

BEFORE THE COURT OF THE JUDICIARY



In the Matter of M. John *
Steensland, Jr., retired *
inactive and former * Court of the Judiciary
District Judge of Houston *
County in the Twentieth * Case No. 39
Judicial District of *
Alabama *

MOTION TO SUPPLEMENT THE RECORD

Comes Retired Inactive and Former Judge M. John Steensland, Jr. and moves the Court of the Judiciary to supplement the record now on file with the Alabama Supreme Court in its Case No. 1100985 with the the attached notice from the Alabama State Bar that it has elected to invoke its jurisdiction over him and over the dispute that is the subject of his appeal, as follows:

1. Appellant contends on this appeal, via a brief filed contemporaneously with a parallel motion in the Alabama Supreme Court, that the Alabama Judicial Inquiry Commission and the Alabama Court of the Judiciary proceeded against him in its Case No. 39 without jurisdiction so to do.

2. Appellant asserts that *Johnson v. Board of Control of the Employees' Retirement System of Alabama*, 740 So.2d 999 (Ala. 1999) and *Ex Parte Alabama State Bar*, 3 So.3d 178 (Ala. 2008) hold that exclusive jurisdiction over him as a "retired inactive judge" and "former judge," and over the charges made against him by the Alabama Judicial Inquiry Commission in Case No. 39 in the Court of the Judiciary was conferred upon the Alabama State Bar, not the Alabama Judicial Inquiry Commission or the Court of the Judiciary.

2. Appellant received, within the week, the State Bar investigation notice that is attached hereto and made a part hereof as Exhibit A.

3. Appellant contends Exhibit A proves that the state administrative agency that he contends had exclusive jurisdiction over him as a "retired inactive" judge" and "former judge" has now been invoked, in keeping with the Alabama Supreme Court's *Johnson* and *Ex Parte Alabama State Bar* decisions, *supra*, and that it

was not possible to make this fact a part of the record below when it was filed with this Court because the Alabama State Bar did not elect to invoke its jurisdiction over him and over the subject matter of this appeal until August 11, 2011.

Wherefore, Retired and Former District Judge M. John Steensland, Jr., moves the Court of the Judiciary to allow the record on appeal in this action to be supplemented with the notice that appears as Exhibit A hereto, the same being evidence of jurisdiction that is appropriately invoked over him and the charges brought against him by the Alabama State Bar, and evidence that the Court of the Judiciary and the Alabama Judicial Inquiry Commission lacked jurisdiction over him, and over the charges made against him, in its Case No. 39.

Respectfully submitted,

S/William J. Baxley

William J. Baxley BAX001

S/Joel E. Dillard

Joel E. Dillard DIL005

Attorneys for Retired and Former
Judge M. John Steensland, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of August, 2011, a copy of the above and foregoing motion to supplement the record has been filed with the Clerk of the Judiciary, the Honorable John H. Wilkerson, Jr., by email transmission to "coj@appellate.state.al.us." and by paper copy by First Class U.S. Mail, also to him at Post Office Box 301555, Montgomery, Alabama 36130-1555, and I have similarly served a copy upon opposing counsel, Richard E. Trewhella, Jr., Attorney for the Alabama Judicial Inquiry Commission, by email transmission to "rtrewhella@carallision.com" and by First Class U.S. Mail to him at 100 Vestavia Parkway, Birmingham, Alabama 35216.

s/Joel E. Dillard
Joel E. Dillard DIL005
Of Counsel

EXHIBIT A



ALABAMA STATE BAR
THE DISCIPLINARY COMMISSION
TELEPHONE 334-269-1515
P.O. BOX 671

FAX: 334/261-6311

August 11, 2011

DELIVERY ADDRESS
415 DEXTER AVENUE
MONTGOMERY, AL 36104

Mr. Maurice John Steensland, Jr.
Attorney at Law
661 W. Main Street
Dothan, AL 36301-1557

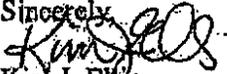
RE: ASB 2011-1337

Dear Mr. Steensland:

Enclosed is a copy of the Final Judgment and Public Censure that was issued by the Court of the Judiciary on or about May 2, 2011. No aspect of this matter has been prejudged, but the Disciplinary Commission has adopted the policy that lawyers are entitled to be informed of Bar investigations and allowed to respond in writing. We have opened a file, numbered as above, and have referred the matter to an investigator with the Office of General Counsel. They will, in turn, forward a recommendation to the Disciplinary Commission. The Disciplinary Commission will then have an opportunity to make a determination as to disposition of the complaint.

Rule 12(a)(3), Alabama Rules of Disciplinary Procedure, requires a lawyer against whom a formal disciplinary or investigative file has been opened to notify his or her current law firm by notifying the managing partner, senior partner, executive committee, or management committee. A copy of this notice shall be provided within fifteen (15) days from the date of this letter to this office.

Please review the Final Judgment and Public Censure and, within fourteen (14) days from the date of this letter, provide us with your written response. In providing a written response, please state and explain whether you dispute the factual findings of the Court and, if so, why. Your response should be directed to Ms. Dianne Gray, Investigator in the Office of General Counsel. We appreciate your cooperation with the Disciplinary Commission.

Sincerely,

Kim J. Blits

For the Office of General Counsel

Enclosure

RULE 30. ALABAMA RULES OF DISCIPLINARY PROCEDURE OF THE ALABAMA STATE BAR, ADOPTED BY THE SUPREME COURT OF ALABAMA, PROVIDES THAT ALL DISCIPLINARY PROCEEDINGS SHALL REMAIN CONFIDENTIAL UNTIL A PLEA OF GUILTY OR THE DISCIPLINARY BOARD OR DISCIPLINARY COMMISSION MAKES A FINDING OF GUILT.