

The Judge's Daughter: **THE WORLD'S MEANEST LAWYER**

WRITTEN BY PAMELA BUCHMEYER

150 YEARS AGO, THE DALLAS BAR ASSOCIATION, or DBA, held its first meeting. The years 1873-2023—what a journey and my late father, Judge Jerry Buchmeyer, loved playing a part. He served as the association's 70th president and that's when Dad began writing legal humor—in 1979 as a DBA newsletter column.

DBA volunteer and 1994 President Peter Vogel urged Dad to publish his columns (and other musings) as a book/charity fundraiser. Dad agreed but dragged his heels until finally Peter, the publications chair, intervened. "I told Jerry Buchmeyer that he had to hurry up and finish because I was scheduled to promote the book on *Johnny Carson*."

A blatant lie, but very funny to Dad who published his book *et cetera* in 1981. My column this month contains excerpts. Peter's next big push was for Dad to write humor for the *Texas Bar Journal*, which Dad did for the next 28 years.

Peter is a lovely gentleman known for his white cowboy hat, and he was a speaker at the 2023 State Bar of Texas Advanced Civil Trial Course. His recent post on LinkedIn about playing "midwife" to Judge Buchmeyer's humor writing received an overwhelming response.

The DBA published a commemorative booklet about its 150th anniversary and several of the stories mention my father. His happy hour group, "The Tuesday Night Irregulars," was recalled fondly by Dallas attorney Florentino "Tino" Ramirez. This fun and funny group met weekly at the DBA building known then as the Belo Mansion. Tino mentions one of Dad's most popular columns ever, the true story of the "World's Meanest Lawyer," and I've presented it below for your amusement. It's an anecdote where I personally play a small but pivotal role.

I'm indebted to Peter and Tino for the warm memories of my father and I'm honored to continue his legacy of humor. As Dad said in his books, "A sense of humor is an Absolute Necessity." Hope to hear from you soon, pambuchmeyer@gmail.com.

JUDGE JERRY L. BUCHMEYER (1933-2009) grew up in Overton and served as a federal judge in the Northern District of Texas after being nominated in 1979 by President Jimmy Carter. His monthly legal humor column ran in the *Texas Bar Journal* from 1980 to 2008.

The World's Meanest Lawyer

Judge Buchmeyer loved to speculate as to who was, in fact, the world's meanest lawyer. "Not just a 'mean lawyer,' of which there are many, but the World's Meanest."

Was it the attorney for the company who'd hired Dad's racquet ball buddy? That lawyer drafted a *Covenant Not to Compete which extended for a full 19 months after the employee's demise*. Very cold drafting indeed.

No, in Dad's opinion, the World's Meanest Attorney was definitely the crafty genius who'd litigated a sticky trademark dispute involving two Dallas-area Mexican food restaurants. Poncho's was new to town while the similarly named Pancho's on McKinney was already well-established. I personally play a small but *pivotal* role in the story as told by my father:

. . . when I first . . . ate at Poncho's Mexican Buffet (not associated with Pancho's on McKinney) . . . I noticed that a disclaimer was pervasive, almost omnipresent—on the neon sign outside, on the wall signs inside, on the windows, on the menus, on the napkins and sugar packets, on the match covers, on everything, everywhere! My thoughts then, with some professional envy I admit, were simply that Pancho's on McKinney had an excellent lawyer who'd negotiated an extremely tough agreement . . .

Several years later, when my daughter Pamela was in

elementary school (where she was, for some reason . . . also known as Pam the Pickle), she was selected to be The Princess for a little league baseball team. On a Saturday, we drove to . . . the Traditional Parade & Opening Day Ceremonies.

The day was cold and windy—as is required by City Ordinance on such occasions—so the team and Pam did not take off their jackets until it was time for pictures. . . When they did on the back of each uniform of each 10- or 11-year-old baseball player . . . was the name of the team sponsor "Poncho's Mexican Buffet (Not Associated With Pancho's On McKinney)."

A mean lawyer, I realized . . . A mean lawyer, indeed. Without doubt, the World's Meanest Lawyer!! [How fortunate we were that he was not there in the park that day . . . some of the boys actually had their shirttails tucked neatly inside their pants, so the disclaimers on their uniforms merely read "Not Associated With."

How clearly, I, Pam the Pickle, remember that cold and miserable day. I was just a girl bewildered by my princess duties while my father sat in the bleachers laughing hysterically, embarrassing me!

Dallas lawyer Tino Ramirez came forward when Dad first published this story in 1981 and confessed to his participation in this case as a young attorney with only seven months' experience.

Now, Tino is not a mean lawyer at all. In fact, he is a kind and courtly gentleman, a credit to his profession. Tino offered these insights into the case (with light editing):

After diligent research (in my customary style), I determined that it was imperative to prove that Pancho was the name of our client, the owner of Pancho's on McKinney. [The client was Francisco and Pancho is a common nickname for Francisco; while Alfonso owned Poncho's and in Mexico, Poncho is common diminutive for that name. All Tino needed was an expert witness. What could possibly go wrong?]

What better expert than the pastor of the Spanish-speaking Catholic church, Our Lady of Guadalupe, Father Simon! He was a saintly, elderly gentleman from the motherland Spain and was willing to testify to his... hundred thousand baptisms.

The smoothness of my examination regarding the name Pancho went down in the annals of trial advocacy. [Father Simon readily agreed that Pancho is a common nickname for Francisco.] Then I proceeded to ask the previously unpracticed question of the proud Spanish gentleman:

"From what name is the nickname Poncho derived?"

Father Simon responded pleasantly, "I don't know."

I asked the leading question, "Isn't Poncho the nickname for Alfonso?"

Father Simon's face flushed, and his eyes widened. "No! A poncho is a dress garment," he said in his impeccable Castilian accent, thoroughly repulsed that the Spanish mother tongue could be so blasphemed.

Tino wisely decided to pass the witness.

Then Judge Owen Giles came forward as well, to spoil everything, in the words of my father. He'd conducted the TRO hearing and it turns out, there was no World's Meanest Lawyer in this case after all.

... the owner of Poncho's . . . testified repeatedly 'that he did not want to be associated in anybody's mind with the Pancho's on McKinney [and] this statement was simply picked up by the lawyers . . . the agreed judgment provided that the disclaimer *Not Associated with Pancho's On McKinney* would be inserted 'on all signs, printed matter and advertising material of every kind and nature, used by Poncho's Mexican Buffet in Dallas County. [Even elementary school baseball sponsored uniforms.]

That's the whole story. Dad was sorely disappointed. He had not, in fact, discovered the World's Meanest Lawyer. Even today, the search continues. Your nominations are welcome.

et cetera: Quips & Quotes

Rufus Choate on precedents: "I will look, your Honor, and endeavor to find a precedent if you require it; though it would seem to be a pity that the Court should lose the honor of being the first to establish so just a rule." (Great American trial lawyer, 1799-1859)

Clarence Darrow: "I have suffered from being misunderstood,

but I would have suffered a hell of a lot more if I had been understood." (Legendary American trial lawyer, 1857-1938)

Justice John J. Wilkes on counsel's ethical obligation to cry: "Tears have always been considered legitimate arguments before a jury . . . It would appear to be one of the natural rights of counsel, which no Court or constitution could take away . . . Indeed, if counsel has [tears] at his command, it may be . . . his professional duty to shed them whenever proper occasion arises." (*Ferguson v. Moore*, 98 Tenn. 342, 39 S.W. 341, 343 (1897)).

The Nation's Very Best Lawyer

Mr. Martin Dooley—the philosopher, social observer, and saloon barkeeper on Chicago's Archey Road—had once employed the nation's very best trial lawyer indeed, a lawyer by the name of Grogan. Mr. Dooley being the infamous creation of journalist Finley Peter Dunne in columns written for the *Chicago Journal* in the late 1890s and heralded throughout the U.S. (with light editing).

[Grogan] was me lawyer in them days . . . when I had wrongs that I didn't propose to have trampled on . . . Dear me but it was a treat to see and hear him. He'd been a peddler in his youth . . . and when he talked to the judge, you'd think he was hollering instructions to a ship-wrecked sailor against the wind. I can see him now as he knelt on the floor and called to Heaven to witness the justice of his cause . . . and [when Grogan] spoke of the other lawyer as 'me learned Brother' he done it in such a way that ye expected the other lawyer to reach for a gun.

And it wasn't all talking either. It was the hardest kind of exercise. His arms were always in motion. He would bang the table . . . until the courthouse trembled. He would shake his head until ye'd think he'd shake it off . . . [I]n a case of assault and battery, he'd punch himself in the jaw and fall over a chair to show the jury how it happened. If it was a murder, he'd pretend to shoot himself in the heart . . . and sink to the ground dead with his head in a wastepaper basket and his foot in a jurymen's lap.

And when he'd filled the air with beautiful language and beaten the courtroom furniture into slivers, he'd sin down in his chair . . . with the tears pouring from his eyes and give me the wink from behind his handkerchief.

He was the great man, and [with him] . . . there was some fun going to law . . . Now, sir, the law is a different profession from what it was when Daniel Webster and Rufus Choate and them gas bags used to make a mighty poor living shouting at judges that made less. **TBJ**



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