

Portraits & Perspectives: Louisiana Supreme Court Associate Justices



Louisiana Supreme Court Associate Justice James T. Genovese. *Photo courtesy of Louisiana Supreme Court.*

One on One with Louisiana Supreme Court Associate Justice James T. Genovese

Interviewed by Winfield E. Little, Jr.

Louisiana Supreme Court Associate Justice James T. Genovese was born, reared and educated in, and is a lifelong resident of, Opelousas in St. Landry Parish.

He graduated from the Academy of the Immaculate Conception in Opelousas in 1967. He received a BA degree in 1971 from Northwestern State University in Natchitoches, where he was a four-year letterman in tennis. He received his JD degree, with honors in property law, in 1974 from Loyola University College of Law in New Orleans.

Justice Genovese was engaged in the general practice of law in Acadiana from 1974-95. He served as president, vice president and secretary-treasurer of the St. Landry Parish Bar Association. He is a member of the Louisiana State Bar Association, the Colorado Bar Association and the American Bar Association. He is admitted to the bar in all state and federal courts in Louisiana, including the U.S. Supreme Court.

His judicial career began as a judge ad hoc of the Opelousas City Court from 1975-89. He was elected district judge for the 27th Judicial District Court (St. Landry Parish) in 1995 and served as district judge through 2004. He next was elected to the Louisiana 3rd Circuit Court of Appeal and served on that court from 2005-16. He was elected as an associate justice on the Louisiana Supreme Court and began serving on Jan. 1, 2017.

He is married to Martha Anne Janes and is the father of four daughters and one stepdaughter and has four grandchildren.

Journal: Justice Genovese, tell us about your early childhood.

Genovese: For 70 years, I've been here in Opelousas. My mother was born and raised between Lawtell and Church Point. She's a DeJean, and she was one of 10 children reared on a farm. St. Landry Parish is my home. I could have gone to Lafayette when I was elected to the court of appeal. But the people of St. Landry Parish were responsible mostly for electing me, and I'm loyal to my people in St. Landry Parish. I love Opelousas, and I'm still here.

Journal: What did your parents do?

Genovese: Well, this will explain my last name, Genovese. I was often kidded about the Mafia and Italian heritage. But my father was from Stamford, Connecticut. He grew tired of the north and wanted to attend college in the south, so he went to the University of Alabama. He graduated from the University of Alabama two years ahead of Bear Bryant, who signed his yearbook. He then attended LSU Medical School, where my mother's brother, Ferdinand, also was attending. My Uncle Ferdinand invited my father during spring break to his parents' house between Lawtell and Church Point, a little community called Plaquemine Point right off Bayou Plaquemine. He did that a couple of times. He met my mother. They became enamored and got married.

Later, my father took ill, developed bleeding ulcers and almost died. He had to sit out for two years. When he went back to med school, they wouldn't give him credit for the two years he had already completed. So, he said, "To heck with it. I'm just going to teach school." My father taught school in the St. Landry Parish school system for over 30 years.

My mother graduated from Sacred Heart in Grand Coteau, which was a college then. Together, they ran a frozen food locker business and my father taught school. My mother always wanted to run a nursery school. About the time I began attending law school, she was running a school for kids ages 3-5. She did that for 10 years. After they both retired, they lived out their days together until they passed away.

Journal: I assume you attended parochial schools?

Genovese: That's an interesting story. My mother was a very strong Catholic. When it came to that, she ruled the roost. Even though my father taught in public school, my mother required all of her children to attend Catholic school. So I attended the Academy of the Immaculate Conception (AIC) in Opelousas (now called Opelousas Catholic). When it was time for high school, I asked to attend Opelousas High School where my father taught. My father told me I had to ask my mother. I did, and it didn't go far. I pled my case. I guess that's why I eventually became a lawyer. I appealed saying, "Look, Daddy, you're at OHS. If I'm there, you can watch over me if I get out of line." I lost that appeal, and all of us kids graduated from AIC.

My father taught biology. He knew the biology professor at Northwestern. One day, he picked me up from school and said, "Get in the car. We're going up to Natchitoches. If I like the school, that's where you're going to college." I said, "Wait a minute. I want to go to USL. It's 20 miles away. I'd be home." He said, "This is the deal. You go to USL, you pay for it. You go to Northwestern, I'll pay for it." So, I wound up going to Northwestern, earned a tennis scholarship and played tennis for all four years.

In my senior year, I applied to LSU Law School and was accepted. I was all excited. I showed the letter to my Dad. He said, "Very good, son. I'm happy for you. But you better go talk to your mother." I said, "Mom, I got accepted to LSU in Baton Rouge, and I'm real excited about that." She looked at me and said, "Hmm, I think you need to go to Loyola, a Catholic school." I said, "Mama, I don't want to go to New Orleans. I want to go to LSU." She said, "You go to LSU, you pay for it. You go to Loyola, I'll pay for it." Not again. At this time, I was married with a child. So, three years later, I graduated from Loyola because I'm not a fool.

That's how strong my mother's influence was and how much it meant to her for her children to get a good Catholic education. Mom was always right. I was young and I thought I knew it all. But I didn't. They did.

Journal: You came back to Opelousas to practice law?

Genovese: I did that because my uncle, Robert F. DeJean, was a city judge at the time. He was a judge for over 30 years. I had plans to practice with him, but, as things worked out, he had two sons, also lawyers, so there really was no room in the inn for me.

So I opened my own office and practiced for a year by myself. I learned a lot doing indigent defender work. I learned how to try cases. When you do indigent defender work, you have a lot of criminal trials. So I learned how to be a trial lawyer, not a plaintiff personal injury lawyer, but a criminal defense lawyer. The next city judge after my uncle — Kenneth Boagni — came to me and said he needed a partner and some help. We formed a partnership, Boagni & Genovese, and practiced law together for 14 years. Then I went on my own for seven years. I practiced a total of 21 years and then ran for district judge, appellate court, Supreme Court, and the rest is history.

Journal: You were an ad hoc city judge, also?

Genovese: Back then, the city judge could appoint a lawyer to take his place, so Judge Boagni appointed me. It's different today. Today, the Supreme Court makes the appointment.

Journal: You ran for district judge?

Genovese: Yes. At the time, we had four district judges and two of them decided to retire at the same time. I had never thought about being a district judge, but I didn't feel the people running were qualified because they didn't have trial experience. I have strong feelings about that. If you're going to be a district judge, you have to have trial experience because that's what they do. If you're going to be an appellate court judge, you better have some district court experience because the appellate court judge grades the paper of the district judge. If you're going to be on the Supreme Court, I think you should have district court and appellate court experience because the Supreme Court is a whole different ballgame. So, I ran for

judge against five other people, and, by the grace of God, I was elected. I served for 10 years from 1995 through 2004 on the district bench in the 27th JDC in St. Landry Parish.

Journal: You then decided to run for the 3rd Circuit and later the Supreme Court?

Genovese: I never had any desire to run for the court of appeal. I remember I was on the bench in the middle of a trial one Friday afternoon and I get a call from Ned Doucet, the 3rd Circuit Court of Appeal chief judge. When you're on the district bench and the chief judge of the 3rd Circuit calls, you go off the bench and take the phone call. He had two things to tell me — "I've decided to retire and I'm running for representative, and I want you to consider running for my position. Think about it and let me know." I talked to several people, mentors, people in the community, people I respect a lot. Eventually, I ran and was elected. I was on the appellate court for 12 years.

When Justice Jeannette Theriot Knoll retired, I was asked to consider running. I never had a desire to be there, either. But I ran, and, again by the grace of God, I was elected.

Journal: I saw a vehicle outside that had a personalized license plate of "JTG."

Genovese: That would be me.

Journal: How did you come to have a license plate "JTG"?

Genovese: Can I object on the grounds of relevance? What does this have to do with this interview? But, as you are here at my office, I'll answer the questions. I have nothing to hide.

In 1984, as I recall, Louisiana decided to allow personalized license plates. Perhaps out of vanity, I sent in for "JTG." I was early — early bird catches the worm — and I got the license plate and put it on my car. One day, I went to lunch at the Palace Café, right across from the courthouse. A lot of lawyers go to the Palace Café, and we all sit at this table called the round table. Attorney James Guglielmo, a good friend, came

in and said, "All right, Genovese, I want that license plate." Of course, his initials also spelled JTG. I said, "Well, James, that's my personalized license plate. I paid over \$100 for it. When I'm dead and buried, you can have that license plate, but you ain't getting it now." He was not happy.

Lo and behold, about five years later, my wife gets a new car. About the license plate, she said, "You got JTG. I want MJG." My wife's name is Martha Janes. I said, "We'll get a license plate as JTG-MJG."

I go back to the Palace Café again. In comes James Guglielmo again. He was not happy. He said, "What are you doing?" I said, "James, you're not getting that license plate." He said, "I'm not talking about that license plate. I'm talking about the license plate on your wife's car." I said, "What's your problem now? The license plate on my wife's car is JTG-MJG." He said, "Well, my wife's name is Mary Janet Guglielmo, and her initials are MJG as well. Now you have JTG and MJG, and my wife saw that and she wasn't happy either."

It was really kind of funny. My wife still has JTG-MJG on her car and I still have JTG on my truck. It doesn't mean anything. It's just our initials.

Journal: In 40-some-odd years of practice, and on the bench, can you think of one or two interesting cases that you would like to tell us about?

Genovese: A lot of people are interested in the money aspect and the big cases. But one of the most rewarding things I've done in the practice of law is private adoptions. I represented local OB/GYN doctors. Whenever a young mother wanted to put her child up for adoption, then the OB/GYN would call me, and we would handle the adoption. I did about 20 or 25 of those. It was a rewarding experience to allow a couple who could not have children of their own to become parents. It gives me chills even now.

As a district judge, I presided over nine murder cases and every one of them was exceptionally interesting and very challenging. All the murder cases have the forensic aspects with the

coroner and the other experts testifying about the cause of death. That is all very intriguing.

I had a number of big cases, including toxic tort, damage to property and, of course, what I call the “crawfish case.” It involved the poison (herbicide) administered to kill the rice weevil that also wound up killing all the crawfish. It was a mass class action case that went on for five years. It eventually settled but we tried it for several days.

Journal: Just something that you’d want other people to read or think about.

Genovese: I would like people — especially people interested in law — to know that what we truly want is justice and “justice for all.” I think justice should be fair for everyone, those who have the money versus those who don’t have the money. It’s very important. By serving on the bench for 24 years, I’ve learned that justice just doesn’t happen. You have to work at it, and you have to be fair. But people need to remember that judges are human beings, too. It is also important to remember that when people come before you, as a lawyer or a judge, they’re putting all their faith in you. This situation may be the only case they ever have, and, for them, their life, liberty and property is at stake. You have to work hard to get it right. Give them their day in court. Let them present their evidence. Then take the facts and, to the best of your ability, apply the law to those facts and try to render a fair decision with justice. As a district judge, as an appellate court judge and now as a Supreme Court justice, the process hasn’t changed. You give them their day in court, treat them with dignity and respect, and make sure you do the best to give them justice. It’s not always an easy task.

Journal: While we’re doing this interview, you mentioned that you received an emergency writ application . . .

Genovese: Yeah.

Journal: . . . on your laptop?

Genovese: Yes, it comes in on the iPhone first. I’ve read them in duck blinds. I’ve read them in the Wal-Mart parking lot. When I get the chance, I



Justice Genovese at his nearly-paperless desk. Most communications are digital these days. Photo by Winn Little.

pull it up on my iPad. As soon as we get through with the interview, I’ll read the application and make a decision.

Journal: That brings to mind the scheduling you have to do on the Supreme Court. Can you give us an idea of what happens each week or every other week?

Genovese: Perhaps I should have stayed at the appellate court because that was the easiest and best job in the judiciary. When I went from the appellate court to the Supreme Court, I’ve never worked this hard in my life. This job is all-consuming, 24/7 and tough. There are no easy cases. You have to do something in this job every day. You

hope to get a couple hours to spend time with grandchildren or go hunting or fishing. But if you go hunting or fishing, you have the iPhone with you and you get emergency writs that flow in or requests to appoint a judge to one of the eight parishes you represent. Every day, all day. When that emergency writ comes in, you stop everything else.

Every week, we have conference, except when we have oral argument. The term runs from the end of August through the end of June. In between the end of June and the end of August, even though you’re not technically having conference every week or oral argument, you still have emergency writs and you still have to take care of

your appointments. For example, every judge needs to be replaced temporarily because of sickness, a death in the family, going to a CLE, vacation, conflict, recusal, etc. If for some reason a judge cannot serve, I have to appoint a judge to serve in his/her place. I get the notice on the iPhone and I have to appoint a judge appropriate for the position. If it's a criminal matter, I want a judge with experience in those matters and the same with civil jury trials or juvenile matters. I'm a strong believer in experience to be a judge.

To shorten a long explanation, the rest of our scheduling involves live conferences in New Orleans, oral arguments, video conferences, and conferences to take care of all administrative matters of the court, which can take hours as the Supreme Court is responsible for all lawyers, judges, courts and the entire judiciary, covering issues like payroll, insurance, the drug court, FINS (families in need of supervision), CASA (Court-Appointed Special Advocates), the protective registry, lawyer discipline, judicial discipline and other areas. All of these things have separate departments and we have to manage appointments for the positions.

After we finish administrative conference on the first day of conference, we normally handle what is called the two-list, comprised of all the most recent writs filed. As these come in, they are divided among the seven members of the court. Normally, it will be around 50 cases. Each justice may be responsible for seven or so cases and their staff produces reports for those cases. Each justice reviews the other reports from the other justices' offices as well. Then there are conference days for the one-list, three-list, four-list, rehearing list and discussion list. You have a list for everything.

And, of course, you just read and read and read and then, when finish reading, you start reading again. I've never worked this hard in my life. But this job is so very important because, again, somebody's life, liberty and property is at stake, not to mention the fact that you are the highest court in the land for state matters. What we say, how



The personalized "JTG" license plate still graces the Justice's truck. Photo by Winn Little.

we rule and what we decide will go on for decades. You know those decisions that I wrote while I was on the Supreme Court? They don't die with me. They are still on the books until somebody comes and changes them. That decision is there until someone overturns it.

Journal: Do you have any advice for attorneys and judges?

Genovese: Yes. Uphold the integrity of the profession and maintain your credibility and your reputation. It is so very important. We have a never-ending job to get out there and convince the public that what we do is good. It's difficult when all you hear are the complaints about lawyers and the lawyer jokes and see all the lawyer billboards. But it's interesting that when somebody's family member gets in a jam, the first thing they do is call the lawyer.

To give some advice, we have over 23,000 lawyers in Louisiana and there's always a place for good lawyers. From personal experience, I will tell you this: If you are organized and prepared, you can be a good lawyer, you can be a good judge, and you can do a good job. Organization and preparation can make up for lack of skill, or even lack of intelligence. Organize your case, have your exhibits ready and interview your witnesses. Don't look like you're not prepared. The practice of law is an adversarial proceeding and you are out to win. Being organized and prepared pays major dividends.

Also, when people contact you, contact them back. I don't go a day without responding to a phone call, a text or an email. Respond as soon as you possibly can. That's the greatest advice. In this digital age, with all the social media options, there's no reason not to respond quickly. So, return your phone calls, take care of your correspondence, be good to people, be organized and prepared, and the world is a better place and the legal profession is a better place. We can improve our profession and we need to do that.

Journal: Any final thoughts?

Genovese: I want to conclude by saying that I'm doing this job for two reasons and two reasons only — to make this court better and to bring balance to this court. This is what I strive to do every single day that I'm serving on this court when I'm reading cases. Above all, I believe in access to the people. I believe in making sure that people know that I'm here. If you need to talk to me, every person around knows that my number is 94-JUDGE. I've been having it for 24 years. Okay, I bought it from a lady from Houston who had the number. But it still works to this day. I take pride in being local here. I mean, how many Supreme Court justices' cell numbers do you have?

Journal: None.

Genovese: You have one now.

Journal: I appreciate you spending the time with us and thank you.

Genovese: You're welcome. Please take this ole mule and make me look like a thoroughbred.

Journal: There are limits.

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