

REMARKS

Investiture Remarks of the Honorable Alfred H. Bennett*

What an honor it is to stand here today. As a small boy growing up in Ennis in the 1960s, the son of a truck driver and a teacher's aide, this day was not predicted by my early station in life. Yet here I am. An Article III judge, appointed by the President of the United States of America, confirmed by the United States Senate, and sworn in by the Chief Judge of the Fifth Circuit Court of Appeals. It is the American dream.

I must offer my profound appreciation to President Barack Obama for my nomination and appointment to this high office. It is an unbelievable honor to have the President of the United States call you into service. I greatly appreciate President Obama's confidence and pledge to do all I can to honor his trust.

Likewise, I express my appreciation to Senators John Cornyn and Ted Cruz for recommending me to the President for nomination. Throughout this process I have found both men to be Texas gentlemen and honorable men. Thank you Senators.

To my good friends Congresswoman Sheila Jackson Lee, Congressman Al Green, and the other members of the Texas congressional delegation, thank you for your support. Congressman Green you have been a mentor, a champion of my nomination, and most importantly, a friend. Thank you, sir.

And being mindful there are no bad short speeches, or at least much fewer of them, I want to take a moment to briefly address those who are assembled here today to share in this magnificent moment. Many of you are lawyers and we share the wonderful

* On May 22, 2015 in Houston, Texas, the Honorable Alfred H. Bennett was sworn into office as United States District Judge for the Southern District of Texas. Judge Bennett's edited investiture remarks are reprinted herein.

career of law. I recently saw an article in the Texas Lawyer titled “Legal Lineages – Should the Tradition Continue?”¹ It was about several prominent attorneys and their offspring—in one case three generations of lawyers. One of the inquiries of the article was whether we as lawyers should encourage our children to enter the legal profession. The question centered on the perceived changes in the practice of law these recent years. To quote, “its declining civility[] and its tarnished nobility.”² Declining civility and tarnished nobility??

I respectfully disagree with the premise. Who in the assemblage can imagine Jim Sales or David Beck engaging in declining civility or tarnishing the nobility of the legal profession, or allowing the young lawyers under their mentorship to do so? Who can say the late Judge Andrew Jefferson was EVER less than noble? The practice of law is what we make the practice of law. We are the guardians of its reputation. And to paraphrase Mr. Gandhi, “we are the change we want to see.”

We must remember daily why we entered into the profession in the first place. Although I am not a second generation lawyer, I was drawn to this career because of its impact on our society. As a young congressional intern, I was inspired by a behind-the-scenes view as men and women made laws that shaped our communities. I was inspired by the mythical Atticus Finch, a man who simply made up his mind as to what the right thing was and did it. I consider it a privilege to be admitted to such a bar. I consider it my obligation to protect this profession for the next group of young lawyers who will shape our nation well into the future. **That is my professional North Star.** As such, I require the advocates who appear before me to adhere to the highest ethical and professional standards because that is the benchmark of this profession. As judges and lawyers, we owe this duty to those who came before and to those who will come afterward. In a country of laws, not of men, the courts must be a repository of our collective trust. The power of our courts comes not from the might of arms, but from justice. Every person must know that a day in court is a just day before a fair and impartial judge and officers of the court who seek justice, not a personally preferred outcome. To this end, do your part, in however a large or small way available to you, and I pledge to do mine.

We cannot forget at the center of each and every case or file is a client seeking a just resolution. While files have numbers

1. Miriam Rozen, *Legal Lineages – Should the Tradition Continue?*, TEX. LAW. (May 8, 2015), <http://www.texaslawyer.com/id=1202725826628/Legal-Lineages-Should-the-Tradition-Continue?slreturn=20150821141235>.

2. *Id.*

assigned to them, each represents an individual or a business that employs our fellow citizens. To that end, I am always mindful of two cases that I was privileged to be involved in. As a young attorney at Solar & Fernandes, I had the opportunity to represent a sailor from the Philippines that was injured onboard a ship during a port of call in the Port of Houston. During an unloading procedure acid spilled and he was badly burned. As his attorneys, we made sure he received proper medical attention, his lost wages, and a settlement that would take care of his future needs. When he was able to travel, we made sure he was returned home safely. We funded the case, closed the file and moved on to the next case. A few weeks later, one afternoon, I received a call from the sailor's wife. She told me how thankful she was that we took care of her husband and that she had lit a candle at her church and prayed for me and my family. I thanked her for her call and returned to the items on my desk. I later mentioned the call to Michael Solar. He stopped me and told me to think about what had just happened. He said the Philippines was several hours ahead of Houston time (thirteen, to be exact). Since I had taken the call at 2:00 in the afternoon, it was 3:00 a.m. in Manila. He also said the family did not have a telephone or a car and most likely her neighbors did not either. So this lady had walked into town at 3:00 a.m. in the morning to call me at a time convenient to me to say "thank you." We, as lawyers, had made such a difference in her family's life at a time of need that she went to such steps to say thank you. The job matters because people matter.

In another case that I presided over as a state court judge, a man was atop an oil rig when a seal blew and a wall of fire shot straight up the rig. He was burned from head to toe and it was a miracle he did not die that day. After many months in the ICU and more months of rehab, he was able to return home. But the life he and his family knew would never be the same. After months of pre-trial discovery, the case was called to trial. A jury was seated. Opening statements delivered. The wife testified in unbelievable detail. Mid-trial, the parties decided to visit regarding a potential settlement. They met with me in chambers. With permission from the defendants, I visited with the wife and the family's attorneys. We spoke of the uncertainty of jury verdicts. After further deliberation, the parties reached an agreement that would take care of the injured man and his family, including a young daughter, for the rest of their lives. Many months later, I received a letter from the wife telling me it was my talk with her that gave her and her family some peace about resolving the case. Her letter also included a note from the young daughter thanking me for taking care of her father. From my perspective I was simply being respectful and attentive to a litigant, one of hundreds on my state

court docket. However, from that family's perspective, I was a guardian of the justice they were seeking. Again, the job matters because people matter.

Whenever I have "not so good days," I think of those cases and how important the work is to others. I am sure each of you in the legal profession can think of similar moments in your careers. That is the nobility of the job. What we do matters. We owe it to clients and to litigants not only to be "civil and noble" practitioners of justice but to ensure that the appearance of justice is also served. Unruly and uncaring lawyers and judges do not serve that end. Rude and uncaring staff do not serve that end. We all share the burden of advancing the ends of justice. Because if equal justice is to be dispensed, it must come in forums and from those that the public respects. If ever there is a day when people lose faith in the courts, we as a nation will have lost the great equalizer. We will have lost the ability to protect the weak from the strong and the ability to punish the wicked from the moral high ground. This burden is ours to bear, because we are the profession—each of us are its guardians for this generation and the next. What will we leave? I hope that when my time here is done, some young lawyer or judge will cite me as an example of civility and professionalism on the bench, like I now cite Judge Jefferson and David Beck. I hope if my sons enter the legal profession, I will have left it better than when I entered it. It will be the standard I hold myself to and it will be the standard I hold you to.

Thank you for honoring me and my family with your presence here today. God Bless you, God Bless this honorable Court, and God Bless the United States of America. Thank you.