

## Margaret Scholten Childers

It is with deep sadness and regret that we acknowledge the passing of Margaret Scholten Childers. She was a highly respected member of Alabama's legal community since her graduation, *cum laude*, from Harvard Law School in 1978. Her concerns for her community led her to a distinguished career in public service beginning with her work representing economically disadvantaged clients at Legal Services



Corporation of Alabama. Among the first attorneys hired in 1978, Margaret began as a staff attorney and contributed to the early success of the Legal Services program. She was soon promoted to senior staff attorney. At Legal Services, Margaret was much admired by her colleagues for her rigorous work ethic and scholarly knowledge of the law. She was much appreciated by her clients for the compassionate, dedicated service she rendered in every case. Margaret displayed these characteristics throughout the remainder of her career.

Margaret continued public service as an assistant attorney general for the State of Alabama. From 1988 through 1998 she worked first as legal counsel to the State Health Planning and Development Agency and then as an appellate attorney for the state in criminal legal matters. She argued numerous cases before the Alabama Court of Criminal Appeals, the Supreme Court of Alabama and the United States Court of appeals for the Eleventh Circuit. Because of her exceptional legal skills, Mrs. Childers often argued those cases involving the most complex legal issues. During this time, she also served as a mentor to younger, less experienced lawyers, teaching skilled appellate advocacy and leading by example.

While working with the attorney general, Margaret became counsel for the Alabama Judicial Inquiry Commission. Impressed with her counsel, scholarly wisdom and exemplary work ethic, the Judicial Inquiry Commission hired Mrs. Childers in 1998 as the first attorney executive director for the commission. Margaret served with dedication and distinction until her retirement in April 2007.

Margaret was a member of the Alabama State Bar, the Montgomery County Bar Association and the American Association of Judicial Disciplinary Counsel where she served as an officer and member of the board of directors. She was a nationally recognized expert, highly respected among her peers, on matters of judicial ethics and judicial disciplinary law. She served on the faculty for the American Judicature Society and the Alabama Judicial College, making numerous presentations on issues in judicial ethics.

During her tenure with the Judicial Inquiry Commission, Margaret published the quarterly *Judicial Conduct Newsletter* distributed to all the Alabama judges. She also authored a manual on judicial conduct and ethics for use by judges.

In her spare time, Margaret became an expert on administrative law. She served as chair of the Administrative Law Section of the Alabama State Bar from 1991–1992.



**MARGARET SCHOLTEN  
CHILDERS**

**JOE L. PAYNE**

**MYLAN R. ENGEL**

**MARGARET ELLEN  
THOMPSON TURNER**

# MEMORIALS

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Margaret's call to public service is also reflected in her community activities. She was a member of Friendship Force, Amnesty International and the Zonta Club of Montgomery and Zonta International, a classified service organization working toward a common goal of advancing the status of women worldwide. With Zonta, Margaret served as first vice-president and membership committee chair, and as a member of the local board of directors.

Margaret explored the world with the same intense curiosity and enthusiasm that she applied to the legal profession. Her membership in Friendship Force was an extension of this interest and an outlet for her passion for learning about, experiencing and embracing other cultures. She and her husband, Larry, traveled extensively. Margaret shared her experiences with family and friends, hosting theme parties in her home celebrating a specific country, culture or holiday. Through these gatherings, many friends experienced Margaret's love for the diversity of peoples and nations.

To those of us who had the privilege of knowing and working with Margaret, she was a fount of energy, optimism and knowledge. Like a shooting star she brightened everything she touched and made the path of life a little clearer and much smoother. She has gone all too soon. She will be missed.

—Bill Bowen,

*White Arnold Andrews & Dowd PC, Birmingham*

## Joe L. Payne

Joe L. Payne—family man, war hero, lawyer and gentleman—died September 20, 2007. He was 87 years old.

At age 16, Joe graduated from Huntsville High School as valedictorian and class president. While attending the University of Alabama, Joe was a member of Omicron Delta Kappa, Druids, Jasons, Quadrangle, Philomathic Literary Society, and Phi Eta Sigma. He served as president of Pi Kappa Alpha fraternity. He had completed one year of law school when he was called to serve in World War II and served with distinction in the Pacific theater rising to the rank of major.

Joe was awarded numerous medals for his heroic service during World War II, including the Distinguished Service Cross and the Air Medal. He joined the Air National Guard, retiring as a lieutenant colonel in 1962 after 21 years of service.

Joe completed his law degree at the University of Alabama, where he was a member of Phi Delta Phi and the Farrah Order of Jurisprudence. He was licensed to practice law February 11, 1948. His career spanned 50 years—41 as senior partner with the firm now known as Lanier Ford Shaver & Payne. His expertise in property law remains legendary in the Huntsville-Madison County Bar Association.

An active member of numerous civic and professional organizations, Joe served as president of the Huntsville-Madison County Bar Association, the Kiwanis Club, the Huntsville-Madison County Chamber of Commerce and the Huntsville Hospital Foundation Board, in addition to serving as chairman of the United Way and on the Red Cross Board of Directors.

Joe was a devoted husband to Jean Harper Payne and loving father of Joe L. Payne, Jr., Kelly C. Payne, James H. Payne, Robert Payne, and Elizabeth Payne Tucker. He was the grandfather of five.

Joe always strived for excellence and the highest standards in his private life and his profession. Considered to be a "lawyers' lawyer," he was a genuine, admired and respected man.

## Mylan R. Engel

Mylan R. Engel, a distinguished senior member of the Mobile Bar Association, died July 28, 2007 at the age of 84.

Mr. Engel was born in Summerdale July 14, 1923. After attending high school there, he went to work on his father's farm. From there, in 1944, he entered the United States Army and served with the 70<sup>th</sup>



Infantry Division in the Rhineland and Central European campaigns. He was discharged in Vienna, Austria and remained there for a while, working for the U.S. War Department. After that, he entered the University of Alabama from which he received his bachelor of science degree. He then entered the University of Alabama School of Law and graduated in January 1953.

Mr. Engel started his law practice in Mobile with Alan Weissinger, as a partner. He later practiced in the firm of Diamond, Engel & Lattof, and then with the firm of Engel, Walsh & Zoghby.

He was elected to the Alabama house of representatives in 1961, where he served for four years. After that, he was elected to the Alabama senate in which he served until 1970. While in the legislature, he was a floor leader under three governors, George Wallace, Lurleen Wallace and Albert Brewer. During his service in the house, he was chairman of the Mobile County Legislative Delegation. Under his outstanding leadership, legislation was drafted and passed which created the University of South Alabama, the USS ALABAMA Battleship Commission, the Alabama Historical Commission and the six historic districts of the City of Mobile.

He also served for 45 years as the attorney for the Mobile County Personnel Board. He was a charter member of the Board of Trustees of the University of South Alabama, and served on that board for 12 years, after which he was appointed to the University of South Alabama Foundation.

Mr. Engel was an outstanding member of the Mobile Bar Association, serving as its president and as the chair of several committees. He also served on the Alabama State Bar Board of Bar Commissioners.

Mr. Engel's true avocation was farming. He started his career working on his father's farm in Summerdale and kept up that interest all his life. He gave away most of his crops, which included corn, beans, potatoes and watermelon.

He was a lifetime Lutheran and for over 50 years was a member of Grace Lutheran Church of Mobile.

He is survived by his wife, Rositha Engel; six children, Mylan R. Engel, Jr., Mark Engel, Daniel Engel, Tommy Whitman, Carla Myers, and Bonita E. Amoneth; nine grandchildren; a brother; two sisters; and numerous nieces and nephews.

—*M. Kathleen Miller, president, Mobile Bar Association*

## Margaret Ellen Thompson Turner

Margaret Ellen Thompson Turner, a member of the Mobile Bar Association, died March 31, 2007.

She was born in Mobile and was a lifelong resident of the city. She graduated from the University of South Alabama in 1987, *magna cum laude*, and received her law degree from the University of Alabama School of Law in 1990. In 1987, she was awarded the Johnstone, Adams, Bailey, Gordon & Harris scholarship for academic excellence.

Mrs. Turner practiced law with the capable assistance of her six children and her husband. Her law practice focused on domestic and family law and she represented her clients well. She accommodated her clients in ways great and small and truly her efforts were above and beyond the call of duty. She had the ability to find the good in all people and her law practice demonstrated that belief.

She was a devout Catholic and lived the ideals and tenets of the Catholic Church in all aspects of her daily life. At the time of her death, she was a member of St. Joseph's Catholic Church.

Mrs. Turner is survived by her husband of 35 years, Stanley Turner; four daughters, Virginia Miller, Anne Turner, Angela Turner and Mary Turner; and two sons, Robert Turner and William Turner. She was well known to all as a loving mother and wife, passing on to her family her kind and humorous disposition.

—*M. Kathleen Miller, president, Mobile Bar Association*

# MEMORIALS

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**Aaron, Charles Oliver**

Lanett  
Admitted: 1957  
Died: April 15, 2007

**Carr, Jack Durward**

Montgomery  
Admitted: 1948  
Died: November 30, 2007

**Crow, Warren Baker III**

Birmingham  
Admitted: 1955  
Died: December 12, 2007

**Crowe, Rae Maurice**

Mobile  
Admitted: 1954  
Died: November 24, 2007

**Dorrough, Richard Henry, Hon.**

Montgomery  
Admitted: 1970  
Died: December 19, 2007

**Engel, Mylan Robert, Sr.**

Mobile  
Admitted: 1953  
Died: July 28, 2007

**Fancher, Derrell Otis**

Clanton  
Admitted: 1993  
Died: November 28, 2007

**Fernandez-Casablanca, Manuel**

Odenville  
Admitted: 2002  
Died: October, 2007

**Ferrell, Kathryn Dananne**

Foley  
Admitted: 1987  
Died: November 30, 2007

**Gardner, William Fenwick**

Birmingham  
Admitted: 1959  
Died: May 15, 2007

**Grenier, John Edward**

Birmingham  
Admitted: 1959  
Died: November 6, 2007

**Ingrum, Charles Mack**

Opelika  
Admitted: 1967  
Died: December 22, 2007

**Jackson, William Arthur, Hon.**

Birmingham  
Admitted: 1961  
Died: June 19, 2007

**Langdon, Olive Bailey**

Birmingham  
Admitted: 1950  
Died: January 24, 2007

**Najjar, Charles Joseph, Hon.**

Birmingham  
Admitted: 1958  
Died: September 30, 2007

**Norris, Palmer Whitten**

Gardendale  
Admitted: 1963  
Died: October 24, 2007

**Wylie, David Royce**

Greenville, SC  
Admitted: 1977  
Died: April 10, 2007

## NOTICE – Missing Will

Herbert H. McClellan of 11325 Chicamauga Trail SE, Huntsville 35803 died September 22, 2007. If anyone has knowledge of a will he had drawn after the date of January 14, 2000, please contact his son, Mark McClellan, at the address below.

1124 Berwick Road  
Birmingham, Alabama 35242-7120  
(205) 991-1852