Forty years out of law school and still practicing . . . yes, practicing and never perfect. When emerging from law school, I felt fairly flush with knowledge and the ability to research the vast majority of things I did not know. But what I truly did not know was the value of discernment, experience and relationships.

Practicing in a small firm at first, I had to do a multitude of things but I had the leeway to file my own pleadings, do my own research and start trying cases early on. It was quite a shocker to me to realize how differently I was treated in my hometown before judges who I grew to know quickly versus traveling, even to nearby parishes, to try cases in unfamiliar circumstances. Learning to keep my mouth shut when I felt like someone was taking advantage of a young lawyer or taking liberties because of their familiarity with the court and personnel where they practiced more frequently. I failed to take into account that I probably received breaks and the benefit of the doubt in my home jurisdiction that were not accorded to out-of-parish counsel, so I tried to discern what was important and what was not toward advancing the interests of my client. My feelings might be collateral damage, but ultimately I had to learn to push through my feelings toward the best interest of those hiring me. A couple of examples follow.

Arriving at a judge’s courtroom on time for an argument, opposing counsel and I waited over an hour for the judge to arrive. When he did finally show up, he asked the court reporter to start transcribing immediately and proceeded to fine himself $250 for being late to court. He stated on the record that he stayed late hunting in his deer stand, forgot his watch, and got to court late. Following this interesting procedure, he went off the record and apologized profusely to everyone in the courtroom. My obvious lesson learned quickly was never to be late, particularly for that judge’s courtroom, because if he was willing to fine himself more than a token amount, there is no telling what would have happened to me and my clients’ interests if I was untimely.

In another situation, I went for an argument in a neighboring parish and we were to appear in chambers before entering the courtroom. When I walked into the judge’s chambers, my opposing counsel was sitting in the judge’s office chair with his cowboy boots up on the judge’s desk and the judge sitting in front of his own desk in one of the “client” chairs. Shocked at first, I got my bearings and then sat down in the other client chair and realized that I was going to be sitting right next to the judge where he could closely view my demeanor and candor while opposing counsel was on the other side of his desk. I felt a little better about the situation, but later during the trial, the judge allowed evidence by my opposing counsel but sustained an objection when I tried to introduce similar evidence. Stunned, I’m sure the clerk of court saw my mouth drop, and before I could say anything, the clerk of court stood up from his seated position at the base of the judge’s bench, turned around to look the judge in the face, and said, “This morning you allowed similar evidence from opposing counsel.” The judge gaveled a 10-minute recess, and when we returned, he allowed my evidence.
Another hunting incident occurred when I showed up for trial one day in a neighboring parish and opposing counsel did not appear. I asked the judge if he wanted to grant a continuance since I was putting on a creditor’s case, and the judge said no, opposing counsel had agreed to the trial date and nothing had been heard from him so the trial would go forward. After several hours of putting on testimony, the judge granted a judgment in my favor, and I had the judge sign a pre-prepared judgment since I was fairly confident before the matter began. As I approached the bench to have the judgment signed, opposing counsel sauntered into the courtroom and said that he was late because he was hunting. The judge asked us into his chambers. Opposing counsel asked for a new trial which the judge granted, and then the judge admitted all of the evidence I had presented during the “first trial” and would not allow opposing counsel to object or put on any evidence of his own. Obviously the previous judgment stood.

For any of us who have been practicing a while, we have seen strange, and sometimes unfair, things happen. But I have found that withholding outrage or an insistence on the strict letter of the law many times has ultimately worked to my favor. Discernment is not particularly easy to teach in law school.

A history major in college, I have always been interested in stories and accounts of events as recorded and perceived by different people. Like the proverbial camp side story, a few short sentences uttered to the first person in a circle can be vastly altered by the time they work their way back to the original storyteller. Nevertheless, I am a tremendous fan of mentoring and imparting our “wisdom” to successive generations of lawyers. We take recorded histories from our “senior” lawyers and make those accounts available to others, particularly young lawyers in the Shreveport Bar who might have an interest in history and an interest in learning how, and how not, to act as a lawyer. Early in my life, one of my grandfathers was a particularly good storyteller, and I have recognized the value of storytelling for as long as I can remember. Our state bar association does a fairly good job of memorializing some lawyers and judges so that we can learn from the experiences of our peers and forebears.

I never cease to be enlightened by the energy and confidence of the upcoming generation and sincerely hope that each of us will make time in our busy schedules to mentor, train and sometimes endure younger lawyers. As my grandmother once said, you need to have friends from ages 2 to 92 because getting caught in a rut with the same folks keeps our viewpoint narrow and leads to less interesting lives than we can have by opening ourselves up to new challenges. Fortunately, I do view life fairly optimistically, so when a particularly hard blow hits me, I am usually able to regain my balance with the help and understanding of friends and family.

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