



Mark T. Waggoner

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Biographical Information

Mark T. Waggoner is the Chair of the Firm's Employment and Labor Practice Group. Mark argued the position of respondent, Dr. Steve Franks, before the United States Supreme Court in *Lane v. Franks* (134 S. Ct. 2369) on April 28, 2014. He has significant experience in most types of civil litigation, but his emphasis is in the fields of employment law (with an emphasis in constitutional law in public sector and higher education employment) and environmental law. He represents management in all aspects of workplace statutory compliance, employment discrimination charges and litigation, employment contracts, personnel policies and procedures, and workplace drug testing. He served as Hearing Officer for Jefferson County Personnel Board.

Mark is a frequent speaker to various groups regarding employment issues. He is a member of the Defense Research Institute and is on the steering committee of DRI's Employment Law Committee. He has also been appointed to serve as an Administrative Law Judge in health care facility permitting matters before the Certificate of Need Review Board, State Health Planning and Development Agency. Mark has served as a First Amendment Free Speech subject matter expert for Colleges and other post-secondary institutions.

Mark's environmental law experience includes administrative permitting proceedings and appeals before the Alabama Department of Environmental Management and litigation concerning Clean Water Act and Solid Waste Act compliance. Mark served as chair of the Environmental and Natural Resources Law Section of the Alabama State Bar, 2007-2008. He was

appointed by Alabama Governor Bob Riley to serve on the board of the Red Mountain Greenway and Recreational Area Commission.

He has been appointed to serve as Deputy Attorney General to handle numerous litigation matters for the State of Alabama and its agencies for more than 20 years.

After graduation from law school, Mark served as Legislative Assistant to United States Senator Jeremiah Denton; in the Office of the General Counsel, U.S. Department of Energy; and as Special Assistant to the Assistant Secretary for Legislative, Intergovernmental and Public Affairs, U. S. Department of Energy.

Admissions

- Alabama State Bar, 1986
- District of Columbia, 1988

Education

- J.D., Cumberland School of Law, 1986
- B.A., Auburn University, 1982

Additional Information

Civic and Professional Affiliations

- Alabama State Bar Lawyer Assistance Program Committee (2010–2017, Chair 2015–2016)
- Board of Editors of The Alabama Lawyer, 2008–2010 (Article Subcommittee Chair 2009 and 2010)
- Birmingham Bar Association (Member of Grievance Committee, 2001–2004)
- Alabama State Bar Environmental and Natural Resources Law Section (Chair 2007–2008)
- Defense Research Institute, Employment and Labor Law Section Steering Committee
- Board of Trustees for the National Multiple Sclerosis Society-Alabama Chapter (Chair 2007–2008)
- Mountain Brook Athletics Association-Boys Basketball Grade Commissioner (2000–2006)
- PreSchool Partners (Board Member 2010–2015)
- Red Mountain Park Commission (2006–Present)
- St. Luke's Church (Episcopal) Vestry Member (2016–2019)

Publications and Presentations

- "12 Things I've Learned...appearing before the United States Supreme Court," Portico Mountain Brook, Summer 2016.

- Guest Lecturer –University of Alabama School of Law on the Governmental Immunity Doctrine, October 2015.
- “Preparing for Oral Argument–from the Trial Court to the Supreme Court,” with Arizona Supreme Court Justice Rebecca White Berch. DRI Employment and Labor Law Seminar, Scottsdale, Arizona, May 8, 2015
- “Surprise – Cert Has Been Granted! Arguing Before the Supreme Court of the U.S.” Birmingham Bar Association, July 24, 2015
- “Lane v. Franks – Employee Protected Speech,” Alabama Association of Municipal Attorneys Spring Municipal Law Conference, Florence, Alabama, April 18, 2015
- “Supreme Court Update,” November 6, 2014, Southeastern Business Law Institute
- “Lane v. Franks – Surprise: Your Petition For Cert Has Been Granted,” October 10, 2014, Alabama State Bar Labor and Employment Law Section Seminar, Orange Beach, Alabama

Awards

- Martindale-Hubbell® AV Preeminent™ for over 15 years



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