

# IN CHAMBERS

Official Publication of The Texas Center for the Judiciary, Inc., P.O. Box 12487, Capitol Station Austin, Texas 78711

Vol. 9, No. 6

November, 1982

## Clawson, Cornelius Elected at El Paso



*Judge J. F. Clawson, Jr.*

James F. Clawson, Jr., judge of the 169th District Court, Belton, was elevated to the chairmanship of the Judicial Section, State Bar of Texas, at the annual Judicial Section Conference at El Paso, September 28-December 1.

William J. Cornelius, Chief Justice, 6th Court of Appeals, Texarkana, was elected chairman-elect.

Charles W. Barrow, Supreme Court, Austin; Neel Richardson, County Criminal Court at Law #8, Houston; and Curt Steib, 119th District Court, San Angelo, were elected to three-year terms on the Executive Committee, succeeding Presiding Judge John F. Onion, Jr., Court of Criminal Appeals; Judges Barbara Culver, Midland; and Richard Dambold of Amarillo. Judge Tom G. Davis remains on the Executive Committee as immediate past chairman of the Section.

New members of the Board of Directors of the Texas Center for the Judiciary, Inc., are District Judges Barbara Culver, Midland; Patricia Lykos, Houston; and B.B. Schraub, Seguin, replacing Justice James K. Allen, Dallas; the late Justice James G. Denton; and Judge Thomas J. Stovall, Jr., Houston.

The new Center directors were elected to three-year terms.

Officers of the Center's Board for 1982-83 are Judge Clawson, Chairman;

Justice Cornelius, Vice-Chairman; and Judge Davis, Secretary-Treasurer. These positions and the individuals who fill the offices are specified in the Center's by-laws.

Some 350 judges and their spouses — a total attendance of some 650, the largest attendance in the conference's history — attended the meeting.

"The Judicial Section Conference is of significance," said Section Chairman Tom G. Davis, "because it represents the only time all of the state's Appellate, District and County Court at Law judges come together to discuss matters of mutual interest and importance."

An important topic of discussion at this year's conference was the status of the Texas appellate courts one year after their expansion to include criminal jurisdiction.

Joe R. Greenhill, who at the time was chief justice of the Supreme Court, was unable to attend because of the illness of Mrs. Greenhill, but his prepared speech was delivered by Chief Justice Paul W. Nye, Corpus Christi Court of Appeals. Presiding Judge John F. Onion, Jr., also shared top billing in the discussion, which was titled "The Creation of Courts of Appeals: One Year Later."

*continued on page 2*

## Texas' Oldest Judge Dies at 94

At age 94, Sam Blakely Hall, Sr., was the oldest living former district judge in Texas. He died last month, leaving behind indelible memories of both his personal style and professional career.

"I think one of his strongest suits would be when he was sentencing a man," Congressman Sam Hall, Jr., of Marshall, said of his father. "He would try his best during the procedure to help the man. He could wither the strongest person when he was standing before him, but in such a way that the man left there with no real animosity."

Congressman Hall, the eldest of two children surviving Judge Hall, said he still has people tell him the unforgettable lectures they received from his father made better people out of them.

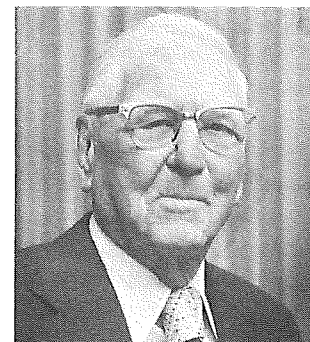
Judge Hall is also survived by his wife of 59 years, Valerie Curtis Hall, and five grandchildren and two great-grandchildren.

Hall was first elected to his county bench seat in 1948. That was the first of

many election victories that allowed him to serve terms totaling 20 years as 71st District Judge — the longest term on that trial bench.

Born four miles northwest of Hallsville, Judge Hall was one of eight boys and three girls. Hall received his education in Hallsville public schools and at the University of Texas. He taught school for five years and studied law at home at night. He took the bar exam Oct. 15, 1913, but

*Continued on pg. 6*



*Judge Sam Blakely Hall, Sr.;  
Sept. 12, 1888 - Oct. 16, 1982*

# Eighth Annual Texas College Held

The eighth annual Texas College of the Judiciary will be held November 28-December 3, 1982, in the Criminal Justice Center on the campus of Sam Houston State University, Huntsville, Texas.

The College begins Sunday with registration in the lobby of the University Hotel between 3:00-5:00 PM, with a reception and dinner following, and will adjourn at noon on Friday. Lodging will be provided at the University Hotel, which adjoins the Criminal Justice Center, but will not open until 1:00 PM, Sunday, due to the Thanksgiving holidays.

Thursday night's banquet will feature Judge Truman Roberts, Court of Criminal Appeals, who is retiring at the close of this term after serving 21 years as a Texas judge, the last 12 on the Court of Criminal Appeals. Retiring Supreme Court Justice Jack Pope will also speak during Friday's session.

During opening ceremonies, Monday, November 29, Judge Max Rogers, Presiding judge, 2nd Administrative District, Huntsville, will offer welcoming

remarks, followed by Judge James F. Clawson, Jr., Chairman of the Board, Texas Center for the Judiciary, Inc. and Chairman of the Judicial Section.

Other faculty members include Judge Tom G. Davis, Austin; former Justice Zollie Steakley, Austin; Justice Charles W. Barrow, Austin; Justice Ted Z. Robertson, Dallas; Judge Carl E.F. Dally, Austin; Judge Sam Houston Clinton, Austin; former Chief Justice Bert H. Tunks, Houston; Judge Herman Jones, Austin; Judge Thomas A. Thomas, Beaumont; Chief Justice Charles L. Reynolds, Amarillo; Justice Shirley W. Butts, San Antonio; Justice Richard N. Countiss, Amarillo; Judge Larry Gist, Beaumont; Justice John T. Boyd, Amarillo; Judge Leon Douglas, Austin; Judge Thomas B. Thorpe, Dallas; Judge Thomas J. Stovall, Jr., Houston; Judge William N. Blanton, Jr., Houston; Justice James K. Allen, Dallas; Chief Justice William J. Cornelius, Texarkana; Justice Earl W. Smith, Austin; Judge Robert C. Wright, Lubbock; Judge B. B. Schraub, Seguin; Justice Quentin Keith, Beaumont; and Jack H. Dillard, Austin.



*Judge Truman Roberts will deliver the keynote address for the Texas College of the Judiciary at the Thursday night banquet.*

The Texas College of the Judiciary is perhaps the most ambitious project of the Center, utilizing more than 20 veteran judges as faculty members, and has since 1974, instructed over 175 new judges. This year's attendance is expected to exceed 50 new judges.

After this session of the Texas College of the Judiciary, the College will be known as the Texas College for New Judges, part of a new reorganization plan to better meet the expected increase in judicial education and training requirements.

In recent years several states have made judicial education mandatory, and in October, a Texas Legislative Committee recommended the same for Texas judges.

To further facilitate the Texas Center in providing judicial training, the Center's Board of Directors established the Texas Judicial College, which will make regional conferences available to all judges in Texas, as well as provide all County Court at Law judges, District and Appellate judges the opportunity to attend a seminar of the Texas Judicial College.

Texas has been divided into five regions, each to be administered by associate deans who are appointed by the Dean of the Judicial College, Justice Claude Williams, Dallas, Northeast Texas; Justice Walter Jordan, Fort Worth, Central Texas; Judge Jack Blackmon, Corpus Christi, South Texas; Judge Robert C. Wright, Lubbock, West Texas; and Judge Pete Solito, Houston, Southeast Texas.

Jack H. Dillard was named President of the Texas Judicial College and Charles E. Nay, registrar.

## Judicial Section Conference

*continued from page 1*

Chief Justice Clarence Guittard, Dallas; Chief Justice William J. Cornelius, Texarkana; and Justice Nye also participated in the discussion.

Chief Justice Greenhill said, "with the present system, we have the potential for a greatly improved appellate procedure.

"Several Courts of Appeals are already current with Criminal Appeals, and the number of defendants who do not appeal has substantially decreased," Greenhill pointed out.

Greenhill emphasized, "It is evident the present system, however well designed, is not working nearly as well as it should because the Legislature did not give the Courts the tools they need."

University of Texas at El Paso President Haskell Monroe was the inspirational breakfast speaker. El Paso Mayor Jonathan W. Rogers and El Paso Bar Association President Raymond Caballero delivered welcoming remarks at opening ceremonies.

Speakers on Wednesday, September 29, included Blake Tartt, President-Elect, State Bar of Texas; Edward Coultas, Executive Director, State Bar of Texas; Orrin Johnson, President, State Bar of

Texas; and Leon Metz, Assistant to the President, University of Texas at El Paso.

Judge Charles Moylan, Special Court of Appeals, Baltimore, Maryland, delivered lectures on search and seizure and the history of evidence Wednesday afternoon and Thursday morning. Thursday afternoon's program was devoted to an overview of alcohol, alcoholism, and other mind-altering drugs, presented by Dr. Tom Pepper, an associate professor in the Department of Behavioral Medicine and Psychiatry, West Virginia University.



*Judge William J. Cornelius is the new Chairman-Elect for the Judicial Section of the State Bar.*

# Dillard Takes Aim at Federal Judiciary

Jack H. Dillard, executive director of the Texas Center for the Judiciary, in a speech on October 8 before new graduates of the Texas Department of Public Safety, their families and friends at DPS headquarters in Austin, accused the federal judiciary with flaunting the will of the people of America and adding to crime's upsurge by preventing execution of criminals who have been convicted of hideous, sadistic murders in connection with other crimes, many of them multi-murders.

"Thirty-eight states now have a death penalty — some just recently put on the books — and it's time some of these criminals, whose state appeals were long since exhausted, begin to fear the death penalty," Dillard charged.

"Throughout the nation today, the primary national concern is the increasing crime rate and the alarming decline in respect for the law, the rights and property of others," Dillard said.

"As crime mounts, as hoodlums shoot down law enforcement officers, the bleeding hearts continue to piously proclaim the death penalty doesn't deter crime. I don't believe it. Look at Texas. We've spared the needle and retired Old Sparkey since 1964 and murders and violent crimes mount each day.

"It's long past the time for the U.S. Supreme Court and the federal judiciary, who continue to stay these executions, to get out of the business of the 50 states."

Dillard observed that, by and large, criminal courts do an effective job of

separating the guilty from the innocent; most of those who should be convicted are convicted, and most of those who should be punished are punished.

"There are times of course," Dillard pointed out, "when seemingly guilty suspects do go free — not because prosecutor's hands are tied or because judges are soft, but because guilt cannot be proven. When charges are dropped or defendants are acquitted, it usually is for a compelling reason — because the victim refuses to press charges, because a key witness declines to cooperate, or because the prosecutor lacks evidence needed to sustain a conviction."

"The general public is quick to blame the courts, judges and prosecutors for the condition of criminal justice in America — and most of the time unjustly," Dillard said.

"The simple fact is that this nation was founded on the bedrock of freedom and justice for all. The founding fathers envisioned a government wherein 97, 98, 99 percent of the citizens were law-abiding, God-fearing people.

"When we fall to the point where 10 percent or more of the population has no respect for the law, we're in trouble — and we are today."

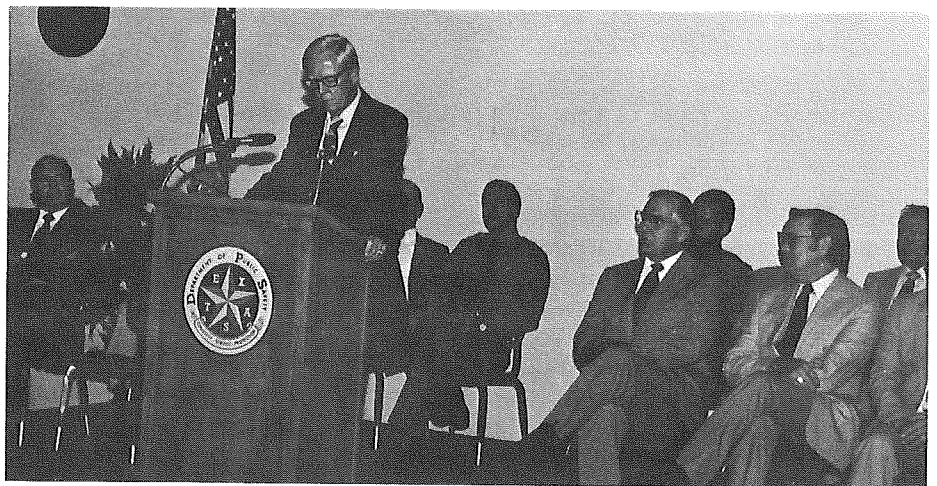
Dillard emphasized that free self-government is possible only in a society where an overwhelming majority of the people are willing to govern themselves individually. "If a substantial minority of the people are not willing to voluntarily

comply with the law and are hostile to the government, the government can then exist only as a totalitarian state with enough police to compel compliance with the law. Russia, Poland, Iran, Cuba and even the South American dictatorships have no problem with law and order."

Dillard argued that the primary reason for the dramatic increase in crime can be attributed to the decline in the influence of religion and the resulting loss of moral values in American society. "The average American does not commit murder, robbery, theft, rape, and arson because of his religious motivation, his obligation to God, and his Judeo-Christian concern for his fellow man. Remove the influence of religion and we have law and order only with a police state with a large law enforcement army with almost unlimited power.

"I also submit to you," he added, "that crimes committed in these United States, in most instances, are not perpetuated by the needy, but by the greedy — burglaries, robberies, muggings, murders motivated by greed, many in order to feed a drug habit."

Dillard stated that last year the nation experienced a record 13.7 percent increase in its prison population. The number of State and Federal prisoners is well over 390,000, and as of October 7, Texas prison population was 35,191, largest in the nation.



*New graduates of the Texas Department of Public Safety listen intently to Jack H.*

*Dillard, executive director of the Texas Center for the Judiciary, criticize the federal judiciary.*



Texas Center for the Judiciary, Inc.

IN CHAMBERS  
Published Bimonthly

Managing Editor  
Jack H. Dillard

Editor  
Donald S. Dillard

P.O. Box 12487, Capitol Station  
Austin, Texas 78711

# 1982-83 COMMITTEES OF STATE BAR

## Executive Committee Officers

**James F. Clawson, Jr.**, Chairman, 169th District Court, P.O. Box 747, Belton, Texas, 76513, 817/939-3521

**William J. Cornelius**, Chairman-Elect, Chief Justice, 6th Court of Appeals, Texas Municipal Building, Texarkana, Texas, 75501, 214/794-2576

**Clarence Guittard**, Secretary-Treasurer, Chief Justice, 5th Court of Appeals, Dallas County Courthouse, Dallas, Texas, 75202, 214/749-8381

**Tom G. Davis**, Immediate Past Chairman, Court of Criminal Appeals, P.O. Box 13272, Capitol Station, Austin, Texas 78711, 512/475-3935

## Committee Members

**J.R. Alamia**, (1983), Presiding Judge, 5th Administrative Judicial District, P.O. Box 174, Edinburg, Texas, 78539, 512/383-2751

**Charles W. Barrow**, (1985), Justice, Supreme Court of Texas, P.O. Box 12248, Capitol Station, Austin, Texas, 78711, 512/475-2271

**Hal M. Lattimore**, (1984), 96th District Court, Civil Courts Building, Fort Worth, Texas, 76102, 817/334-1450

**Connally McKay**, (1983), Justice, 12th Court of Appeals, Smith County Courthouse, Tyler, Texas, 75701, 214/593-8471

**Brunson Moore**, (1984), 120th District Court, City-County Building, El Paso, Texas, 79901, 915/453-2804

**Neel Richardson**, (1985), County Criminal Court at Law #8, Harris County Courthouse, Houston, Texas, 77002, 713/221-6208

**Peter S. Solito**, (1984), 164th District Court, Civil Courts Building, Houston, Texas, 77002, 713/221-6316

**Curt Steib**, (1985), 119th District Court, Tom Green County Courthouse, San Angelo, Texas, 76901, 915/655-2277

**Robert C. Wright**, (1983), 137th District Court, Lubbock County Courthouse, Lubbock, Texas, 79401, 806/741-8060

## Legislative Committee

**Raul L. Longoria**, Chairman, (1983), 139th District Court, P.O. Box 182, Edinburg, Texas, 78539, 512/383-2751

**F. Lee Duggan, Jr.**, Vice-Chairman, (1985), 1st Court of Appeals, Civil Courts Building, Houston, Texas, 77002, 713/221-6491

**Don B. Morgan**, (1983), 212th District Court, Galveston County Courthouse, Galveston, Texas, 77550, 713/766-2266

**Paul W. Nye**, (1983), 13th Court of Appeals, Nueces County Courthouse, Corpus Christi, Texas, 78401, 512/888-0416

**Putnam K. Reiter**, (1985), 77th District Court, P.O. Box 270, Groesbeck, Texas, 76642, 817/729-3206

**James H. Russell**, (1985), Court at Law #1, P.O. Box 781, Belton, Texas, 76513, 817/939-3521

**Joe Spurlock, II**, (1983), 231st District Court, Civil Courts Building, Fort Worth, Texas, 76102, 817/334-1613

**Kenneth Vaughn**, (1983), County Criminal Court of Appeals, Dallas County Courthouse, Dallas, Texas, 75202, 214/749-8581

**James P. Wallace**, (1985), Supreme Court of Texas, P.O. Box 12248, Capitol Station, Austin, Texas, 78711, 512/475-4615

## Committee on Judicial Ethics

**Hume Cofer**, (1985), 98th District Court, P.O. Box 1748, Austin, Texas 78767, 512/472-0765

**Richard N. Countiss**, (1984), 7th Court of Appeals, P.O. Box 1125, Amarillo, Texas, 79105, 806/376-5323

**Vann Culp**, (1983), 238th District Court, P.O. Box 1766, Midland, Texas, 79701, 915/682-9481

**R. Temple Driver**, (1985), 89th District Court, Wichita County Courthouse, Wichita Falls, Texas 76301, 817/322-0721

**Paul F. Ferguson**, (1984), 149th District Court, Brazoria County Courthouse, Angleton, Texas, 77515, 713/849-5711

**Leonard E. Hoffman, Jr.**, (1983), 160th District Court, Dallas County Courthouse, Dallas, Texas, 75202, 214/749-8271

**Harry W. Hopkins**, (1983), 43rd District Court, Parker County Courthouse, Weatherford, Texas, 76086, 817/594-7343

**Lloyd W. Perkins**, (1984), County Court at Law #2, P.O. Box 69, Sherman, Texas, 75090, 214/893-8923

**Jackson B. Smith, Jr.**, (1985), 1st Court of Appeals, Harris County Building, Houston, Texas, 77002, 713/221-6491

## Juvenile Justice Committee

**James M. Farris**, Chairman, 317th District Court, Jefferson County Courthouse, Beaumont, Texas, 77701, 713/835-8588

**Andrew Z. Baker**, 306th District Court, Galveston County Courthouse, Galveston, Texas, 77550, 713/766-2225

# THE JUDICIAL SECTION

## OF TEXAS

**Maxine Darst**, County Judge,  
Kaufman County, 305 Ander-  
son Building, Terrell, Texas,  
75160, 214/563-3338

**W. Rachel Littlejohn**, 156th  
District Court, P.O. Box 82,  
Beville, Texas, 78102,  
512/358-1839

**Bill Logue**, 19th District Court,  
McLennan County Courthouse,  
Waco, Texas, 76701,  
817/756-7171

**William C. Martin, III**, 307th  
District Court, P.O. Box 8,  
Longview, Texas, 75601,  
214/758-6181

**Scott Moore**, 323rd District  
Court, Tarrant County Juvenile  
Department, 2701 Kimbo Road,  
Fort Worth, Texas, 76111,  
817/834-6311

**Craig Penfold**, 304th District  
Court, Records Building, Dallas,  
Texas, 75202, 214/749-8295

**Jerry Shackelford**, 320th District  
Court, Potter County Court-  
house, Amarillo, Texas, 79101,  
806/376-4031

### Site Selection Committee

**Henry J. Strauss**, Chairman,  
326th District Court, Taylor  
County Courthouse, Abilene,  
Texas, 79602, 915/677-1711

**Derwood Johnson**, 74th District  
Court, McLennan County Cour-  
thouse, Waco, Texas, 76701,  
817/756-7171

**Peter S. Solito**, 164th  
District Court, Civil Courts  
Building, Houston, Texas,  
77002, 713/221-6316

### Audit Committee

**John Ovard**, Chairman, 265th Dis-  
trict Court, Dallas County  
Courthouse, Dallas, Texas,  
75202, 214/749-6440

**Craig T. Enoch**, 101st District  
Court, Dallas County Court-  
house, Dallas, Texas, 75202,  
214/749-8256

**Thomas B. Thorpe**, 203rd  
District Court, Dallas County  
Courthouse, Dallas, Texas,  
75202, 214/749-8561

### Committee on Education Standards

**Charles W. Barrow**, Chairman,  
Supreme Court of Texas, P.O.  
Box, 12248, Capitol Station,  
Austin, Texas, 78711,  
512/475-2271

**Quentin Keith**, 9th Court of  
Appeals, Jefferson County  
Courthouse, Beaumont, Texas,  
77701, 713/835-8402

**B.B. Schraub**, 25th District  
Court, Guadalupe County  
Courthouse, Seguin, Texas,  
78155, 512/379-1204

### Committee on the Relation of the Judicial Section and the Texas Center for the Judiciary, Inc.

**Clarence Guittard**, Chairman,  
5th Court of Appeals, Dallas  
County Courthouse, Dallas,  
Texas, 75202, 214/749-8381

**John T. Boyd**, 7th Court of  
Appeals, P.O. Box 9540,  
Amarillo, Texas, 79105,  
806/376-5323

**Tom G. Davis**, Court of Criminal  
Appeals, P.O. Box 13272,  
Capitol Station, Austin, Texas,  
78711, 512/475-3935

### Committee on the Role of the Judiciary

**Truman Roberts**, Chairman,  
Court of Criminal Appeals,  
P.O. Box 12308, Capitol Sta-  
tion, Austin, Texas, 78711,  
512/475-3053

**Robert W. Calvert**, Vice-Chair-  
man, Chief Justice Retired, 900  
Congress, 5th Floor, Austin,  
Texas, 78701, 512/476-6982

**Henry G. Braswell**, 6th District  
Court, Lamar County Court-  
house, Paris, Texas, 75460,  
214/784-4897

**Barbara G. Culver**, 318th  
District Court, Midland County  
Courthouse, Midland, Texas,  
79701, 915/682-9481

**Jessie S. Freels, Jr.**, County  
Court at Law #1, 2nd Floor,  
Grayson County Courthouse,  
Sherman, Texas, 75090,  
214/892-1623

**Ben Z. Grant**, 71st District Court,  
Harrison County Courthouse,  
Marshall, Texas, 75670,  
214/935-3203

**Nathan L. Hecht**, 95th District  
Court, Dallas County Court-  
house, Dallas, Texas, 75202,  
214/749-6603

**Thomas J. Stovall, Jr.**, 129th Dis-  
trict Court, 610 Civil Courts  
Building, Houston, Texas,  
77002, 713/221-6278

**Robert C. Wright**, (1983), 137th  
District Court, Lubbock County  
Courthouse, Lubbock, Texas,  
79401, 806/741-8060

### Committee on Judicial Pension and Retirement

**B.B. Schraub**, Chairman, 25th  
District Court, Guadalupe  
County Courthouse, Seguin,  
Texas, 78155, 512/379-1204

**Paul W. Nye**, Vice-Chairman,  
13th Court of Appeals, Nueces  
County Courthouse, Corpus  
Christi, Texas, 78401,  
512/888-0416

**C.W. Duncan, Jr.**, 27th District  
Court, Bell County Courthouse,  
Belton, Texas, 76513,  
817/939-3521

**Charles D. Mathews**, 200th Dis-  
trict Court, P.O. Box 1748,  
Austin, Texas, 78767,  
512/473-9306

**Robert T. Pfeuffer**, 207th District  
Court, Comal County Court-  
house, New Braunfels, Texas,  
78130, 512/625-0881



## Texas' Oldest Judge

it was not until school was out in May, 1914, that he began active practice of law, even though he and Joe S. Brown had formed a law partnership on Jan. 1, 1914. Five years later, Reuben S. Hall joined the law partners, forming the firm of Hall, Brown and Hall.

Judge Hall was elected Harrison County Attorney in 1942 and was re-elected to that office in 1946. In 1948, he was elected 71st District Judge for Harrison and Gregg counties and took office Jan. 1, 1949. He served on that bench until retirement on Jan. 1, 1969.

On his retirement, the Longview newspaper, The Daily News-Journal, said, "Judge Hall has run a tight court, in that he has kept it moving, maintained dignity and decorum, and has called forth the best from all parties before the court.

"This newspaper feels that it bespeaks the public feeling in extending to Judge Hall grateful appreciation and thanks for a job well done and commending his example of good citizenship and wise judgship to all others who are his contemporaries and who will follow him in service."

Newspaper accounts of that occasion also reported that Judge Hall had only one regret — "I wish I were going out from the old courthouse. I've just never become accustomed to this courthouse," he said.

"I think he liked the architecture more than anything else," his son said. "He had started his law practice in the old courthouse, he was district attorney in the old house, he just felt very close to the old structure. Plus, he was an avid tobacco chewer — he chewed enough tobacco to float a building away if you could float one — and he just felt more comfortable chewing tobacco in the old house than he did in the new one," Hall, Jr., said.

"He always had large audiences, wherever he was holding court," the Judge's former secretary, Mrs. Christine Price, said. "I guess it was his personality and just the way he handled his court docket."

"I don't think he had an enemy, not a single one. Not anyone he sent to the pen, or anyone else," Mrs. Price added.

That statement could probably apply to the attorneys that practiced in his court as well.

"I never knew a harder working judge than Judge Hall," said Franklin Jones, Jr., a Marshall attorney and former president of the State Bar who started practice in 1954 and appeared in Hall's court "regularly."

"He had a very keen sense of fairness and a tremendous sense of humor," Jones added.

Judge Hall, according to Jones, was once solicited by a family to help settle a financial dispute. A family member had died and the next of kin were unable to pay the undertaker's substantial fee. Judge Hall telephoned the funeral director on behalf of the family and after unsuccessful attempts to persuade the director into a more charitable stance, he told the man, "Well, why don't you just keep the body then."

"Within 24 hours, the body was six feet under, and at no cost to those poor people," Hall would later tell his story listeners.

## Greenhill Steps Down

On October 4, 1982, Chief Justice Joe R. Greenhill, Supreme Court of Texas, shocked the Texas judicial system when he announced his intended resignation from court. His resignation became effective October 25.

"Twenty-five years ago today (October 4, 1957), I became a Justice of the Supreme Court of Texas," Justice Greenhill wrote in his resignation letter to Governor Bill Clements. "The twenty-five years of service is longer than that of any other justice of the Court. On October 1, 1982, I had been its Chief Justice for ten years."

Justice Greenhill will be taking a position in the new Austin office of the Houston law firm, Baker & Botts.

Born July 14, 1914, in Houston, Texas, Greenhill took his degrees from the University of Texas — B.A. with highest honors, B.B.A. with highest honors, L.L. B. with highest honors — and holds a Doctor of Laws (honorary) from Southern Methodist University. He is a Distinguished Alumnus of the University of Texas (1974), the UT Law School (1977), and the UT College of Business Administration (1974).

After graduation, Greenhill became a law clerk of the Supreme Court of Texas, which at that time had but three justices.

The first mixed venire in Harrison County — of men and women — was called for possible jury service on Sept. 12, 1955, in Judge Hall's court.

"He was at his best in his voir dire to a prospective jury," Congressman Hall said. "He never used notes, it was all extemporaneous, and after he talked to them they felt like they had an obligation to serve. I think any lawyer who ever practiced in his court would say that," he said.

According to his son, he shared Will Rogers' philosophies on life. "He never met a person he didn't like. He admonished me from a young man that if you can't say anything good about someone, don't say anything about them at all," Hall, Jr. said.

Friends, relatives, and professional acquaintances are anything but speechless when they reminisce about Judge Sam Hall, Sr.

Then during WWII, he served four years in the Naval Reserve on active duty, first in intelligence, then as executive officer on a fleet mine sweeper in the Pacific.

Justice Greenhill expressed gratification in the recent modernization of the Court and its facilities, and, as well, praised the constitutional amendment granting criminal jurisdiction to the Courts of Appeals.

Though the Chief Justice is resigning two years before his term expires, he plans on continuing his efforts in improving the judicial system of Texas. "I will continue to urge a change in the selection of judges, at least to their election on a non-partisan basis," Greenhill stated.



Chief Justice Joe R. Greenhill retires from the Supreme Court of Texas.

# Select Committee Makes Recommendations

The recommendations of the Select Committee on Judicial Selection to the 68th Legislature were released October 15, 1982. The Committee held five public hearings across the state, hearing testimony from over 100 witnesses ranging from judges, lawyers, legislators, and concerned citizens, as well as the study of other states' laws and relevant literature.

The Committee failed to recommend Non-partisan judicial elections at any level. Non-partisan elections were strongly supported by several Texas judges, including former Supreme Court Chief Justice Joe R. Greenhill.

The Committee did recommend, however, the establishment of a merit screening commission; amending the Constitution to allow judges to be subject to discipline by the State Commission on Judicial Conduct; the election of Supreme Court and Court of Criminal Appeals judges from single-member districts, except presiding judges of both courts, who will be elected statewide; and mandatory continuing legal education and training for judges.

The final recommendations are:

1. That the following periods of continuing legal education and training be made mandatory for judges of all appellate courts, district courts, statutory county courts, and county courts performing judicial functions, subject to sanctions for noncompliance:

- a. Before or immediately after taking office, a 40 hour orientation course with instruction in the administrative duties of office and state and local procedure.
- b. Following the taking of office, 40 hours per year of instruction in the substantive, evidentiary, and procedural laws of the state.

In individual cases, the above periods may be waived for emergency reasons by the Texas Judicial Council. Judicial education shall be considered part of the official duties of a judge, and educational leave shall be granted as court time.

2. That Article 5, Section 1-a of the Constitution, relating to the State Commission on Judicial Conduct, be amended to provide that:

- a. Judges be subject to discipline for willful violation of the Code of Judicial Conduct or for incompetence in performing the duties of office.
- b. Appropriate lesser sanctions be authorized in the disciplining of judges, in addition to suspension, removal, and censure.
- c. Retired and former judges and court masters and magistrates be included within the jurisdiction of the Commission.
- d. A municipal court judge be added to the membership of the Commission.

3. That Article 5966a, Vernon's Civil Statutes Annotated, relating to the rules and procedures of the Judicial Conduct Commission, be amended to provide that all relevant papers and proceedings of the Commission be made open to the public upon the institution of formal proceedings against a judge, and that judges be allowed the right of discovery once the formal complaint is filed.

4. That applicable sections of the Election Code be amended to provide that candidates for the office of judge of any district court, appellate court, statutory county court, or county court performing judicial functions, may raise campaign funds only during the period beginning October 1 of the year preceding the filing deadline for office and ending January 31 of the year following the general election.

5. That applicable sections of the Constitution and Election Code be amended and new sections added to provide that:

- a. Supreme Court and Court of Criminal Appeals judges, with the exception of the presiding judges of both courts, be elected from single-member districts to be drawn by the Legislature.
- b. The eight districts for both courts be the same.

c. The presiding judges of both courts continue to be elected statewide.

d. The above becomes effective for the 1992 elections.

6. That applicable sections of Article 5 of the Constitution be amended and new sections added providing for the establishment of a merit screening commission for all appellate courts. The governor may, in his discretion, submit names of potential nominees to the Commission for screening. All candidates for office of appellate court judge, however, must submit to pre-election screening. In either instance, the Commission shall issue a decision as to whether it finds the candidate to be "qualified" or "unqualified." If the Commission finds the candidate to be unqualified, it shall issue a detailed report on its finding. All decisions and reports by the Commission shall be based on legislatively promulgated criteria containing as many objective, and as few subjective, factors as is possible.

The Committee is comprised of Rep. Bob Bush, Chairman, of Sherman; Rep. Bob McFarland, Vice-Chairman, Arlington; Rep. Frank Tejada, San Antonio; Rep. Terrel Smith, Austin; J. Carlisle DeHay, Jr., Texas Association of Defense Counsel, Dallas; Mike Gallagher, Past President, Texas Trial Lawyers Association, Houston; Ben Z. Grant, President, Texas Judicial Council, Marshall; Frances Maloney, Dallas; Charles M. McDonald, President, Texas Criminal Defense Lawyers, Waco; William B. Mobley, Jr., District Attorney of the 105th Judicial District, Corpus Christi; Robert Slagle, Chairman, Texas Democratic Party, Sherman; and Chester Upham, Chairman, Texas Republican Party, Mineral Wells.

Any questions regarding the recommendations should be addressed to: Select Committee on Judicial Selection, Hon. Bob Bush, Chairman, House of Representatives, P.O. Box 2910, Austin, Texas 78769-2910.

# JUDICIAL NOTICES

## Judge Clawson Fights Back

Judge J.F. Clawson of Belton, risking unpopularity among some local voters, called a citizens meeting at his courtroom on June 18, 1982 to discuss the rising incidents of DWI's in Bell County and the accompanying tragic increase in injuries and death attributable to intoxicated drivers. The 169th District Judge met with surprising success as more than 300 Bell County citizens packed his courtroom and proceeded to castigate drunken drivers and their effect on the lives of innocent victims.

Judge Clawson believes that citizen awareness is mandatory in understanding the DWI problem, and that citizen input into the judicial system will provide the solution. He does not see stiffer penalties and mandatory sentences as the answer, but believes a more active and concerned public will be effective.

At the meeting, the citizens, called the Bell County Citizen's DWI Task Force, appointed a fifteen member executive committee which has since met and adopted by-laws and goals. The committee will meet each week to study how DWI crimes are processed through the judicial system and recommend improvements. The task force is non-political, and will work toward improving the system and educating the public on the problems involved in DWI crimes.

## New Judges

Court of Appeals: *Jim C. Brady*, *Robert A. Gammage*, and *Earl W. Smith* were appointed by Governor Clements to fill the newly established judgeships on the 3rd Court of Appeals, Austin. All three judges were the unopposed democratic nominees.

District Court: *Royal Hart* was appointed by the governor to the 51st District Court, Tom Green County, to fill the vacancy created by the appointment of Earl Smith.

*Lee S. Green* was appointed September 1 to succeed Richard D. Naylor as judge of County Court at Law, Reeves County; Judge Naylor resigned.

*Thomas O'Dell Stansbury* succeeds Sidney J. Brown to the 328th District Court, Fort Bend County. Judge Brown resigned October 1.

County Court at Law: *Lon Darley* was appointed to the newly created County Court at Law #2, Denton County.

*Stephen Russell*, County Court at Law #2, Travis County, was appointed September 1 to succeed Bob Perkins, who was elected to the newly created 331st District Court, Austin.

*Michael Schless* succeeds Jon Wisser as judge of County Court at Law #3, Travis County. Wisser was recently elected to the 299th District Court, Austin.

## Texas Center Contributions

The Texas Center for the Judiciary, Inc., received the following contributions since publication of the last "In Chambers" edition:

*Founder's Membership* \$1000 or more

Judge Bob E. Shannon, Austin

*Friends of the Center* \$100-\$250  
Judge Carol R. Haberman, San Antonio

Judge W.L. Hughes, Jr.,  
Arlington

Judge R.E. Thornton, Graham  
*In Memory of James G. Denton*  
Mr. and Mrs. B.B. Frederick,  
New Orleans

Mr. and Mrs. William S. Nail,  
Austin  
Justice and Mrs. Jack Pope,  
Austin

*In Memory of Paul G. Peurifoy*  
Judge Guy Jones, Texarkana

*In Memory of Sam B. Hall, Sr.*  
Hon. Jack H. Dillard, Austin  
Hon. Charles E. Nay, Austin

## ★ JUDICIAL CALENDAR ★

### February 16-18, 1983

Southeast Texas Judicial  
Conference  
Huntsville, Texas

### March 9-11, 1983

West Texas Judicial Conference  
Abilene, Texas

### March 23-25, 1983

South Texas Judicial Conference  
Laredo, Texas

### April 6-8, 1983

Central Texas Judicial Conference  
Waco, Texas

### April 20-22, 1983

Northeast Texas Judicial  
Conference  
McKinney, Texas

### May 4-6, 1983

Criminal Justice Conference  
Huntsville, Texas

### June 27-July 1, 1983

Court Administration Seminar  
Huntsville, Texas

### September 8-9, 1983

Briefing Attorneys Seminar  
Austin, Texas

### September 27-30, 1983

Annual Judicial Section Conference  
Galveston, Texas

### October 26-28, 1983

Texas Association of Court  
Administration  
Annual Conference  
Austin, Texas

### November 27-December 2, 1983

Texas College for New Judges  
Huntsville, Texas

Texas Center for the Judiciary, Inc.  
P.O. Box 12487, Capitol Station  
Austin, Texas 78711

NON PROFIT ORG.  
U.S. POSTAGE PD.  
PERMIT NO. 1390  
AUSTIN, TEXAS