Judge Sharion Aycock, our present chief, works harder in that role and spends more time carrying out the administrative responsibilities of chief judge than any of the six. She is highly competent, efficient and a pleasure to work with. She is a credit to the federal judiciary.

Glen Davidson, U.S. District Court Judge (Senior Status) for the Northern District of Mississippi.

Chief Judge Davidson was the only District Court Judge in the Aberdeen Courthouse after Judge Thomas Senter took senior status on July 30, 1998, and moved to the Southern District. Judge Davidson commented:

It was so good to have Judge Aycock in the Aberdeen Courthouse with me. My chambers were at one end of the hall and hers were at the other end. I was there to answer her questions, and we often ate lunch together. She was so pleasant to work with and our staffs worked together well also. When I sat with the Ninth Circuit in California and also in Laredo, Texas, I took one of Judge Aycock's judicial clerks with me (Krissy Nobile, MC Law '10) along with my law clerk (Gina Kelly (Smith), MC Law '11). Judge Aycock recognized that this would be a good experience for them. I was always impressed with her work ethic and how smart, well educated, and well equipped she was for the job. She, like I, is from a small town in Mississippi. We learned how to work growing up in that environment, and those early lessons stuck with us. She is well organized and is an outstanding jurist. The Magistrate Judges who work with her and the attorneys who appear before her all sing her praises. I also commend Judge Aycock for her service on the Budget Committee of the Judicial Conference of the United States (a position appointed by the Chief Justice of the U.S. Supreme Court). Her work assisted in securing the funding to build a new Federal Courthouse in downtown Greenville and to renovate our Federal Courthouse in Aberdeen. She wears a construction hard hat as well as a judicial robe.

Dan Jordan, Chief Judge of the U.S. District Court for the Southern District of Mississippi.

While Chief Judge Jordan is in the other district in Mississippi, he often interacts with Chief Judge Aycock and remarked that he and Chief Judge Aycock work closely together across a host of issues that their districts face, including case-related and administrative matters. He offered the example that there have been several times when he called Chief Judge Aycock regarding a case that created conflicts for all of the judges in the Southern District and was appreciative and impressed that she took the case herself rather than passing it off to another Northern District judge.

She (Chief Judge Aycock) is simply great. We could not ask for a better partner and friend in our sister district than Chief Judge Aycock. Chief Judge Aycock and I frequently work together on issues facing our districts. She is a true friend and great confidant. I keep her number on speed dial.

V. PERSPECTIVE OF A LAW SCHOOL DEAN

I became the Dean at Mississippi College School of Law (MC Law) in 2003, just about when Judge Aycock moved from private practice to the First Circuit Court bench. Early on, I heard reports about this bright, shining legal star who was making a professional name for herself. It was delightful to get to know Judge Aycock and Randy over the years in various alumni activities and at conferences. I was always taken by her grace, charm, and sincerity. We would gather for alumni events in northeast Mississippi as well as in Jackson. She and Randy would always attend and be willing to make the long drive.

The MC Law grads who have clerked for Judge Aycock praise their clerking experience and note the valuable mentorship she provides. I am grateful for her “clerk teaching” through the years.

Judge Aycock’s law class of 1980 is a special one for me. That was the year MC Law received its initial approval from the American Bar Association. Several of Judge Aycock’s classmates had started before she did but delayed their graduation so they could be graduated from an “accredited” law school and could take the bar exam in any state. Judge Aycock completed law school in three years and was instrumental in founding the Mississippi College Law Review.

I could legitimately refer to Chief Judge Aycock as Dr. Aycock, for she received an honorary Doctor of Laws degree from Mississippi College in 2008. In 2010 I presented Judge Aycock with our most prestigious alumni award when she was designated as the Alumna of the Year. In 2018 Judge Aycock was selected for the Mississippi College School of Law Judicial Award.

I like to go on the second floor of the Administration Building at MC Law and view the slightly faded composite of the Class of 1980. There are some notable attorneys and judges in that group, along with Judge Aycock. Still, my eyes always go to the top of the composite, where then Sharion Harp smiles out above the caption that notes her Co-Editor position on the MC Law Review.

The hundreds of friends, family, associates, colleagues, professors, and citizens salute you, Chief Judge Sharion Aycock and wish you continued success, good health, and smooth seas.



Appendix

Hearing Before the Senate Judiciary Committee¹

NOMINATIONS OF JENNIFER WALKER ELROD, NOMINEE TO BE CIRCUIT JUDGE FOR THE FIFTH CIRCUIT; RICHARD A. JONES, NOMINEE TO BE DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON; AND SHARION AYCOCK, NOMINEE TO BE DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF MISSISSIPPI

THURSDAY, JULY 19, 2007

U.S. Senate,
Committee on the Judiciary,
Washington, DC

The Committee met, pursuant to notice, at 2:45 p.m., in room SD 226, Dirksen Senate Office Building, Hon. Benjamin L. Cardin, presiding.

Present: Senator Cornyn.

OPENING STATEMENT OF HON. BENJAMIN L. CARDIN, A U.S. SENATOR FROM THE STATE OF MARYLAND.

Senator Cardin. The hearing will come to order. And let me thank you all for your attendance. I want to thank Senator Leahy--Chairman Leahy--for giving me the opportunity to chair this hearing. This will be the first hearing that I've chaired for the confirmation of judges. And I consider that to be a great honor.

I think one of the highest responsibilities of a United States Senator of this Judiciary Committee is the consideration of appointments to the Federal bench. And I want to thank our three nominees for their commitment to public service and their willingness to serve. I welcome all three, along with your families, here today.

During my campaign for the U.S. Senate, I outlined to the people of Maryland what I would use in considering appointments to the Federal bench. I think it's extremely important to look at the qualifications of the nominees, as well as their judicial temperament, as well as their passion for the Constitution and its protections of the civil liberties of the people of our

¹ *Hearing on Judicial Nominations Before the S. Committee on the Judiciary*, 110th Cong. (2007) (statement of Sen. Cardin, Sen. Cornyn, Sen. Lott, Sen. Cochran, and Judge Aycock).

Nation. So I take this responsibility—this committee takes this responsibility--very, very seriously and I look forward to this hearing.

My father was a Circuit Court judge and I know the importance of being a judge. We rely upon our Judiciary Committee as an independent branch of government, as a check and balance on the legislature, and on the executive branch of government.

Serving as a judge is a public service and a sacrifice, and I once again thank those who are willing to put themselves forward in that capacity. I particularly want to express my appreciation to your families for putting up with the sacrifices of serving as a judge.

We will hear from three panels today. The first will be our colleagues in the U.S. Senate who've requested an opportunity to be here. We will then hear from the nominee for the Circuit Court of Appeals, and then the two nominees for the District Court.

I would, next, normally recognize Senator Cornyn as a member of this committee, but I will start with Senator Lott.

STATEMENT FROM SENATOR LOTT

Senator Lott. Well, thank you very much, Mr. Chairman. Thank you, Senator Cornyn and Senator Murray, for letting me go forward. Like you, too, I am involved in a hearing down on the second floor, and I'll run right back.

But I'm really particularly pleased to be here today. It's the first opportunity I've ever had of this nature. I'm here to endorse the nomination of Judge Sharion Aycock to be a Federal District judge in the Northern District of Mississippi.

She would be the first Federal District woman judge in the history of the State of Mississippi. I apologize that we have come to this point so late, but we have found an excellent nominee to be a good Federal judge--an excellent Federal judge--and to be the first woman in our Federal judiciary in Mississippi.

Her husband Randy is here with her today. We're delighted to see him. I told him to say good bye and wish her well as she ascends that place in the heavens known as the Federal bench.

I should note right at the beginning, she has received an ABA rating as "Unanimously Well Qualified". She currently sits on the Circuit Court bench in the First Circuit District of Mississippi. I first met her, I think, some 18, 19 years ago in a small town in north Mississippi. In fact, she was born in Tremont, Mississippi. It probably has a population of not 1,000, I don't guess, but not many people.

She graduated with honors there from high school. She attended Mississippi State University, where she graduated with a degree in political

science. She received her law degree from Mississippi College School of Law. She served as co-editor-in-chief of the Law Review there, and finished second in her class.

After law school, she was employed by the C.T. Cleveland law firm in Fulton, Mississippi and she had an extensive private practice. She represented the Itawamba County Board of Supervisors, the Board of Education, the town of Tremont, the city of Fulton, and Northeast Mississippi Natural Gas District. She also served as the Itawamba County prosecuting attorney from 1984 to 1999.

She's been very active in her community. She's past president of the Itawamba County Development Council, which has done an excellent job, I know to my own knowledge. She served on the hospital foundation. She worked with the health services in the region. She served as chairman of the Prairie Girl Scouts Capital Fund. She has received the Itawamba County Good Citizen Award in 2000, and on and on and on. I mean, she's just been involved in everything in this community. She's been real active.

But she has primarily been recognized by Senator Cochran and me as an outstanding jurist in North Mississippi. She served as the First Judicial District President and Secretary, the first female President of the Mississippi Bar Foundation, and was honored as a Fellow of the Mississippi Bar.

So I think you get the drift here. I've watched her for many years. I must say that when we recommended her for consideration to the White House, there was an inquiry: is she a Democrat? And I said, you know, I don't know. It doesn't really matter. She's got the personal integrity, the character, the experience, the education, the demeanor to be a good Federal judge.

When you become a good, fair-minded Federal District judge, partisan politics or philosophy don't matter. This is an excellent nominee, and I fully, wholeheartedly recommend her to the committee and urge her expeditious approval by the committee so that she'll be sent to the floor so that she can assume her position on the Northern District Court.

STATEMENT FROM SENATOR COCHRAN

Senator Cochran. Mr. Chairman, thank you very much. I appreciate your courtesy, and I apologize for being late. We had an Appropriations Committee session on a bill that we are reporting to the full Senate that went a good bit later than we expected.

But I'm very pleased to have the opportunity to introduce today Judge Sharion Aycock and recommend her confirmation as a United States District Judge for the Northern District of Mississippi.

Judge Aycock's husband, Randy, is with her here today. I had an opportunity to visit with him earlier today.

I'm pleased to let you know that Judge Aycock is exceptionally well qualified by reason of her education, her experience, and her temperament to serve as a Federal judge. I am sure she will reflect great credit on the Federal judiciary.

During her distinguished career as a lawyer and as a State court judge in my State, she has earned the respect and admiration of the lawyers and judges who have worked with her and who know her well. She's been selected to serve in many professional and community positions of trust and responsibility. The American Bar Association's Standing Committee on the Federal Judiciary unanimously concluded that she is "Well Qualified" to serve as a Federal District Court judge.

She was born and raised in Northeast Mississippi in the town of Tremont, Itawamba County, where she graduated from high school with honors and was elected president of the student body. She graduated with honors from Mississippi State University in 1977, where she studied economics and political science.

She was a member of Phi Kappa Phi, the Nation's oldest and largest honor society. She was inducted into the Mississippi State University Hall of Fame. She also served as president of her social sorority, Delta Delta Delta.

She received her law degree from the Mississippi College School of Law, where she served as co-editor-in-chief of the Law Review and as treasurer of the student body. She graduated second out of a class of 146, and was admitted to the Mississippi State Bar.

After graduation, she returned to her home county and started her law practice. She practiced as an individual practitioner in her own office since 1984 until she was elected to serve on the District Court State trial court bench.

But during those years she represented her County Board of Supervisors, the Board of Education, the town of Tremont, the city of Fulton, and the Northeast Mississippi Natural Gas District.

She served as the Itawamba County prosecuting attorney for 8 years. She was recognized as the State's "Most Distinguished Juvenile Justice Professional." She was elected Circuit Court judge for the First Circuit Court district in Mississippi in November of 2002 and she was unopposed when she sought reelection in November of 2006.

State court judges, as you know, are elected in Mississippi. Voters have the opportunity to get to know candidates personally and to learn more about their background and their ability. And based on a consensus of the people in her part of the State, she has truly been an outstanding trial judge.

The fact that she was unopposed in 2006 in an area of the State which takes politics seriously, somebody said up there it's a contact sport. Well, it may not be that, but people have recognized, across a broad range of the community, the tremendous job she does and the enthusiasm that she brings to the office and the courtroom every day.

The First Circuit Court District's docket is one of the busiest in the State of Mississippi. It had one of the largest backlogs, too, of any judicial district in the State, and she cleaned it up. Everything is up to date, and not just Cincinnati, or wherever, but everything. Kansas City. Sorry. Kansas City.

During her tenure she's had the opportunity to hear criminal cases and civil cases covering a broad range of subject areas, and she has done it all with a calm, cool, judicial temperament, a sensitivity for the interests of jurors, of litigants, of judges.

She is a very popular choice for this position that has come open in the Federal court system of our State, and I'm looking forward to hearing all the compliments and the words of praise of her as she begins her tenure as a United States District Court judge. I recommend her highly and wish her well, and congratulate her on this nomination.

STATEMENT FROM JUDGE AYCOCK

Judge Aycock. Thank you. I will decline making an opening statement today in the interest of your time, and others' that are here, but I do want to take this opportunity to thank President Bush for the nomination that I received for the District judge for the Northern District of Mississippi.

I am very appreciative, Chairman Cardin, for you convening and conducting this meeting. This is something that we have been waiting for some time, and very anxious to have the opportunity to be questioned regarding this position.

I also want to express how pleased I was that my home State Senators, Senator Cochran and Senator Lott, took time out of their very busy schedules to come here today and introduce me.

I do have my husband here with me today. And Chairman Cardin, I have a large family in Mississippi, but it was our choice to travel and to make this hearing accompanied by my husband. I have a loving family at home in support of me. Thank you.

QUESTION FROM SENATOR CARDIN: How do you view your position--the potential position--as a Federal District Court judge in carrying out I think what the framers of our Constitution intended, the judicial branch to protect the rights of individuals against abuses of either the private sector or government?

RESPONSE FROM JUDGE AYCOCK: Chairman Cardin, I think it's important. As you have noted, you know something about our background and our history, but that's very important to me, where I came from. The fact that I have had the privilege of practicing 22 years in a very rural community where I had the privilege of representing all kinds of people, I think that has prepared me for going on the bench, where I respect every single person that walks in that courtroom. It is the most important day of their lives when they have something before the court, often times having waited months, perhaps years, to get there.

So once they're there, that litigant deserves my attention. They deserve all the listening power I can put behind listening to the testimony, hearing what they have to say, knowing what the law is, because I need to get it right at that stage, and just being fair to that litigant, making them feel that they are welcomed in that courtroom, that I have not pre-judged their case, that I am there to listen and to make a fair decision based upon the law.

QUESTION FROM SENATOR CARDIN: But what do you do when you have litigants before you where it is clear that, following what appears to be the legal precedent, the decision is not going to be one that is in the interest of justice? What do you do then? Do you follow stare decisis or are there other courses that you can take? Judge Jones? Let's reverse it. We'll go to Judge Aycock this time.

RESPONSE FROM JUDGE AYCOCK: Thank you. Certainly there are times that I have made unpopular decisions in the courtroom, and perhaps that best speaks to just the acknowledgement that you don't always know the perfect answer. You can't always fix the situation. But people expect fairness and they expect evenhandedness, and they expect a level playing field.

If they get those things, then when they walk out of the courtroom and they know they've been treated fairly, even though the decision may be something different that they had hoped for, then they can't be critical of the system itself. And that's my job, is to make sure that that happens in my courtroom.

I know that there are times that making that decision following that rule of law that is there that has been established, sometimes you look at that and question it, perhaps. But my job as a trial judge is to know what the law is, and then to apply that law, but understanding that my judicial temperament requires me to remind myself of the components of compassion and understanding, and to be fair, above all.

QUESTION FROM SENATOR CARDIN: My point to you is, how aggressive should a judge be in making sure that the case is presented in a way that the record is balanced or the record is clear to make a decision? I think we'll have Judge Jones to go first this time.

RESPONSE FROM JUDGE AYCOCK: Mr. Chairman, as Judge Jones has indicated, it is totally inappropriate to become an advocate, even when we want to retreat into that position of having practiced law for those 22 years. And you think about what you might do in that situation, but that's inappropriate and that's not my job.

My job is to be there to rule on the objections, rule on the motions, to keep the trial proceeding in an orderly manner, and to remember my role. There are times that I am of the opinion that you can be available, whether it is during the trial or after the trial where young attorneys can seek you out and ask, given the situation, you heard me try the case, do you have any suggestions. And I think they can learn from those of us that have practiced for years, and in that capacity, help. But in that courtroom, you're there to try the case. To hear the case. Excuse me.

QUESTION FROM SENATOR CARDIN: I'm sure you've heard, and your Senator was very complimentary of your judicial temperament, about really nice people who become judges, and then you start to wonder. What do you think is the right balance between maintaining the discipline and dignity of a court and not forgetting that this is a place that people should feel comfortable that they're getting judgment by someone who is mindful of what it is to live in a community.

RESPONSE FROM JUDGE AYCOCK: Chairman, we're all human. We all make mistakes. I have to remind myself that I'm going to make my share of mistakes, but to just go in every day and do the very best job that day under those circumstances that I can do. And I think I will always have a place in my community. I will do those things under the Code of Ethics that permit me to remain active where I can.

But I do understand that I have isolated myself, by choice, by asking the voters of North Mississippi to put me in this elected position, and asking you, Senator, and your committee to confirm me in this new position, that I am asking for some sense of isolation because I realize that I have to maintain the role of a judge.

