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Front Matter

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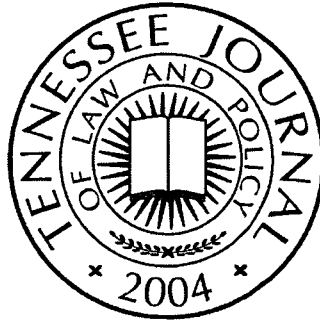
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**TENNESSEE JOURNAL OF LAW AND POLICY
SECOND ANNUAL SYMPOSIUM**

**THE TENNESSEE SUPREME COURT'S
IMPACT ON LAW AND POLICY:
CELEBRATING THE LEGACIES OF
JUSTICES ANDERSON, BIRCH, AND DROWOTA**

WELCOME AND INTRODUCTION

*Thomas C. Galligan, Jr., Dean, University of Tennessee
College of Law*

INTRODUCTION TO SYMPOSIUM

Joseph Hyder, 2005-06 Editor-in-Chief

THE COURT'S CONTRIBUTIONS TO PROFESSIONAL ETHICS,
PUBLIC CONFIDENCE IN THE JUDICIARY, AND PUBLIC
ACCESS TO THE COURTS

Kelly Randall, 2006-07 Editor-in-Chief, Moderator

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*Lance Bracy, Chief Disciplinary Counsel, Tennessee Board
of Professional Responsibility*

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Judge Richard Baumgartner, Knox County Criminal Court

COMPARATIVE FAULT: HOW THE COURT CHANGED TORT
LAW IN TENNESSEE

*Dr. Otis H. Stephens, Alumni Distinguished Service
Professor of Political Science and Resident Scholar of
Constitutional Law, University of Tennessee College of
Law*

THE JUDICIAL PERSPECTIVE

*Marshall Davidson, Staff Attorney, Tennessee Supreme
Court*

THE PLAINTIFF'S PERSPECTIVE

*John Day, Attorney, Branham & Day, P.C., Brentwood,
Tennessee*

THE DEFENDANT'S PERSPECTIVE

*Andrew Tillman, Attorney, Paine, Tarwater, Bickers &
Tillman, Knoxville, Tennessee*

TRIBUTE TO JUSTICE ANDERSON

Rodd Barckhoff, Judicial Clerk, Tennessee Supreme Court

RESPONSE OF JUSTICE ANDERSON

E. Riley Anderson, Justice, Tennessee Supreme Court

TRIBUTE TO JUSTICE BIRCH

*Raney Irwin, Assistant General Counsel, Tennessee
Department of Health*

RESPONSE OF JUSTICE BIRCH

Adolpho A. Birch, Jr., Justice, Tennessee Supreme Court

TRIBUTE TO JUSTICE DROWOTA

Lisa Rippey, Judicial Clerk, Tennessee Supreme Court

RESPONSE OF JUSTICE DROWOTA

Frank F. Drowota, III, Justice, Tennessee Supreme Court

CONCLUDING REMARKS

*Penny J. White, Associate Professor, University of
Tennessee College of Law*

ARTICLE

THE RETIREMENT OF CHIEF JUSTICE FRANK F. DROWOTA,
III: A TRIBUTE TO A LEGAL LEGEND AND ALL AROUND
NICE GUY

Lisa Rippy and Marshall Davidson

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INTRODUCTION

*Penny White*¹

When the staff of the *Tennessee Journal of Law and Policy* began to discuss a topic for their Spring 2006 Symposium, their focus quickly became the Tennessee Supreme Court. For the first time in history, three outstanding justices of longstanding tenure were announcing their upcoming retirements. As we considered the many contributions that Justices Anderson, Birch, and Drowota had made to the Court, to the profession, and to the state, the Symposium topic became obvious. What was much more difficult was trying to narrow the particular subject matters for discussion. After consulting with lawyers, judges, and law professors, the Journal staff decided on a format that would allow discussion not only of the justices' contributions but of the justices themselves. In this way, we would honor the individuals' personal and professional legacies.

Two substantive topics emerged among the many considered as symbolic of the justices lasting impact on the profession. The first was comparative fault, which we believed would generate a lively discussion of how the Court's decision in *McIntyre v. Balentine*² and its progeny had changed tort law in Tennessee. The second topic was professionalism. Specifically, the Journal wanted to highlight the leadership role the Court had played in promoting public confidence in the profession and public access to the courts through programs like SCALES (Supreme Court Advancing Legal Education for Students)

¹ Penny White is an Associate Professor at the University of Tennessee College of Law.

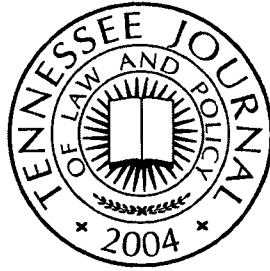
² *McIntyre v. Balentine*, 833 S.W.2d 52 (Tenn. 1992).

and Tennessee Supreme Court Rule 30, commonly known as the “Cameras in the Courtroom” rule.³

The Journal staff selected excellent representatives among the Bench and the Bar to address the two topics from a variety of perspectives. In addition, the staff invited former and current judicial clerks for each of the justices to bring a personal message about each of the honorees. The participants engaged the audience with wonderful stories, memories, and highlights of the combined eighty years of judicial service. The reactions of the in-person audience of federal and state judges, lawyers, law professors, law students, and citizens proved that the Journal staff’s intuition was right – “The Tennessee Supreme Court’s Impact on Law and Policy: Celebrating the Legacies of Justices Anderson, Birch, and Drowota” was an ideal Symposium topic.

The Journal staff brings you this Symposium edition, a near transcript of that memorable event, in the hope that you, like those present at the event, will have the opportunity to reflect upon the remarkable contributions of these three legal giants. As one of two faculty advisors to the *Tennessee Journal of Law and Policy*, I am as proud of the staff’s accomplishments with this Symposium as I was to be the former colleague of our retiring justices.

³ TENN. SUP. CT. R. 30.



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