

3/16/10

Dear BRW -

you are right about the "deposition" style of trial work these days. I think criminal defense lawyers do better because they don't get to do depositions very often.

I loved your note about the judge with his 11Es to discourage jury trials. Can I use the info (anonymously) of course - if you like). No, no! I love credit. KWJ
BRW

We are well and happy -
I am doing an IAC affidavit
in a truly horrible case.

The Tigres is prospering.

Warm regards

A

Rasputin Mule Farm

Joe R. Huie, Founder
(1920 - 2001)

WYE MOUNTAIN BRANCH
Billy Roy Wilson, Swamper
500 West Capitol, Room D444
Little Rock, Arkansas 72201
501.604.5140 or 501.258.4501

HOME OF COBBS BELIEVE IT OR NOT
1996 World Champion High Point, Gaited Mule
Great Mule Celebration Mule Show
Shelbyville, Tennessee
1996 High Point Gaited Mule
Oklahoma State Fair
1997 Reserve Grand Champion, Gaited Mule
Great Celebration Mule Show
Shelbyville, Tennessee
1998 First Place Gaited Trail Pleasure Mule
Bishop Mule Days Celebration
Bishop, California
2000 World Champion Western Gaited Trail
and Pleasure Mule
Great Celebration Mule Show
Shelbyville, Tennessee
2002 High Point Gaited Mule
Mule Days
Columbia, Tennessee
High Point Gaited Mule
Mule Days Celebration
Bishop, California
Amateur Lady Riders - AGMA
World Champion
Great Celebration Mule Show
Shelbyville, Tennessee
2003 High Point Gaited Mule
Youth Rider
World Champion Gaited Mule,
Lady Rider
Great Celebration Mule Show
Shelbyville, Tennessee

January 5, 2010

Mr. Mike Tigar
552 Fearington Post
Pittsboro, NC 27312-8501

PERSONAL

Dear Mike:

I believe Derek Bok was Dean of Harvard in November of 1993.

I attended a meeting there right after I had been sworn in as a judge. It was supposed to be a seminar on alternate dispute resolution; but it was nothing but a big time cheerleading section for mandatory ADR being sponsored by the Federal Judicial Center.

A federal district judge from San Francisco was chair of the FJC at that time, and his ally was a very nice U. S. Magistrate Judge from the Bay Area.

I was mortified. It was such a spoon feeding session that, during the last two hour session they didn't allow questions from the floor. The sponsors, including the Dean of Harvard, announced that there simply wasn't enough time for this, so they read questions that they had prepared, and then answered them.

I had just completed a session on the board of American Board of Trial Advocates, so I immediately sent a letter of protest to the President to ABOTA, and sent a copy to damn near every organization and person I could think of.

As far as I know I remained on speaking terms with all of the judges and professors who were our "teachers" -- save one. There was a district judge from Michigan (I believe it was Michigan) who took great umbrage because I referred disparagingly to what he referred to as "IIE." These were all sorts of nostrums that he interposed before a party could get

a trial by jury. He said that his IIEs were "Intermediate Irritating Events" that encouraged parties to settle. He wrote me a letter of protest, and I responded recommending that he drop all those nostrums and set his cases for trial by jury. I told him that statistics proved the he would settle roughly 95% of them, and, fortunately, for the judiciary we had the privilege of presiding over the essence of government reposed in the people in the other 5%, that is, a trial by a randomly selected jury. I never heard from him again directly, but I hear that he referred to me disparagingly at other cheerleading sessions for mandatory ADR.

I'm embarrassed to say that I allowed myself to get into a rather loud and somewhat caustic argument with U. S. District Judge Platt (I believe it was Platt from New York). We were at an ALI-ABA seminar. At a dinner for the faculty the night before we started he found out I was from Arkansas and commented there was some damn judge down there in Arkansas attacking mandatory ADR, and advocating *voir dire* of jurors by lawyers. I acknowledged that that fellow was I, and he proceeded to give me a scolding. I was not in a mood to be corrected by some right-wing, anti-lawyer New York judge. I told him that judges -- including him and me -- were not capable of conducting a reasonably good *voir dire* in any case with any complexity about it at all. I remarked, "upon what meat doth this, our Caesar feed" when he protested that he did a good *voir dire*. I asked him to send me a transcript of one of his *voir dire*s and I would be happy to grade it. The chair of the program ("Sol") besieged us to end the argument, and we did.

This judge and Manny Real (of recent bankruptcy fame) were big buddies.

Keep the faith!

Cordially,



Wm. R. Wilson, Jr.

P.S. As always, my warmest regards to the Tigress.

Second P.S. As an old salt I can see from your photo that you are more at ease at sea than astride a mule.