

SAMFORD UNIVERSITY / SPECIAL 175TH ANNIVERSARY EDITION / ALUMNI MAGAZINE

CUMBERLAND LAWYER

175
CULTURE. COMMUNITY. SERVICE.

Cumberland School of Law



CONTENTS

2 From the Dean

4 From the Office of Alumni Relations

5 175 Years of Cumberland School of Law

14 Carroll Reflects on Changes in Practice and New Generation of Attorneys

15 Tackling the Field of Children's Issues

16 175 Years of Trial Advocacy

18 An Extraordinary Legacy

22 First African American Enrollee Leads the Way for Future Cumberland Students

24 Spotted at the 175th Anniversary Events



Dean
Henry C. Strickland III

Director of Alumni Relations
Anne Marovich

Director of Development
Paula Kierce

Marketing and Communication Manager
Morgan Black

Executive Director of Creative Services
Miles Wright

Senior Graphic Designer
Laura Hannah

Contributing Copyeditor
Lauren Brooks

Contributing Photographers
Parker Freedman, Deidre Lackey

Contributing Writers
Sean Flynt, Julian Mann, June Mathews, Howard P. Walthall Sr. and Matt Woodham

Pictured on the left:
Rascal Day 2022 continues a beloved, long-standing tradition at Cumberland School of Law.

We hope you find this publication informative. If there are stories and topics you would like to see in future issues, please let us know. This is your publication, and we need your feedback at cumberlandlawyer@samford.edu.

DEAN'S MESSAGE

Lawyers are indispensable in securing democracy and the rule of law. Lawyers are the architects, guardians and practitioners of our American institutions that seek, albeit imperfectly, to maintain egalitarian government of, by, and for the people. Lawyers are responsible for the institutions by which we seek to resolve disputes and redress grievances through peaceful persuasion and just decisions, and lawyers are the advocates who make these institutions work to protect the interests of their clients. In that context, the straightforward mission of Cumberland School of Law could not be more important: to educate a diverse community of students with knowledge and practical skills, equipping them to become highly competent, ethical lawyers committed to professionalism and public service.

Along with all American law schools, Cumberland encountered challenges to the pursuit of its mission since I became dean in 2014. The country's law schools experienced a precipitous national decline in applications that intensified competition and stressed law school budgets. The nation watched as racial turmoil swelled following the death of George Floyd. We faced an unprecedented global pandemic while also experiencing the most divisive election in generations.

As it has for 175 years, Cumberland worked through these challenges and continues its critical mission. As the school prepares to welcome a new dean this summer, Cumberland is strong. Cumberland's applications have rebounded, and the school continues to enroll full classes of students with excellent credentials and extraordinary promise. The school's revenue and finances are solid, ready to enable the new dean to hire talented new faculty and pursue new initiatives. Although we must continue monitoring COVID-19 and observe appropriate safety

protocols, Cumberland has returned to a full schedule of in-person classes and an educational experience that is near normal for current students.

Even while addressing these challenges, Cumberland continued to build on existing programs and to implement promising new initiatives, including the following:

- *Cumberland created its first accelerated (3+3) Juris Doctor (J.D.) program with Samford University, permitting students to earn both their bachelor's and J.D. degrees in a total of six rather than the usual seven years. The school has since launched five more 3+3 programs with other universities.*
- *The school's crucial Lawyering & Legal Reasoning (LLR) program, the required yearlong first-year legal writing course, has been reinvigorated and strengthened under the leadership of Assistant Professor Jeff Anderson and a team of outstanding LLR instructors.*





- *Under the extraordinary energy and leadership of Associate Professor Ramona Albin, Cumberland's advocacy program expanded its course offerings, boosted its national visibility, and continued to field some of the best trial teams in the country—consistently being ranked among the country's top 10 programs.*
- *Building on the vision of former Dean John Carroll and nursing dean, later vice provost, Nena Sanders and the leadership of Laura Hendley, former director of graduate programs, the law school in 2015 launched an online master's degree program in health law and policy. This program has since grown to the current online M.S.L./LL.M. program with four concentrations that recently was recognized as among the best online Master of Studies in Law programs in the country by the Princeton Review.*
- *More recently, under the leadership and vision of Professor LaJuana Davis and Judge Carroll, Cumberland launched its first live-client clinics: the Cumberland Veterans Legal Assistance Clinic (C-VETS), the Cumberland Innocence Clinic, and two clinics embedded within the Jefferson County Public Defender's Office. All of these provide students hands-on opportunities to work with real clients.*

Through all of its challenges and in all its programs, Cumberland strives to cultivate and maintain a caring, supportive culture that is rare if not unique among law schools. Countless students tell me they were attracted to this culture when selecting a law school and were struck by how genuine the culture is after they matriculated. Students describe how faculty and staff take personal interest in their success, and, more importantly, how their classmates

support and help each other as well. I hope and believe this culture forms the foundation for the professionalism and remarkable service of Cumberland lawyers.

Cumberland School of Law will continue the critical task of educating great lawyers to help people and businesses and to maintain the rule of law. We will find new and innovative ways to do so. We must also continue working to assure that the Cumberland community reflects the full, rich diversity of our state and country and embraces every member of that community in its caring, supportive culture.

Cumberland first admitted a Black student, Audrey Lattimore Gaston Howard, in 1967. For those of us who grew up in the 1960s, it is shocking that—in our lifetimes—great institutions across the country intentionally and expressly refused to educate Black and Brown students or to hire Black and Brown professors. We have made great strides since 1967. This year Cumberland enrolled the most diverse class in its history, and people of all backgrounds are integral members of Cumberland's faculty, staff and student body. Yet we all know in our hearts we have much left to do. I am confident that Cumberland's alumni and current and future students will build on the work of great Cumberland lawyers before them to pursue complete equity and inclusion to the benefit of all.

Henry C. (Corky) Strickland III
Dean and Ethel P. Malugen Professor of Law

From the Office of Alumni Relations

I hope this commemorative issue of

Cumberland Lawyer boosts your pride in being a part of this community. Contributions from Professor Emeritus Howard P. Walthall Sr., Judge Julian Mann III '77, Dean Corky Strickland, and others, eloquently convey the law school's history, progression and legacy.

The ability to thrive over 175 years required slow and steady progress. With progression, change is necessary; but change isn't always progress. Some changes are mistakes, but mistakes always provide learning opportunities. A simple glance or a deeper study of the changes made at Cumberland School of Law over the past 175 years reveal an overarching pattern of significant progress and success in many areas. Some mistakes? Maybe. Have we learned? Certainly. Nonetheless, some things never change. Our mission is constant. Our DNA is

the same. Adaptation, innovation and challenge has never veered our law school away from its mission to train competent and ethical lawyers, and master's degree alumni professionals, who are committed to serve. Moreover, Cumberland alumni continue to reach new heights in different industries, around the world. We don't tire of sharing alumni news with you. The variety of roles, honors and appointments inspires current and influences prospective students. Hopefully, our favorite tradition, Rascal Day, will never be changed!

We value your contributions to the Cumberland community. The law school could not thrive without your support. If you would like to invest in the future of Cumberland School of Law, as we continue to build the credibility of your degree, please contact me. There are numerous ways that your time, expertise or financial support will make an impact in Robinson Hall and with our students.



Anne L. Marovich, J.D.

Director of Alumni Relations

amarovic@samford.edu



175



YEARS

of Cumberland School of Law

Founded in 1847, Cumberland School of Law has been a leader in legal education for a momentous 175 years.

Judge Abraham Caruthers founded Cumberland with the singular purpose of preparing students for the practice of law. From the ashes of the original law school in Lebanon, Tennessee, that was burned during the Civil War, to the move to Birmingham, Alabama, in the 1960s, Cumberland never faltered from that noble mission. Along the way, Cumberland developed a distinctive culture of collegial, supportive relationships and dedication to service.

1847

ANTEBELLUM BEGINNINGS

"I call it an adventure, I speak of it as an experiment," spoke Abraham Caruthers, the first professor at Cumberland School of Law, describing the precarious state of the institution's beginnings.

Only seven students gathered in a law office on West Main Street in Lebanon, Tennessee, for the first day of classes on Oct. 1, 1847. At the time, there were no other university-affiliated law schools in Tennessee and only 14 other law schools in the United States. By the end of the second year, 56 students were enrolled at the thriving school, which was meeting at Cumberland University.

Cumberland School of Law developed a unique methodology, emphasizing moot court competitions, daily recitations and examinations, and a distinct spirit of competitiveness within the classroom. Moot court grew in prominence in the curriculum, reflecting the growing belief in the centrality of practical trial work to the Cumberland experience. Nathan Green Sr., a respected professor and local judge, charged the students in 1849 to perceive Cumberland School of Law as a "working school, intended and calculated to send from its halls, men who shall be working lawyers."



1865 // AFTER THE WAR

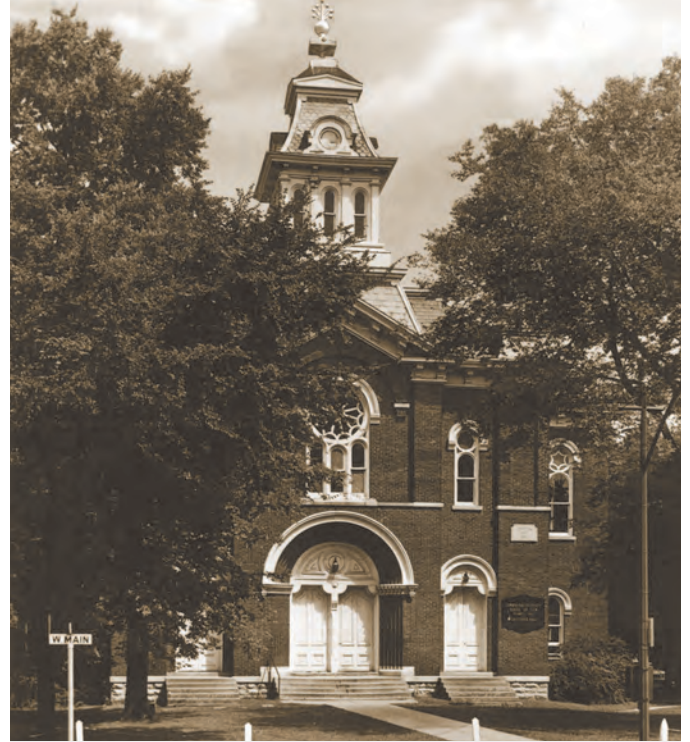
The Civil War brought ruin to the Cumberland University campus. Students returned to find the buildings burned by Confederate forces. The image of the school arising from the ashes like a phoenix, the mythological bird of Greece that arose from its own burnt destruction, became the symbol of the post war law school. In 1866, the trustees adopted a new seal, including the phrase "E Cineribus Resurgo," or "I will rise from the ashes," and the image of the phoenix.

In 1878, thanks to the significant gift by Judge Robert L. Caruthers, brother of Abraham Caruthers, Caruthers Hall was constructed to house the law school. Despite the new facilities in the latest architectural style, Cumberland School of Law fell behind the times. Faculty and administrators shortened the curriculum to a single year of study, citing financial obligatory exigencies on students, and a more efficient method of study than previous years. A second year was optional and was offered free of charge. During this time, the case method was introduced to legal education but was not adopted by Cumberland School of Law to replace the treatise method until the 1930s. The 1894 catalog made the first reference to legal topics, such as agency, partnership, bailments, sales, contracts and torts. However, the curriculum continued to be organized by books to be read rather than the course to adopt modern techniques and expand its curriculum by opting for the three-year standard, Cumberland School of Law became a maverick by 1919. Decades passed before the law school returned to the mainstream.

1930s // RASCAL DAY

According to legend, the “perfect law student” attended classes at the Lebanon, Tennessee, campus from 1933 until 1940. Rascal, a white-haired dog who belonged to a family that lived nearby, served as an informal mascot to the law school. Rascal trotted to classes each day and mounted the rostrum alongside the professor, where he listened as young law students attempted to respond to the professor’s questions. Rascal never passed on a question, he was always present at the required Friday law assemblies and was more regular in his classroom attendance than many of the graduating students.

In 1935, Cumberland School of Law rewarded his hard work by presenting him the rare degree of canine jurisprudence and making him an honorary member of the class of 1935. When Rascal died in 1940, students buried him beneath the window of the classroom where he had spent so much time. When the law school moved to Birmingham in 1961, Rascal’s remains were exhumed and reinterred on the west side of Robinson Hall at Samford University. Each year, a procession of students and their dogs pass by Rascal’s grave to commemorate one of the law school’s most memorable graduates.



1940s-1960 THE FINAL YEARS IN LEBANON, TENNESSEE

In the fall of 1946, Cumberland School of Law enrolled its first students in a new three-year program that adopted the standard case-method curriculum. Arthur Weeks, the new dean of the law school, made it his priority to obtain ABA approval. This required many alterations to the existing state of the law school, including an expanded law library collection, additional faculty members and facility renovations. With these improvements, the law school received full ABA approval and AALS membership in 1952.

By 1951, Cumberland University had merged with Tennessee Women’s College and moved to the Belmont campus, becoming Cumberland-Belmont University. The law school, however, stayed at the Lebanon campus and became a freestanding, independent institution. Weeks began contemplating moving the school to a more advantageous location and affiliating with an established college or university. Enrollment was down, and the law school was operating at a deficit. Despite numerous fundraising campaigns, Cumberland School of Law failed to raise the funds necessary to solve its financial problems. In 1960, the ABA stood ready to suspend Cumberland School of Law’s accreditations, and the AALS its membership.

1961 //

THE CUMBERLAND PHOENIX RISES IN BIRMINGHAM

In 1961, Dean Arthur Weeks approached Howard College President Leslie S. Wright, Chancellor Harwell G. Davis, and chairman of the executive committee of the Board of Trustees Memory L. Robinson about acquiring Cumberland School of Law. Robinson, a local attorney, became a leading proponent of the acquisition. Upon assurances that Cumberland School of Law would not conduct classes in Lebanon, Tennessee, after 1961 and that acquisition of the law school by Howard College seemed imminent, the ABA committee agreed to defer suspension of Cumberland School of Law's accreditation.

For a sum of \$125,000, Howard College obtained the law library with its 24,000 volumes, the name "Cumberland," the good will of the institution, the records of the registrar's office and alumni files, all available class composites, and the portrait of Cordell Hull. Hull, an alumnus from the class of 1891, is the longest-serving secretary of state and received the Nobel Peace Prize for his role in establishing the United Nations. Cumberland School of Law is the first law school to have been sold outright from one university to another, passing from Cumberland University to Howard College.



In 1965, shortly after dedication of the new law school building, Howard College claimed university status, changing its name to Samford University.

1967 //

CUMBERLAND BEGINS TO INTEGRATE

Cumberland School of Law took a significant step forward when it admitted its first African American student, Audrey Lattimore Gaston Howard, in 1967. Her story is featured on pages 22-23.



1970s // STUDENT LIFE AND ACCOMPLISHMENTS

Student life in Birmingham centered around achieving regional and national recognition for the school. Cumberland School of Law was a mainstream, three-year, case-method law school, which emphasized student activities such as appellate advocacy and law review. Trophies captured by the Student Bar Association (SBA), legal fraternity chapters and competitive moot court teams were signs of the quality of the law school's program.

In 1974, Cumberland School of Law established the Cordell Hull Speakers Forum as a replacement for the university's mandatory chapel program. The forum has attracted such diverse speakers as then Senator Joe Biden, Morris Dees of the Southern Poverty Law Center, consumer advocate Ralph Nader and the ethicist Joseph Fletcher. In 1974, the forum won the prize for the most outstanding SBA project in the nation. On multiple occasions, the American Bar Association named the Cumberland School of Law's SBA the most outstanding in the nation, as well as best



Law Day Program, which featured banquet speakers such as Arkansas Governor Bill Clinton and Oklahoma Governor David Boren.

The 1970s saw an increased emphasis on moot court teams and trial practice teams that competed in mock trial competitions. The moot court team and trial advocacy teams competed at regional and national levels, experiencing unprecedented success at each. Cumberland School of Law quickly became known for its trial advocacy program, a distinction held to this day.



1990s // THE FINAL MOVE

In 1990, the faculty's library committee undertook a study that identified the long-term needs of the school, in light of anticipated growth of the library collection. Thanks to a magnificent gift from Lucille Stewart Beeson, a longtime benefactor of Samford University, construction soon began on a new, freestanding library building east of Memory Leake Robinson Hall, connected by a glass-enclosed breezeway.

In February 1995, the library staff organized a caravan of carts stacked with books that proceeded from the old library located in the center of the main law building, now called the Great Room, to the new library. By March 1, the library completed its last move and opened its doors. At the same time, Lucille Beeson commissioned the Lady Justice statue, an embodiment of her words engraved at the entrance to the law library, "Seek wisdom to temper justice with compassion." On Feb. 15, 1996, former President Gerald R. Ford dedicated the library that now serves as a serene place of study and learning for law students and the Birmingham legal community.



Early 21st Century Through 2022 //

CHANGES AND CHALLENGES *This section contributed by Professor Emeritus Howard P. Walthall Sr.*



Strickland

Cumberland's Deanship

In 2014, Judge John L. Carroll stepped down from the deanship having served in that role since 2001. After a national Search, Henry C. "Corky" Strickland III became dean on July 1, 2014. In June 2021 Strickland announced that he would be stepping down from the deanship effective the end of the 2021-22 academic year. On April 11, 2022, Blake Hudson was named dean of the

law school and will assume his role on July 1, 2022.

ADMISSIONS

Since 2012, credentials of each admitted class have remained strong. The first-year class who began in fall 2021 presented a median LSAT of 154 and a median undergraduate GPA of 3.54. In that same entering class, 24% of the class consisted of previously underrepresented minorities and 59% were women.



The class of 2024 during their first-year orientation in August 2021.



Student advocate Taylor Payne and Judge John L. Carroll advise a veteran's clinic client.

Launching of Four "Real World" Clinics

While the law school's advocacy programs continue to provide students with challenging opportunities to develop their lawyering skills through trying hypothetical cases or arguing hypothetical appeals, Cumberland's new legal clinics, launched in 2020, offer students the opportunity to assist real clients in real world circumstances.

The first was the Cumberland Veterans Legal Assistance Clinic (C-VETS), which operates under the leadership of former dean and Marine Corps veteran John L. Carroll. Law students, under the supervision of a licensed attorney, have the opportunity to assist veterans—who are actual clients and real persons—on a variety of matters from wills and trusts to municipal court matters.

A second clinic, also begun in 2020, is the Cumberland Innocence Clinic, which works to exonerate persons of crimes they did not commit. The clinic accepts cases in which there is compelling evidence of innocence. Two other clinics, the Capital Defense Clinic and the Criminal Appeals Clinic, are carried on in association with the Jefferson County Public Defender's Office. The Capital Defense Clinic allows students to assist in representing defendants who face capital charges and through the Criminal Appeals Clinic students work with appellate attorneys to assist in all aspects of criminal appeals.

CUMBERLAND'S ADVOCACY PROGRAM

Cumberland has consistently competitive trial and moot court teams that have gone up against teams from other schools in regional and national competitions. The results have been phenomenal. In 2015, the Cumberland Trial Team made the "Final Four" in the National Trial Competition, the nation's oldest trial competition.

In addition to the frequent recognition of individual students in specific competitions by such accolades as "Best Oral Advocate" or "Top Gun" the law school has also received institutional recognition for the preeminence of its advocacy program. At the beginning of the decade, *U.S. News & World Report* named Cumberland among the top 10 in trial advocacy; in 2019 it was listed among the top 15 and in 2022, Cumberland ranked 8th in the nation for best trial advocacy program. The law school also ranks 4th in the nation in the Trial Competition Performance Rankings published by Fordham Law School.



Development of Online Master's Degree Programs

In the last 10 years, Cumberland expanded its basic mission of training practicing lawyers to include offering online master's degree programs in law related areas.



The first such program was the online Master of Science in Health Law and Policy that launched in August 2015. From that degree program, which primarily focused on health care, the program evolved over the decade to include a broader Master of Studies in Law, for those who don't hold a Juris Doctor, with four different concentrations. The original program, Health Law and Policy, remains one such concentration and is now known as Health Law and Compliance. The other three are: Financial Services Regulatory Compliance, Higher Education Law and Compliance and Legal Operations.

In 2021, the Princeton Review listed the Master of Studies in Law program as one of the best online programs in the nation for nonlawyers.

American Bar Association Reaccreditation/American Association of Law Schools Membership

For Cumberland, as for all American law schools, accreditation by the American Bar Association (ABA) and membership in American Association of Law Schools (AALS) is essential. Accreditation is accomplished through periodic site visits from the accrediting bodies. In the case of Cumberland, the most recent visit took place in February 2020; thus reaccreditation should be finalized by the end of 2022.

Two Challenges: Bar Passage Rate and COVID-19

Of the various challenges faced by the law school in recent years, two are of note. One was a slide in the school's bar passage rate. The other was the challenge faced by the school and so many other institutions with the onset of Covid.

COVID-19

On March 13, 2020, just at the end of spring break, the Alabama governor issued a COVID-19 lockdown, resulting in the law school building being closed for the rest of the semester, leaving no choice but to switch to virtual classes. In the fall semester, some classroom instruction resumed, but other courses continued via remote instruction. That circumstance continued until fall 2021. Of all the challenges the law school has faced over the decades, COVID-19 must rank as one of the top, yet the law school's response to continuity of instruction has been the most admirable.

Bar Passage

Cumberland also has faced the challenge from tightening Bar Exam procedures and a decline in the first-time pass rate. In 2016, Cumberland had the lowest first-time pass rate since the data had been kept and reported. Beginning in that year, the law school started taking steps to ensure students would be prepared for the Bar Exam. The Academic Support Program was created, and Cumberland ensured that every graduate could take a Bar Exam preparation course by contracting with the companies and paying for those courses as part of the benefit of attending Cumberland. In addition, Cumberland reviewed the curriculum then emphasized and required courses that are tested on the exam. Elective courses providing students opportunities to develop their critical thinking and analysis and reasoning skills were designed to further support Bar Exam test-taking skills. The Academic Support Program has been expanded to provide one-on-one counseling, workshops and programming from orientation through taking the Bar Exam—to teach study skills, time management, and test-taking strategies, and to promote health and well-being. The school's hard work may be paying off. While the Bar passage rate of first-time takers has not reached the level of the early part of the decade, the passage rate is in line with national trends over that time frame. Most importantly, the school's "Ultimate Bar Passage Rate"—which measures Bar passage for a graduating class two years after graduation—is consistently over 95%.

95%
Ultimate Bar Passage Rate



FOUNDATION FOR THE FUTURE

Dean Arthur Weeks, and those who came before and after him, whether in Birmingham or Lebanon, Tennessee, provided the foundation on which the progress of Cumberland School of Law has been built. The school continues to maintain a reputation as one of the finest advocacy programs in the nation. It has developed a world-renowned faculty, strong international programs, a state-of-the-art law library, and a group of students committed not only to excellence in the practice of law but to the betterment of the community as well.

The defining character of Cumberland School of Law is found in the heart of the students, faculty and alumni. All law schools provide a legal education, but Cumberland School of Law provides that education in a supportive environment. Faculty, staff and alumni are all committed to making sure that each student is valued and that each student succeeds. At Cumberland School of Law, there is a true sense of community and sharing that permeates all aspects of student life.

We are forever grateful for the contributions that so many have made to build and sustain this great law school. Cumberland School of Law is a special place where good people have become, and will continue to become, exceptional lawyers dedicated to professionalism and service.



OVER 175 YEARS Cumberland School of Law has developed a distinctive culture of collegial, supportive relationships and dedication to service. In honor of this momentous anniversary, we invite you to join us as we commit to advancing our mission and these essential qualities for the benefit of all.

Gifts given in honor of the 175th anniversary help us meet future needs.

Your generosity could make these initiatives possible:

Programs and initiatives to increase diversity, understanding and inclusion

A new minority scholarship for the Cambridge Study Abroad Program

A new program supporting law students who are mothers and their children

Continuity of the Law Student Emergency Assistance Fund

Expansion of the transactional law curriculum and programs

A new scholarship for students wishing to pursue environmental law

Continued brick and mortar improvements in Robinson Hall

Much more!

We are grateful for your support and look forward to advancing our mission for the next generation of Cumberland lawyers!

Give today at samford.edu/cumberlandlaw/175



Samford University
Cumberland School of Law



Carroll Reflects on Changes in Practice and New Generation of Attorneys

By Sean Flynt

Judge John L. Carroll will retire from Samford this spring after more than two decades of distinguished service to the university, including being dean of Cumberland School of Law from 2001 until 2014. The 1974 Cumberland alumnus has remained on the law faculty since 2014, but now looks forward to having a flexible schedule and more time for reading. He is not planning to set aside his practice of law, however. He will continue the public service he has modeled throughout his career, but is happy to serve in an advisory role now. "I'm ready to not be a leader for a while," he said.

Reflecting on the changes in law education over the last two decades, Carroll observed that increasingly Cumberland students share his interest in service to people who need assistance. The Cumberland Veterans Legal Assistance Clinic (C-VETS) program Carroll supports as supervising attorney is only one of many opportunities Samford's law students have for such service. The program, launched in 2020, provides free legal assistance to veterans and their families across the state of Alabama. Carroll, a U.S. Marine Corps veteran, said he might continue to work with C-VETS and the Cumberland students, or he might support some of the program's other partner organizations.

In addition to a significant orientation toward service, Carroll said today's Cumberland students are also known for their deep engagement with technology, especially social media. Carroll has developed e-discovery as one of his specialties, so he knows very well the impact of the digital revolution on the practice of the law. He expects upcoming generations of technologically fluent attorneys to build on the rapid changes forced by COVID-19. "The pandemic

really has changed some things," he said. "Talking to judges—they're far more comfortable having Zoom hearings, where you don't have to bring lawyers from all over the country into your chambers. A lot of mediations are now being done over Zoom."

Carroll embraces the efficiency technology makes possible, but he also wants law students to continue mastering the traditional interpersonal communication skills of legal practice. "There are some times when you just want to have that person across the table from you and look them in the eye," he said. "In my classes, I make the students stand up, like the old days, and talk to me face-to-face, and for some of them that's a challenge."

"Samford is a unique place—it really is," Carroll said as he reflected on these and other changes he has witnessed through four Samford presidential administrations. "It's a Christian-oriented school but one that's a convening place for all sorts of different ideas and the exchange of different ideas. I think we have been blessed with a series of really good leaders who understood that, each one fitting the need that the university had at that particular time."

When Carroll joined the university 20 years ago, he wasn't sure how his own work would serve. "I had no idea what I was getting into when I came to Cumberland in 2001, and no idea how I, a Roman Catholic trained by Jesuits, would fit into Samford," he said. "It turned out to be the most wonderful experience I've had in employment and personally. It was a great experience, and I'm very, very thankful for the opportunity to serve both the law school and the university."

Tackling the Field of Children's Issues

Cumberland's Center for Children, Law and Ethics

By June Mathews



When the Princeton Review released its nationwide list of Best Law Schools of 2022 earlier this year, it came as no surprise to anyone in the know that Samford University's Cumberland School of Law ranked 4th out of 168 law schools across the U.S. in the Best Quality of Life category.

"A caring and supportive sense of community has long been a distinctive part of Cumberland's culture," said Dean Corky Strickland.

But what the list doesn't reflect is just how much effort is expended by faculty and students alike to pay that quality of life forward to people around the world. And in the process, students are learning in real-life ways to uphold the school's commitment to public service.

A strong indicator of this collective resolve to serve is the Cumberland School of Law Center for Children, Law and Ethics. Created to "further the welfare and best interests of children locally, nationally and internationally," the center is a substantive training ground for students desirous of becoming advocates for society's youngest members now and in the future.

In general, center activities include advocating for children and families, consulting on best practices concerning children, training tomorrow's child advocates, producing cutting-edge scholarship and media about children's issues, and proposing policy and practice changes that will benefit children and families.

Directed by Professor David Smolin, the center is an academic platform that facilitates conversations, research, and projects relating to legal and ethical issues affecting children. The program is driven by issue-based teams, which are determined by student interest and initiatives. Student team leaders take charge of organizing activities and events to reinforce lessons learned in the classroom.

This year's teams include Alternative Care and Child Protection, Adoption and Child Custody, Reforming Juvenile Justice, Surrogacy/Assisted Reproductive Technology, Human Trafficking/Immigration,

Pediatric Bioethics, CBD, and Child and Youth Protection in the Context of Entertainment and Sports.

An advisory board joins Smolin and the student teams in creating an educational experience that gives Cumberland students opportunities to study, network and serve in an area of interest to them.

"Through these opportunities, the center brings awareness to relevant issues, and students develop an understanding of how these specific issues affect children around the world," said second-year student Haleigh Chambliss, who also serves as the center coordinator.

Smolin, who is the Harwell G. Davis Professor of Constitutional Law, as well as the founder of the Center for Children, Law and Ethics, is a much sought-after expert on international children's issues. In addition to his work with students, he writes, serves as a respected source, and speaks on legal issues concerning children. In doing so, he takes the name of Cumberland with him all over the world.

Part of the work of the center pertains to Smolin's own work on children's issues, for which students often serve as research assistants. And as these collaborative efforts continue and grow, the center's ability to support organizations and individuals engaged in assisting children and fighting for their rights grows as well.

"Through the center, a significant number of students are exposed to children's issues," said Smolin. "While most will not work full time on these issues, students are encouraged to consider working on them as a supplementary, pro bono area of service and practice."

Anyone wishing to support the Center for Children, Law and Ethics may do so through a fundraising campaign to benefit student fellowships for the upcoming 2022-23 school year. Student fellows lead center teams, researching and organizing events related to a team's specific topic. To donate, go to Cumberland's giving page at samford.edu/cumberlandlaw/giving and click on the Center for Children, Law and Ethics under "Designate Your Gift."

175 Years of Trial Advocacy

By Matt Woodham '15, Assistant Director of Trial Advocacy

One hundred and seventy-five years ago, our law school was founded with a vision unusual for its time. Founder, Judge Abraham Caruthers, referred to what we now know as the Cumberland School of Law as “an adventure” and an “experiment.” Caruthers’ description of a law school, separated by almost two centuries and a four-hour drive from the one we know now, proved to be prescient.

In his inaugural address, Judge Caruthers expanded on his view of the Cumberland experiment: that “the law will be studied practically; so studied I mean as to prepare the student for practice.” In that era, apprenticeships constituted the primary method of legal education. In short, novices learned the law by trial and error, often at the expense of their clients. Instead, Judge Caruthers sought to educate students to “be prepared to enter at once on the duties of the profession” and focused the educational experience on intensive trial preparation.

The Cumberland experiment worked. Two Cumberland graduates sat on the U.S. Supreme Court. Another won the Nobel Peace Prize, after his efforts to found the United Nations. Dozens more became judges, governors, senators and representatives.

Despite its success in its first 114 years of existence, the law school needed a new home. Samford, then Howard College, intervened. For the first time in American history, one institution purchased a law school from another. Ensuring the feat would never be outdone, the sale remains the only one which included the transfer of the tombstone of a dog with a post-graduate degree.

In 1961, the spirit of Rascal (class of 1937) and Judge Caruthers’ experiment arrived in Birmingham. The law school remained focused on practical legal education, preparing it for the changing advocacy landscape. In 1975, the Texas Young

Lawyers Association began the National Trial Competition, the first law school mock trial competition of its kind. Students were invited to apply their advocacy skills and to learn the practice of law through trial and error. But unlike the era of apprenticeships, no client’s fate hung in the balance.

Mock trial competitions presented a new means to educate law students to be “prepared to enter at once” into the actual practice of law. Cumberland jumped at the opportunity. Six years after the inception of the first national mock trial competition, Judge Charles Malone ’81 and Jack Stewart ’81 brought home Cumberland’s first national championship in advocacy. Three years later, Ottie Akers ’85, Mark Rowe ’84 and Hill Sewell ’84 did it again.



In the 41 years since that first championship, Cumberland has won 41 regional trial competitions and at least a dozen national titles. Records from those early days are sparse, but the trophy case in Robinson Hall evidences an impressive and consistently maintained track record of success. Among those championships are two National Trial Competition national titles, five American Association of Justice national titles, two National Civil Trial Competition national titles, two National Trial Advocacy Competition national titles, and a Tournament of Champions national title.

That success was built on Cumberland’s faithful commitment to the vision on which it was founded: to prepare good people to



become excellent lawyers. As Judge John Carroll, former dean of the law school put it, “The prevailing philosophy is simple: Practical skill outweighs raw knowledge, and application transcends erudition. If the goal were to produce great law students, the tenets might be exactly the opposite. Our goal is to produce exceptional lawyers.”

Today, Cumberland continues to lead in advocacy education and graduating exceptional advocates. Cumberland’s trial advocacy program is the highest ranked program by *U.S. News & World Report* at Samford, ranked as the 10th best trial advocacy program for 2023. The program is consistently ranked as one of the top 10 programs in the country. Cumberland is also ranked 4th in the country in the Trial Competition Performance Rankings, a reflection of Cumberland’s success in mock trial competitions.

The current success of our mock trial program is due in no small part to Judge Jim Roberts ’94, head of National Trial Teams. When asked to reflect on his 24 years of advocacy education at Cumberland, Judge Roberts said, “What began as an adventure 175 years ago has become the foundation of Cumberland’s excellence—preparing students for the practice of law. Our program is special because we don’t simply focus on winning competitions but rather, we strive to meet Judge Caruthers’ goal to prepare students for practice. And so, that means not only teaching students the skills necessary to be a great advocate, but also unlocking their full potential by creating an environment where students can learn these skills while being their true, authentic selves and giving them the freedom to express their individuality through the prism of trial advocacy.”

The core principles of the mock trial program are reflected today, as they were in Judge Caruthers’ time, by the curriculum provided for all students. Associate Professor Ramona Albin, director of advocacy programs, said of Cumberland’s commitment to advocacy,

“Cumberland’s storied tradition of excellence in advocacy education continues as we train the next generation of outstanding advocates. Through curricular innovation, hosting national advocacy education conferences, clinical opportunities, and competing at the highest level in mock trial competitions, Cumberland continues to innovate, lead and prepare our students for 21st century advocacy.”

After 175 years, Judge Caruthers’ experiment is still going strong. That experiment has had a life-changing impact on generations of trial lawyers. But the true test of that experiment’s success will always be in the lives of the clients that Cumberland lawyers are trained to represent. For that reason, Judge Caruthers’ experiment will continue at Cumberland.



An Extraordinary Legacy

By Julian Mann III '74

How many law schools can claim two of its graduates as having served as justices on the Supreme Court of the United States? Only five active law schools in this country can claim more. These justices, who were graduates of Cumberland School of Law, served respectively in the 19th and 20th centuries, but today they remain embedded in Cumberland's rich judicial history.

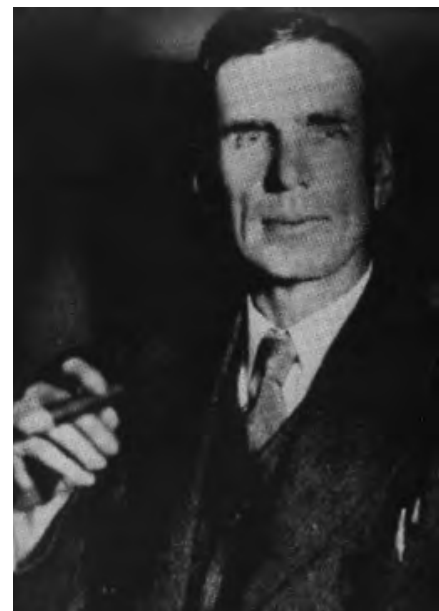
Both justices merited those coveted appointments, but the foundation of their appointments also revealed a reverence and respect for their alma mater, Cumberland School of Law. How could it not be? As one of the oldest law schools in the country, established in 1847, Cumberland was barely 50 years old at the time.

Besides these two justices who rose to the judicial pinnacle, what other evidence is there to establish such historical reverence and respect?

Look no further than Cordell Hull, a member of the class of 1891, whose portrait still adorns the John L. Carroll Moot Courtroom in Robinson Hall. What law school can match this man's career as "Father of the United Nations," winner of the Nobel Peace Prize, and the longest serving secretary of state? Some historians might speculate that Cordell Hull could have been the president of the United States had it not been for his untimely illness that caused his resignation in 1944.



Left: Judge Horton listening to witness testimony during the "Scottsboro Boys" trial



Early in his career, Hull became part of a long list of Cumberland alumni who served in the judiciary. Coincidentally, about the same time Hull launched his career as a member Congress, another distinguished alumnus, James Edwin Horton, who earned his law degree in 1899, won election to the Alabama Legislature.

Horton later was elected as a circuit court judge where he became both famous and infamous. Famous as the jurist who set aside the verdict in the racially charged retrial of the “Scottsboro Boys” in 1933, where Judge Horton determined that the white prosecuting witness lacked credibility and her testimony was insufficient to convict the Black defendants of the capital crime of rape. The trial drew national attention, but among Judge Horton’s inflamed constituents, he became infamous by refusing to uphold the verdict. He became so unpopular that he lost his next election, never again to hold elected office.

But Judge Horton became the model of judicial courage. In 2013, Cumberland School of Law formed and named its Inn of Court in honor of Judge Horton and, in 2018 the Limestone County Bar Association raised funds to erect a bronze statue in his honor.

As of the 1960s, Cumberland was tied with Yale and was second to only Harvard in the number of graduates who had become Supreme Court justices.* Today, three Cumberland graduates are jurists on the Alabama Supreme Court, and one, now retired, was formerly the chief justice. In 2022 a Cumberland graduate retired as chief justice of the West Virginia Supreme Court.

Today, Cumberland boasts 11 active federal trial, bankruptcy and appellate judges, one of whom serves as a former chief judge, the Honorable Joel F. Dubina ’73, of the 11th Circuit Court of Appeals and several more federal judges have taken retired status. Moreover, at the time of this publication, we claim 40 Florida state trial and appellate judges, 22 Tennessee state trial and appellate judges, 11 Georgia state and appellate judges and at least five



Cordell Hull's early work included service in the local judiciary which was a launching pad for his infamous career.

North Carolina state trial judges, two of whom have recently retired and one is now deceased. The number of judges who copiously serve in the Alabama judiciary are far too numerous to accurately count. And notably, the Honorable Julia Jordan Weller ’88 serves as clerk of the Alabama Supreme Court and other Cumberland graduates serve as judicial, appellate and circuit court clerks throughout the country.

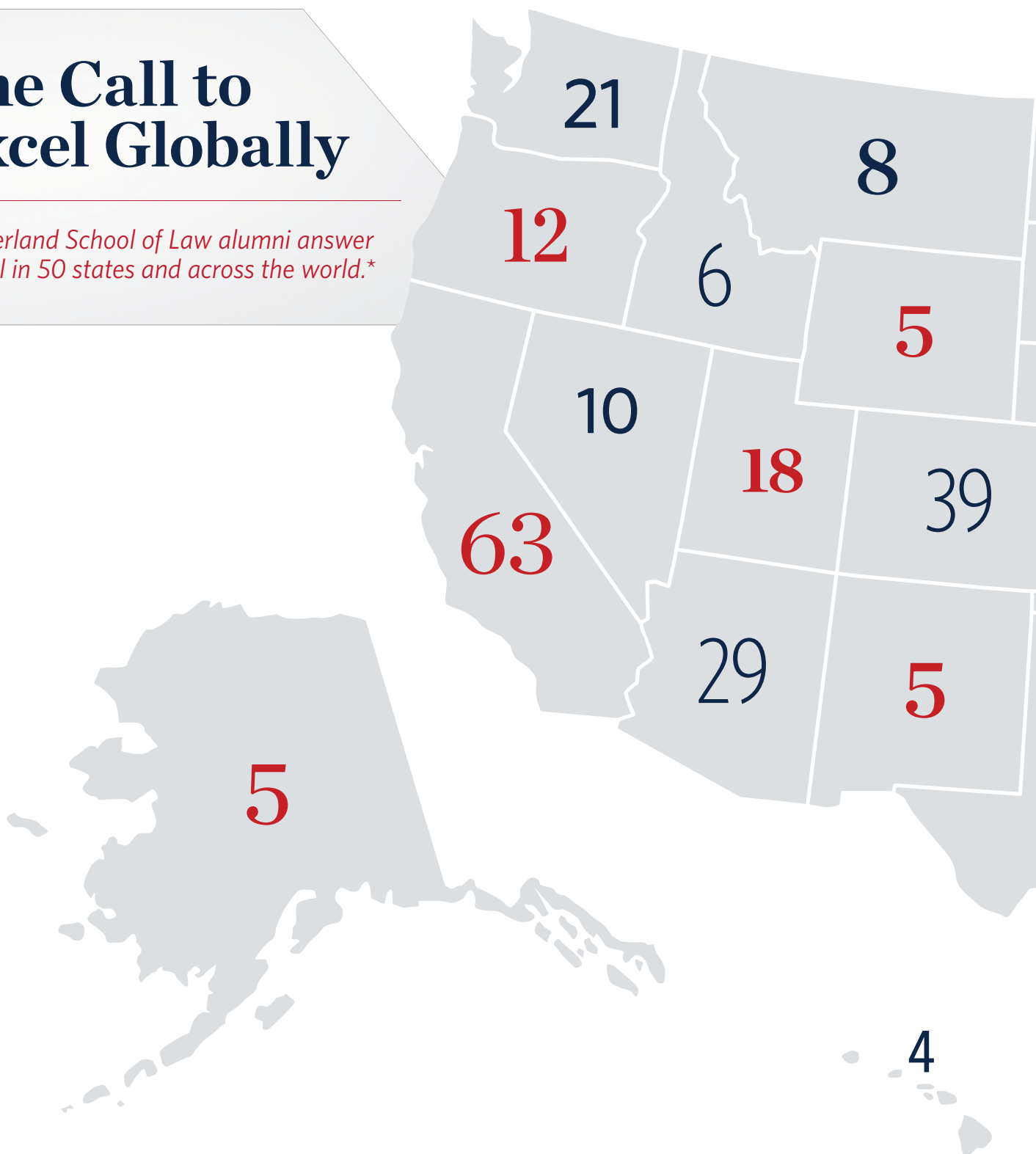
Revered and respected continues today as Cumberland’s mantra. Throughout its 175-year history, Cumberland owes its prestige to a faculty steeped in scholarship. But also, a faculty who provides an environment conducive to learning (Cumberland ranks 4th in the nation for Best Quality of Life by the Princeton Review). Indicative of this rich tradition are graduates who are not only successful practitioners, but successful practitioners who find themselves serving on the bench at every level of our judiciary throughout this country.

Reflect with me for a moment on this rich judicial history, and ask yourself who might be our third Cumberland lawyer to serve on our nation’s highest court? The question is not merely speculative, but rather, prophetic, if you ask me.

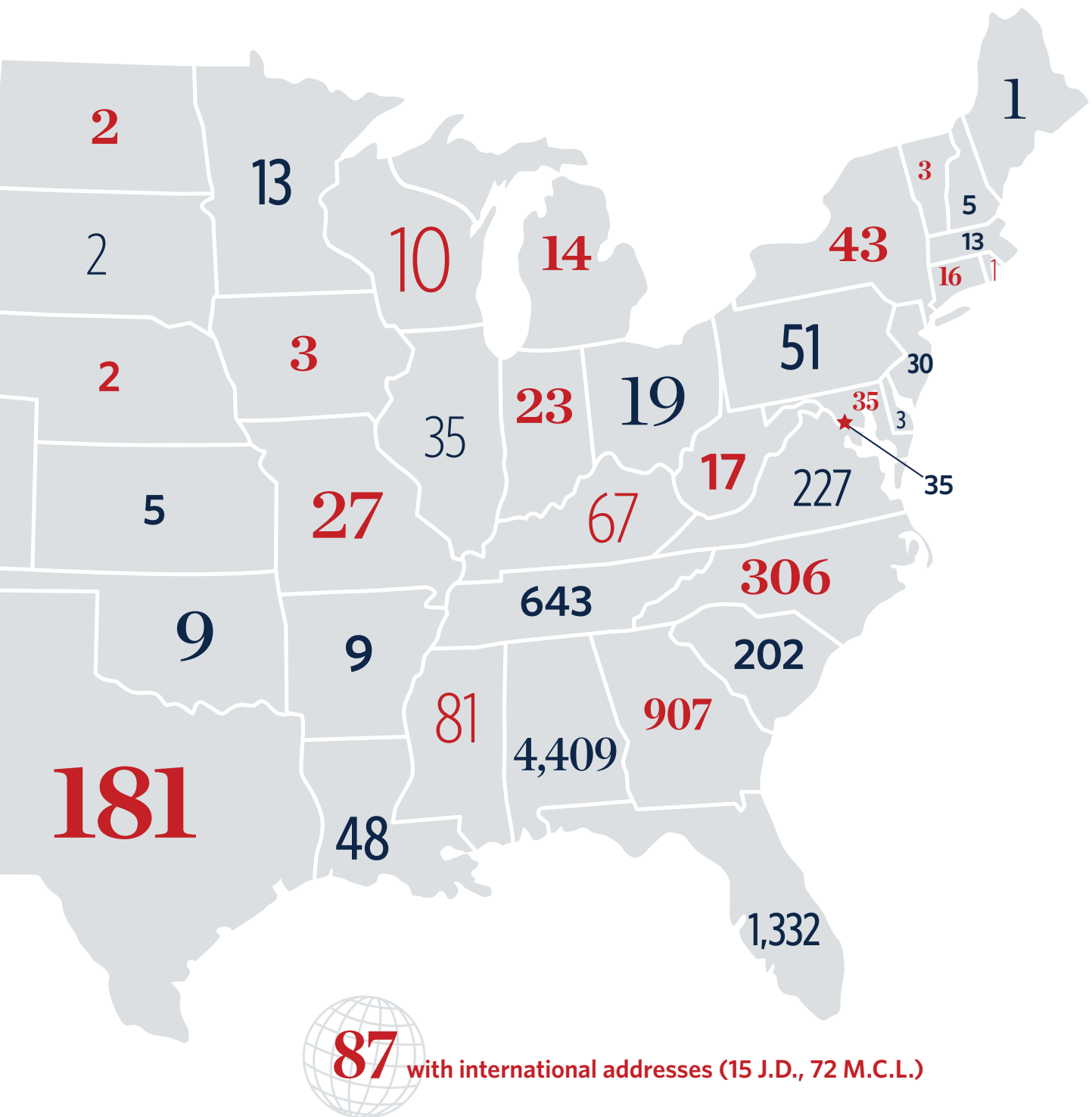
*Donald E. Corley, *Cumberland School of Law - The Decade of the Seventies*, 11 CUMB. L. REV. 251 (1980).

The Call to Excel Globally

*Cumberland School of Law alumni answer the call in 50 states and across the world.**



**Data as of January 2022. Alumni earned L.L.B. degrees through the 1960s.*



First African American Enrollee Leads the Way for Future Cumberland Students

By June Mathews

During the class of 2024's first-year orientation last August, the Cumberland School of Law welcomed the most diverse group in all its 175 years. A record 59% of the 160 incoming students were female. And notably, 24% of the newcomers belonged to historically underrepresented racial groups.

Whitney Dachelet, assistant dean for admission and enrollment management, said, "We were fortunate to have a strong applicant pool which allowed us to build a class with strong credentials that better reflects our community. We still have work to do, but we are much closer to that goal than ever before."

It was a far different story in 1967.

Back then, a young African American woman named Audrey Lattimore Gaston Howard was living in Birmingham with her husband and baby daughter.

Encouraged by her minister father to attend college, Audrey had earned a degree from Howard University in Washington, D.C. After graduation, she hoped to further her education by going to law school. She set her sights on Samford University's Cumberland School of Law, which was not only an excellent choice academically, it was also close to home.

As of 1967, no African American student had ever attended Samford University full time. With her admission to Cumberland, Audrey would be blazing a trail in a city known for its disturbing history of racial injustice. Only four years earlier, Birmingham had garnered worldwide attention following the bombing of the 16th Street Baptist Church. Four young girls had died in the blast.

Audrey would also become a savior of sorts to the law school, which faced sanctions by the American Bar Association and the Association of American Law Schools. Both organizations prohibited racial segregation at their approved law schools, and continued violation of that standard could mean a loss of accreditation.

Characterized as a quietly courageous woman by those who knew her, Audrey enrolled at Cumberland School of Law in the fall of 1967.

And to her first day of class, she brought along a new era, not only for Cumberland, but for Samford University as a whole.

In 2018, Audrey's son, the Rev. Charles Howard, Ph.D., university chaplain at the University of Pennsylvania, spoke at Samford during a commemoration of the university's 50th anniversary of integration. Howard was only 11 years old when his mother died in 1989, but remembrances shared by older relatives gave him insight into his mother's experience.

"Even though people were kind...that doesn't always translate into an affirming place," he said. "That's not a critique, but I feel like today there is more affirmation with Black students. My aunt told me they were respectful, but many still looked at her crazy."

When she earned her Juris Doctor in 1970, Audrey became the first African American to graduate from Cumberland. She soon became the first woman appointed to the U.S. Attorney's Office in the Southeast and was later appointed courts liaison adviser to the National Criminal Justice Commission. Beginning in 1975, she served as a legislative assistant to U.S. Representative John Buchanan of Alabama.

The diverse student body of today's Cumberland School of Law would have been unimaginable to the average student in her day. But to Audrey and people like her, it was a vision worth striving for, to cross hitherto forbidden lines for and sometimes to even put their lives at risk for.

Audrey once told a reporter from *The Birmingham News*, "I feel I have a debt to society, particularly the Birmingham community, and to my family and my race. I would like to be a success for them."

The diversity of Cumberland School of Law's class of 2024 is in large part thanks to Audrey's courage and willingness to cross those forbidden lines. And wherever perceived debts to society are tracked, her account is surely marked, "paid."



Audrey Lattimore Gaston Howard becomes the first African American to graduate from Samford University.

SPOTTED—

Celebrating 175!

We were excited to welcome hundreds of Cumberland lawyers back to campus and to Birmingham, Alabama, during our 175th anniversary celebration events on April 2, 2022. Thank you to Samford University President Beck A. Taylor and his wife, Julie, for welcoming graduates of both Samford and Cumberland School of Law to their home for a brunch to kick off the day's festivities. Our advisory board meeting and an open house on campus provided a chance to reminisce and our signature event that evening was a fun way to celebrate our law school community! Thank you to all who joined us—check here to see if you were spotted!











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