

# **Portraits & Perspectives: Louisiana Supreme Court Associate Justices**



**One on One with Louisiana Supreme Court  
Associate Justice Scott J. Crichton**

**Interviewed by Anthony M. DiLeo**

In 1990, with the help of his wife Susie, Judge Scott J. Crichton ran a door-to-door campaign for a seat on the 1st Judicial District Court. Susie supervised the campaign for the first two weeks while he was working more than 12-hour days prosecuting a serial killer. He was subsequently re-elected three times, unopposed. While serving on the Caddo Parish bench, Judge Crichton presided over more than 25,000 civil and criminal cases. For the 10 years prior, he served as an assistant district attorney.

Because of Louisiana's mandatory judicial retirement age, he is currently serving his first, and only, term on the Louisiana Supreme Court, elected from the 2nd District, which includes the 11 parishes of Caddo, Bossier, Webster, DeSoto, Natchitoches, Red River, Sabine, Vernon, Allen, Beauregard and Evangeline. His term expires in 2024.

Justice Crichton has dedicated his professional life to public service and commits himself to community service projects off the bench as well, especially those focusing on crime prevention programs with students, parents, teachers and inmates, including "Don't Let This Be You." He taught business law at LSU-Shreveport and also taught at the Shreveport Police Academy and a number of other law enforcement training facilities.

His parents believed in the importance of education and hard work — with which, anything is possible — and sent him to The Webb School in Tennessee, a school that emphasized an honor code. After graduation, he received his undergraduate degree and JD degree from Louisiana State University in 1976 and 1980, respectively. Throughout this interview, he returned to the principles learned from school and family.

Justice Crichton has been married to his wife Susie for more than 30 years and they have two sons, also members of the Louisiana Bar. At a youthful 62, he is affable and energetic. This in-person interview — casual and conversational — was conducted at his Supreme Court office.

**Journal:** I'm so impressed by the history of your judicial experience. By the time you finish your term at the Supreme Court, you'll have been a judge for half of



**Justice Scott J. Crichton with his wife Susie.** Photo provided by Crichton Family.

your life. That's pretty amazing.

**Crichton:** Yes, but by then, I'll be 70 and thereby disqualified by law from running again. I will serve only one term. But I like that. It distances me from any political clamor that may be going on out there. The challenge for a judge is to not be swayed and influenced because the job is to honor the law as written, and that's what I do.

**Journal:** You were elected to the Supreme Court without opposition. Did you have any opposition in earlier elections?

**Crichton:** When I ran in 1990, there were three other candidates. That was a very hotly contested event. But then for my second, third and fourth terms, there was no opposition. I fully expected opposition for the Supreme Court in 2014. We had just gone through the election in the East Baton Rouge district where there were eight competitors. So, I was ready. The election was set for 2014. I started campaigning in 2012 and was, quite frankly, surprised at the enthusiastic response. I had a small campaign committee of hardworking people, maybe seven, and we talked every day and developed and executed a plan.

There were 11 parishes to cover, and I knew less than five people in some of

those parishes. I had a lot of work to do and needed every bit of that two years to meet people and for them to get to know, and hopefully feel comfortable with, me. It took a lot of driving. I gassed up my pickup truck, fired up my GPS, and pulled out an old-fashioned map for the smaller towns. I started with the sheriffs, district attorneys, elected officials, public defenders, law enforcement officers, and went from there. And I did all of that while continuing to serve as a judge on the civil bench in Caddo Parish. I didn't want to take any chance of not handling my docket properly because that's got to be the first order of business. But I spent weekends and late afternoons, off-court hours, going to these places. I initially thought it would be difficult and scary, but I actually enjoyed it.

**Journal:** That's probably why it was so successful.

**Crichton:** People liked the fact that I showed up in my pickup truck, with my boots on and usually with a jacket and maybe a tie, but without an entourage. People liked the fact that I appeared to be my own man, which I am. I told my entourage — my committee of seven — that I needed to go to some of these places by myself. One of my campaign members wanted to rent a bus and all go together.



The Crichton family, circa 1964. Mary and Thomas Crichton III and their sons, Thomas Crichton IV, standing, and Scott J. Crichton. Photo provided by Crichton Family.



The Crichton Hardware sign remains on the building at 509 Main St., Minden, La. In addition to a multitude of hardware items, Thomas Crichton III and his Dad (Thomas, Jr.) sold Dutch Boy Paints. Photo provided by Crichton Family.

But that's not me. I needed to do this on my own.

I was gratified to get so much support geographically across the state, too, this being a state office. In terms of the law, I represent the State of Louisiana, the Constitution of the United States and the Constitution of the State of Louisiana, not any constituency other than the law. So, I was very lucky to receive diverse support and no opposition. Looking back, I wonder if I could ever do it again.

**Journal:** It sure is the right way to approach it. You're a Supreme Court Justice for everybody in the state, not just the people in 11 parishes.

**Crichton:** Exactly. That's the whole thing about law. If you're going to be a judge and not an advocate, you've got to be impartial and you've got to apply the law to the evidence and be true to your oath. Once a judge crosses the line, he or she dishonors the office. It's about the law and evidence and little else.

**Journal:** Some lawyers may know a judge very well, personally, then appear before that judge and lose. I've asked them, "How do you feel about that?" They say, "I'll take it every day because I would rather have a person that I trust to do an honest and honorable analysis and I'll win when I should win and lose when I should lose."

**Crichton:** That's the way it's got to be.

If they expect anything less, then they're really not your friends. You cannot be a judge in even a medium-sized district like the 1st Judicial District in Caddo Parish without encountering people that you know and friends who are lawyers, and you've got to keep the personal aspect out of it. It's important to keep it at that level, and if you don't want to do that, then go do something else.

**Journal:** I saw Judge Alvin Rubin call some lawyers into his office one day. He said, "Gentlemen, I've got to be straight up with you. I've known the plaintiff's attorney for 35 years. We play tennis together twice a month and I'd say there would be a reasonable basis for someone to say I should recuse myself. If either of you ask me to, I will recuse myself without any fanfare of any kind." The counsel who was not his friend said, "Your Honor, I am perfectly comfortable that you will put all that aside in your ruling." Of course, his friend couldn't say no, which would have been a smart move because he lost. It was a pleasure to be in that kind of atmosphere, so I am a student of that kind of thinking.

**Crichton:** I am, too. Judge Rubin was disclosing the relationship. Disclosure is a very important concept that has been talked about a lot in recent CLE seminars, more than it was my first couple of decades as a lawyer. Alvin Rubin was such an excellent, ethical jurist, a great example of professionalism. Al Tate also was an

excellent justice. We've had so many who are almost of iconic status. It's inspiring.

**Journal:** Can we talk about the things that have influenced you?

**Crichton:** Well, I was born — this will be History of the World Part 1 — in Shreveport in 1954. My parents lived in nearby Minden, so I grew up in a small town of about 15,000 people. It's in Webster Parish, about 30 miles from Shreveport.

I had the benefit of tremendous parents. My mother was a very smart lady, full of grace and dignity. She was a master bridge player, which requires deep analytical ability, and a voracious reader. She loved a mystery novel and would usually figure out the end of the story before she got there. I always thought she would have been an excellent lawyer because her mind was so analytical. But she grew up in the day when women didn't go to law school.

My dad was a country boy who grew up in Minden and ran a store with his father. The name of it was Crichton Hardware Company and they sold everything-hardware. My dad really pushed me to go to law school, but, along the way, he sent me to an all-boys' school, The Webb School in the mountains of middle Tennessee. That was 1968 and I remember our non-negotiable discussion about my departure. It was basically, "You're leaving to go to Webb School." I was 14 and, of course,

that scared me to death. Around Labor Day weekend in 1968, we packed up the car, he and my mother in the front, me in the back, and we drove 600 miles to the mountains of middle Tennessee. My parents checked me into the dorm, helped me unpack, then said “See you at Christmas” and drove off. I didn’t know anybody.

But two things I want to mention about my high school years. The school has a strict honor code; its motto is “Noli Res Subdole Facere,” a Latin phrase that means “Do nothing on the sly.” That is an important concept to live by. If you think about the words, it incorporates ethics and a lot of things. If you do nothing on the sly, you have nothing to worry about. You abide by law and ethics. You’re not going to do anything illegal or unethical. That’s a great standard for life.

During my junior year in 1971, most of my class attended a three-week course at the North Carolina Outward Bound School. The motto there was, and I think this comes from “Ulysses” by Alfred Lord Tennyson, “To Serve, To Strive and Not To Yield.” Outward Bound was touted as a survival camp. Whether it was or not, or whether it was more equivalent to a mini boot camp, what I experienced were weeks of pretty rigorous exercise, obstacle courses and demanding challenges. I was never an outdoorsman really, but we did a whole lot of camping and mountain climbing. At the end of the three weeks, I had lost about 12 pounds. I wasn’t a big guy, not then and obviously not now, and losing 12 pounds as a high school kid was significant. Yet, at the same time, successfully completing the course was quite exhilarating and gratifying.

Looking back at my high school years from 1968-72 and what I learned during that time, it set the tone for who I am. Truly, if you maintain integrity and don’t do things on the sly, you’re never going to betray your wedding vows, you’re never going to take money that you shouldn’t, you’re never going to do things that are inappropriate because, to do those things, you’d have to do them on the sly. Combined with the ethic taught at Outward Bound, if you serve, strive and not yield on what’s important in life, that’s the standard. Those four years formed the basis for the person I’d later become.



Justice Scott J. Crichton was sworn in as a Supreme Court justice in December 2014 by Chief Justice Bernette Joshua Johnson. Photo by David Rigamer.

Following the Webb School and Outward Bound experiences, I went to LSU which was also a non-negotiable issue for my father. Keep in mind that I had been in an all-boys’ high school, then all of a sudden thrust into LSU with 25,000 students. I joined a fraternity, attended classes, at least some of them, but was enamored with the fact that this school was coed. All that was new to me, and sometimes my attention was diverted more towards social than scholastic!

Four years later, I graduated with a liberal arts degree and a whole lot of good memories.

I didn’t really have a plan to go to law school. I finished up with decent grades and a degree which didn’t exactly qualify me to work in any particular field, so I took off for a year to work for my dad and think about my life. It was 1977. My dad had mandated in 1968, “You’re going to Webb.” In the same stern tone, he said, “You’re going to LSU Law School.” It wasn’t my idea; it was his. And what a gift it was!

We worked out a deal. He said, “I’ll pay for tuition and buy you a car.” My father was a stout and dominant personality. In compliance with the 5th Commandment, I listened. But by this point, I had learned to negotiate — a little — and said, “Okay, I’ll take the LSAT and will go for one year, but if I don’t like it, I’m going to give the car back and do something else, and I want you to agree with that.” He reluctantly agreed.

A year later, I reported not being completely enamored with law school. Back then, LSU regularly flunked out a third of the class. You know, “look to your left, look to your right.” My attitude was I don’t know what you’re talking about. You invited me here by accepting me, and now are you telling me you’re going to kick me out? Well, that was not an option. But both the words and the threatening tone scared me and I worked extremely hard.

At the end of that first year, I reported to my dad, “Maybe I don’t love this as much as I should.” His attitude was you completed your first year (with actually 40 percent of the freshman class being kicked out), so go ahead, finish the next two years, and if you don’t want to practice law, don’t do it. Somewhat reluctantly, I agreed. Turns out, that was another gift. During law school, he would call after every final exam.

**Journal:** Your father calling you after every exam, that’s a powerful story.

**Crichton:** Well, he didn’t miss an exam. He would learn my exam schedule and mark it on his calendar. He’d say I’m going to call you after each one, and he did that all the way through the bar exam. A cattle rancher, a country boy who loved to fish and hunt, and a hardware store manager, my dad was extremely dedicated to his family, his two sons and placed high value on education. He was genuinely interested in each exam and each grade in each course. And when I was an assistant

district attorney, he would call to find out my verdicts, “How’d you do today?” I’m so blessed with great parents and owe so much to them.

**Journal:** I have to tell you, I’m moved by this story.

**Crichton:** Well again, it was the greatest gift. He had a vision for me, one that in the 1970s I didn’t have. My dad’s younger brother had attended law school, and he didn’t have that chance because of the war and circumstances where he had to come back and work in the family business. So my dad wanted opportunities for his sons that he didn’t have. Not because he wasn’t smart enough, but his family needed the older son to come back and run the family business, so that’s what he did. He thought the law would provide a good foundation for his sons to do most anything in the area of either business or law. Just get the benefit of a good education, he said, and you will have good choices, you can be

a productive member of society, you can support your family and you’ll make me proud. That was the driving force and he did the same for my brother Tom, who graduated from LSU Law School in 1972. I did not fully embrace law school as my older brother had. Certainly, I had no idea of what to do after law school. That was not in my brain. I never even had a notion about being a judge, much less a Supreme Court justice. No idea, none, zero!

During the spring semester of my senior year of law school, the administrator from Caddo Parish District Court came down to interview students. Because I didn’t really care about being in private practice, I signed up. And, lo and behold, I was one of several invited to Shreveport to meet the judges. I thought I’d meet each one individually, shake hands, and that would be about it. But what I walked into at 8:30 on the morning of the interview were eight judges of Caddo Parish sitting en banc in a small room with one extra chair — for

me. I was absolutely terrified, definitely not ready for that. These were older, distinguished and austere-looking judges. I didn’t know any of them and didn’t know what to say, but somehow I received an offer to serve as a law clerk. That became important as to what I would do later.

**Journal:** You were one law clerk for eight judges!

**Crichton:** Eight senior jurists, all men with eight healthy egos. After I got used to them, I actually liked and enjoyed their company. However, they scared me to death for the longest time, starting with that en banc interrogation, which they called a job interview.

**Journal:** This was around 1980-1981?

**Crichton:** I began in August of 1980. During the spring of 1981, I became friends with some assistant district attorneys who were in the building and that turned out to be a godsend in that they

## Reflections on Justice Antonin Scalia

By Scott J. Crichton

As the Senate confirmation process for the replacement of U.S. Supreme Court Justice Antonin Scalia (who died unexpectedly in 2016) was nearing a final vote, it allowed me to reflect on my brief, but compelling, experience with Justice Scalia.

It was 2012. I was a district judge for Caddo Parish, president of the Louisiana District Judges Association (which serves the nearly 250 trial judges in Louisiana) and moderator of a two-day seminar on legislative updates and recent developments in New Orleans.

During the early morning of the first day, I was advised that, by some happenstance, Justice Scalia was a guest at our seminar hotel. Through the hotel administrator (perhaps presumptively and certainly boldly), I sent Justice Scalia a hand-written note extending an invitation to the reception scheduled later that day, or, alternatively, to speak to

our group at any point during the two-day seminar, or perhaps both. To my astonishment, within a few minutes, I received a response that, while he could not make the reception, Justice Scalia would speak to us at 10 the following morning.

Trying to contain my exuberance, and as much as I wanted to immediately proclaim success in securing a U.S. Justice as a speaker for a Louisiana seminar, upon further reflection I realized that if the press were informed, there could be cameras and an entourage, which might result in no Justice. As challenging as it was, I kept it a secret. My thoughts turned to the rare and probably once-in-a-lifetime opportunity to introduce a U.S. Supreme Court Justice. I feverishly began reviewing Justice Scalia’s biography and scribbling notes for what I had hoped would be a most stellar introduction. Unfortunately, upon further reflection, I was harkened back to

the “pecking order,” the “food chain,” subservient protocol, and perhaps the vested discretion — abuse of which the appellate courts so thoughtfully remind district court judges is intolerable — that often dictates the actions of a lower court judge. The professional, lofty and right decision was that this opportunity should go first to then-Chief Justice Kitty Kimball, then to the associate justices of our Court in order of seniority. Forcing humility upon myself, I somewhat reluctantly sent word to the Louisiana Supreme Court, only to learn that all of the justices had a conflict . . . except for one, Justice Greg Guidry. While not so compelled as to share with him my biography notes, I nevertheless expressed measured delight in his opportunity.

Throughout that day, I did my absolute best to tantalize the crowd with the fact that we would have a very special guest at 10 a.m. on the second day, “well

shepherded me into the DA's office. I didn't know much about being a prosecutor, not sure it would be my cup of tea. Turns out, it was absolutely my cup of tea. Working with law enforcement, managing the docket for a courtroom, having jury and bench trials — I loved that job.

For 10 years as an assistant DA, I especially enjoyed bringing justice and closure to the family members of victims. It became a passion. In a murder case, an armed robbery, or a rape case, it's the prosecutor representing the State of Louisiana, but really sort of representing the victim, too, and I found myself speaking for and advocating justice for the victim and the victim's family. The role appealed to my sense of service and a jury trial appealed to my competitive nature.

Then, in the mid-1980s, the DA allowed a few of us to go part-time. By that point, I was married with a child with another on the way. This also was a blessing because it allowed me to go into private

civil practice while at the same time satisfying that service ideal that had become part of my DNA.

**Journal:** Then in 1990 you ran for District Court judge?

**Crichton:** All of the judges' terms were set to expire at the end of 1990. But either in 1989 or early 1990, U.S. District Judge Parker had issued a restraining order for the whole state of Louisiana with regard to the sub-districts issue in the pending federal litigation. The idea of running for a future judgeship had been mentioned to me, but I was busy with other things. I had some comfort knowing there was a restraining order, so I wasn't thinking about it that September when commencing a first-degree murder trial with a sequestered jury that was scheduled to go five weeks. It involved a serial killer, and I was lead prosecutor. All of a sudden, in the middle of trial, Judge Parker lifted the injunction on all judicial elections and the

Secretary of State set qualifying almost immediately. I was not sure about being a judge and distracted by the capital case, yet, at the same time, I didn't want to let this opportunity go by. I talked to my wife Susie and signed up. Unable to launch a campaign on such short notice, and with the first two weeks of the campaign being the last two weeks of my capital case, I relied on my wife to get the committee formed and the campaign underway.

**Journal:** That's remarkable!

**Crichton:** It was exhausting, to tell the truth. And Susie organized it. Thank God, she has a lot of friends — more than I do — and she got it off the ground. Susie and I barely saw each other during this time as I would get home from the courthouse late at night and leave early the next morning. When it was over, I went straight from receiving the jury's death penalty verdict to campaigning. Yes — remarkable, but challenging and exhausting!

worth the price of admission," I said, but whose name I could not divulge. Wild speculation of the judge-attendees led to rumors that our "special guest" would be Les Miles (remember, it was 2012!), Drew Brees, Brad Pitt, Angelina Jolie or Denzel Washington.

A few minutes before 10 the next day, the U.S. marshals arrived, then the Louisiana justice and, finally, our guest of honor. I briefly introduced our state justice who, as expected, provided an excellent introduction of Justice Scalia (even without the benefit of my notes).

Justice Scalia spoke of his judicial philosophy — the U.S. Constitution is not designed to facilitate social change but, rather, is meant to protect citizens' basic fundamental rights and responsibilities. He also touched on the limited role of federal government in the affairs of the states, underscoring the importance of local government. He further recognized the significance of the district court judges, emphasizing that for witnesses, jurors and most citizens with cases and controversies, trial judges are the only ministers of justice they may

ever know. Praising our work, Justice Scalia proclaimed that the trial judges are "where the rubber meets the road."

Five years have passed since that day in New Orleans. Even though Justice Scalia is deceased, through his authored opinions, his concurrences and even his dissents, his voice will continue to be heard and his philosophy will live on forever. For me and the many Louisiana judges, irrespective of whether all agree with all of his views, this proved to be an unforgettable opportunity to spend time with this icon, one who so graciously shared his precious time with us. While I fully support the entertaining diversion of hearing from an accomplished NFL quarterback or a movie star, that day we were blessed with a superstar jurist — one who significantly contributed to the Rule of Law in this country.

*Scott J. Crichton served as a Caddo Parish district judge from 1991-2014 and began his 10-year term as associate justice on the Louisiana Supreme Court on Jan. 1, 2015.*



United States Supreme Court Justice Antonin Scalia spoke at the United States District Court, Eastern District of Louisiana, in New Orleans during the LSBA Rule of Law Conference. Photo by Ross Foote.

**Journal:** And how old were you then?

**Crichton:** I was 36. And the problem, Tony, is that I looked much younger. I'm 62 now. To look young is a combined blessing and curse. If you're a lawyer and you look like I looked in the 1980s, the jury would look at me like "Are you old enough to even be driving, much less prosecuting a case?"

**Journal:** I can see that.

**Crichton:** In Caddo Parish, and I suspect most places, the face-to-face contact in a campaign is important, so as soon as I finished the trial, my wife and I would walk door to door. The question asked over and over was, "But how old are you?" And the response was repeated, "I'm 36, but let me tell you what I am all about — married, two kids, prosecutor, having just finished a big case, civil practitioner and adjunct college instructor." Once people would get past my youthful appearance and learn my age, it was fairly smooth sailing.

And the age issue came up in my Supreme Court campaign. By the way, how old are you? That would be the inquiry. You look a little young for that job. And I'd have to say the same things but thankfully with a more robust résumé — 60 years old, 24 years on the district court, plus all the rest. Usually they were okay with me after hearing that.

**Journal:** I think it's the perfect age to start on the Supreme Court. In a way, it's the best years of your career, given all of the experience you've had.

**Crichton:** Really, there's not anything that I've encountered in the field of law that I don't like, which makes for a blessed professional life. I loved being an advocate back in my former life whether for the State of Louisiana or private clients. But I've also immensely loved being a judge and maintaining the impartiality required for each case. Looking back, I've needed every single thing that I've done to get to this point. From the teachings of Webb School, the challenges of Outward Bound and another survival achievement — LSU Law School — to my work as a lawyer, part-time teacher, civil practitioner,



Justice Scott J. Crichton presented an ethics program for the joint Louisiana Judicial College/Louisiana Association for Justice 2017 Evidence and Procedure Seminar on March 10. Photo by David Rigamer.

assistant DA, and district court judge, I bring all of those experiences to the Louisiana Supreme Court.

**Journal:** That's quite a story. I love the fact of these relationships you have.

**Crichton:** Relationships are important. And I do want to mention my family. Susie and I have been married for more than 30 years. I'm incredibly blessed by her.

**Journal:** Well, her running that campaign for two weeks, she's in the hall of glory forever for pulling that off.

**Crichton:** Susie is definitely in my hall of glory. She is a private person. You're not going to see her volunteering to give a speech or giving an interview, for that matter. But Susie is dedicated to her husband and sons. Because of her dedication to me, coupled with her competitive edge, she worked extremely hard to get me elected to the district court in 1990 and the Supreme Court in 2014. Her plan was to win the elections whether she actually wanted me to have the job or not! I definitely married up.

**Journal:** And you have two sons.

**Crichton:** Yes, both are lawyers, both LSU Law graduates. My older son practices law with a small business defense firm in Shreveport. My younger son previously served as an Orleans as-

sistant DA and now serves in the Caddo DA's office — a prosecutor like his father was. I'm proud of them and blessed with a great family.

I'm going to leave you with this: The Crichton family motto is "God Send Grace." I've never appreciated and valued our motto quite as much as right now. God has filled my life with Grace which comes with the awesome responsibility of serving on our State's highest court. I couldn't be more thankful.

For a full transcript of Justice Crichton's induction ceremony held on Dec. 15, 2014, see *Southern Reporter*, Vol. 165 So.3d 157 to 165 So.3d 1131 (p. XIX). For his full biography, go to: [www.lasc.org/justices/crichton.asp](http://www.lasc.org/justices/crichton.asp).

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