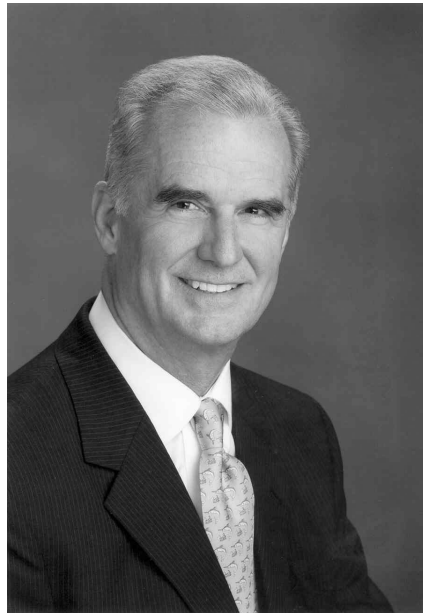


# SPOTLIGHT

ON

JUDGE GRAY H. MILLER

*Emily Buchanan\**



*The Honorable Gray H. Miller*

I think many of you are familiar with Judge Gray Miller's background. He grew up here in Houston, graduating in the third

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\* B.A. University of Houston, 1992; J.D. University of Houston Law Center, 2006. Upon graduating from UHLC in 2006, Emily Buchanan went to work as a law clerk for Judge Miller. She is currently taking a year to work for Judge Thomas Reavley on the Fifth Circuit Court of Appeals, but will return to Judge Miller in August of this year. She has published several articles, including one she co-authored with Judge Miller, and currently adjuncts at UHLC, teaching the course First Amendment Rights.

graduating class from the new Catholic boys' high school, Strake Jesuit. After a year at the Merchant Marine Academy, he joined the Houston Police Department as a police officer. While riding the streets, he put himself through the University of Houston, earning an undergraduate degree in history and then a J.D. from the University of Houston Law Center. In part because of his background with the Merchant Marine (including sailing around the world as a deck officer-in-training in 1968), he ended up as an associate in the Admiralty section at Fulbright & Jaworski where he stayed for approximately twenty-eight years. During his time as a practicing attorney, he earned numerous awards and was well respected by his peers.

Then, in 2006, Gray Miller was appointed to the federal bench and began serving as a District Court Judge in the Houston Division of the Southern District of Texas. And here's where I come in. I began work as the Judge's law clerk shortly after he took the bench and have had the privilege of being his clerk ever since. So, I want to tell you about Gray Miller, U.S. District Court Judge.

When a new federal judge is appointed in Houston, the civil caseload of every other judge is reduced at random and those cases are reassigned to the incoming judge at whatever stage in the process they may be. As you may guess, some of those cases were doozies and very few were admiralty cases. Judge Miller, in what may be the hallmark of his judicial style, took them on and carefully and thoughtfully worked his way through First Amendment issues, employment law issues, patent issues, and a host of other non-admiralty issues. Unlike many attorneys, judges see a wide range of substantive law that they may never have seen before and may never see again. Judge Miller's philosophy involves fairness, patience, care, and intellectual honesty. He genuinely wants to get it right. I think—and of course I am biased—that type of approach is exactly what litigants should want from a judge.

If you have never been in his courtroom, then you should know several basic rules. First and foremost, be civil. He prizes civility to court staff, the jury, the witnesses, and the other side. And he extends that same civility himself to those appearing in front of him. Second, be prepared. Judge Miller will have read your submissions and researched the law on your issues before you appear in front of him. So, be ready to go beyond what you wrote in motions and explain your issues in more depth. This is especially true in pretrial motions and objections. Third, be collegial. In many instances, the Judge will ask the attorneys to work together to come to agreements. As fellow members of the

Bar, attorneys should be able to exercise judgment regarding which issues are actually in contention. By way of example, don't object to items on your opponent's exhibit list that are also items on your exhibit list. Last, and most important, be professional. Judge Miller chose law as a profession and takes pride practicing law as ethically and honestly as possible. He looks for that same pride in the attorneys around him.

Judge Miller is also an amazing mentor, both to his law clerks and his interns. He takes judicial interns all year round. His interns spend time in chambers with him seeing how the process works. He takes the time to talk with them regularly about what they are seeing and what it means in the grand scheme of the legal process. He also gives them feedback on their writing and research, taking the time to sit down with each individually. There is no substitute for this type of access for young would-be litigators. And his mentoring reaches beyond his chambers into the legal community at large. He is active in the community, serving as a board member for the Federal Bar Association and the Garland R. Walker Inn of Court, among other things.

In short, I think Judge Miller is a great judge, a wonderful boss, and an amazing mentor. I know I am biased. But just ask anyone who has ever worked with him or appeared in front of him. They'll say the same.

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