

Eminent distinction

Hernando lawyer fights for property owners' rights

By Wayne Risher
Contact

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Hernando lawyer Paul Scott takes no particular joy in hearing about a new road, bridge or gas pipeline coming through someone's property.

But odds are good Scott will be in the mix when landowners shop for legal representation in hopes of a bigger payday.

Scott is the only Mississippi attorney in the field of eminent domain and condemnation law in The Best Lawyers in America's 2007 directory.

He represents the state on the Owners' Counsel of America, a network of lawyers who specialize in taking the owner's side in condemnation proceedings.

The only other DeSoto lawyer in the directory and its Web site, best lawyers.com, is Gerald W. Chatham, who is listed for criminal defense (white collar and non-white collar) and personal injury litigation.

Lawyers have to be nominated through a peer review process by people who are already listed.

As obvious as it sounded, Scott offered a piece of free legal advice to anyone facing property loss or damages from a project touted as being for the public good.

"I hope they understand they don't have to take the first offer," he said.

"I don't think the people in Jackson realize how valuable things can be in DeSoto County," Scott said.

Scott, 50, a county native, spoke from the experience of having represented both sides in epic struggles pitting private property rights against the greater, public good.

Not long out of University of Mississippi law school in the 1980s, he represented the highway department in condemnation cases.

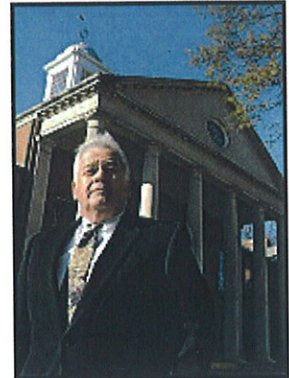
He switched sides after private landowners wanted his services more than the highway department did.

"I found that I enjoyed that better," Scott said. "When you're doing something where you're helping people, rather than a project, it's more fun to do."

The 1999-2000 president of the Mississippi Trial Lawyers Association, Scott joined the law practice of Col. W. E. Wilroy in 1981. He affiliated in the early 1990s with a Batesville firm now known as Smith Phillips Mitchell Scott & Nowak.

Scott kept Wilroy's law office at 2545 Caffey Street on the courthouse square and restored it several years ago.

Scott represented owners of Blue Lake Springs when Interstate 69 lopped off part of their western DeSoto County development. He represented owners affected by Tunica's airport expansion and widening of Miss. 305 for FedEx in Olive



Grant Ellis
Special to The
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Paul Scott, recently named one of the top 100 lawyers in America, is more inclined toward people than projects. He's standing outside of the Hernando Courthouse.

Branch.

In July, he won a jury verdict awarding a client nearly three times the state's offer for property taken for the new Bay St. Louis Bridge in Harrison County. The client, Penny Rodrigue, operated a fireworks stand before the old bridge was knocked out by Hurricane Katrina.

Richard Warden, an Olive Branch resident, hired Scott to represent him when the state took some of his land for Miss. 305.

"He did a great job," Warden said. "He really knows his business. I was told he was the best in the business by an appraiser."

Scott, working with appraiser Bill Sexton, took the case to trial and won substantially more than the state offered.

Scott said he's intrigued by natural gas companies' proposals to build pipelines through three corridors in Mississippi, including DeSoto County. Utilities have the ability to take property through eminent domain if the projects are approved by state and federal regulators.

Mississippi law is strongly protective of private-property rights, Scott said. He thinks it would be difficult for a gas company to prove a pipeline project would benefit the public if it's carrying gas to other states or regions.

Scott is married to Susan Scott, a nurse practitioner at Baxter Clinic, and they have two daughters, Allison, a senior at Ole Miss, and Katelyn, a sophomore at Ole Miss. They live in the Nesbit area.

Scott is a member of Bakers Chapel United Methodist Church and serves on boards of Historic DeSoto Museum Foundation and Kudzu Playhouse.

His father, Morris Lee Scott, was a representative in the Mississippi Legislature and worked as a parole officer and member of the state parole board. His mother, Mildred, was a teacher at Horn Lake High School.

Scott said his main hobby is work, but he does find time to root for the Ole Miss Rebels.

"I guess that's the closest thing I have to a hobby," he said.

He has a collection of more than 500 football programs, which can be viewed on the Internet at www.olemissgameprograms.com. The oldest is a 1927 Ole Miss vs. Tulane program.

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