



# **Legal Success: A Journey, Not a Destination**

**The Honorable Willie E. B. Blackmon**

The practice of law is one of the most interesting adventures I have ever embarked upon. It began when I had the good fortune to make the acquaintance of Houston Attorney Dennis F. Spurling in 1976.

I didn't know that at the time he encouraged me to take the LSAT, I would begin a journey that would circumvent the globe and a future young lawyer would become more than he ever thought he could be.

I graduated from the Thurgood Marshall School of Law at Texas Southern University (TSU) in 1982. I learned to understand that law school was more challenging than any endeavor I had ever undertaken. At my undergraduate institution, Texas A&M University, I learned to study, but in law school, studying was not a part-time effort that required a few hours each day. It was a mentally grinding ordeal that required most of my non-sleeping hours. I had to for the first time pace myself while taking notes in outline form, and review those same notes on a daily and weekly routine. Law became a way of thinking, involving the analytical side of my brain. I watched individuals with doctorate (non-law related) degrees go on academic probation, and then ultimately drop out of law school.

As I studied the language of jurisprudence, I learned that I was beginning to speak and think as a lawyer. Upon graduation I left for Michigan, where I became a City of Detroit Vice Prosecutor and was quite proficient in standing and arguing facts in such a way that one of my distant relatives, Madame Josephine DeCuir, would have smiled with pride. The reason I reference this relative is that she embodies the living spirit, that for me, had become the "Rule of Law." My relative Madame DeCuir, was sitting aboard a steamship in 1869, which had departed New Orleans, Louisiana, when she was asked by the captain to get up and sit in the "Colored" section. Knowing that Louisiana's laws permitted passengers riding on public transportation to sit anywhere they desired, she objected to this discriminatory request, but to no avail. Madame DeCuir filed suit in the District Court of Orleans Parish and prevailed. The steamship captain appealed the case to the Supreme Court of Louisiana where the lower court's decision was affirmed. The case was later appealed to the Supreme Court of the United States by the administratrix of the estate of Captain Benson who was the operator of the steamship "The Governor Allen."

The Supreme Court made up of mostly Southern judges, reversed the case stating it was not a civil rights issue, but a matter of interstate commerce. However, the case which is cited as *Hall vs. DeCuir*, 95 US 485 (1877), became a landmark decision which became etched into the fabric of American jurisprudence. *Hall vs. DeCuir* is cited in *Plessy vs. Ferguson*, 163 US 537 (1896), the New Orleans, Louisiana case which established the "Separate but Equal Doctrine" referenced in the language of *Hall vs. DeCuir*. Later the case was cited in *Brown vs. Board of Education*, 347 US 483 (1954), a Supreme Court decision which struck down the "Separate but Equal Doctrine", and permitted the integration of America's educational institutions and public transportation facilities across the land. Nearly eighty-five years later, Rosa Parks refused to vacate her seat in the Whites Only section of a Montgomery, Alabama city bus. The foundation for this ripe stand-up for justice and historical stance by a courageous African-American woman, had its foundation laid down in *Hall vs. DeCuir*. It took the courage of a woman, which was passed down to me by my maternal grandmother, Annette DeCuir (a relative of Madame Josephine DeCuir), to light a candle in the darkness, which was later fanned into a flame by the civil rights struggles of the 1950's. Madame DeCuir's moral strength and conviction to stand up for what was right and just in a post-Civil War America, gave me, the African-American great-great grandson of a Confederate Officer, strength to continue her journey and make a difference in the field of jurisprudence.

While practicing law in America, I learned that the “Rule of Law” is sometimes blinded by the color of one’s skin. Madame DeCuir taught me to fight for what’s just in American society. Even when I began practicing law in Detroit, Michigan, lawyers from the Harvard School of Law joked about the legal education I received from TSU. However, when I triumphed over them in court while using that same legal education I received from TSU, I gained their respect and admiration. On the basis of my legal brief and oral argument, they thought it more prudent to seek my legal counsel. The lessons I learned in the City of Detroit Law Department is that what you learn in those hallowed hallways of legal education is that, it is not the law school you graduated from, but how well you can apply the law you’ve learned. Although I must admit a great deal of my legal education came once I graduated and was introduced to the real world and the practice of law. After serving with the City of Detroit Law Department, I chose to pursue the noble calling of military service. As a young Judge Advocate, I served tours of duty with the Strategic Air Command (SAC), the United States Air Force (USAF) Reserves, and the Texas Air National Guard. When young Judge Advocates I trained would ask me where I got my unflappable sense of justice, I would smile and tell them that I simply believed in the Code of Honor learned as a young child in Houston: “Truth, Justice, and the American Way.” Of course the originator of my Code of Honor was really, out of this world (smile). In SAC, I was the Chief of Military Justice at SAC’s headquarter base in Omaha, Nebraska. In the Texas Air National Guard, I was the Staff Judge Advocate for the 147th Fighter Wing on 9/11.

Upon leaving active duty service, I embarked on the next phase of my legal career. The first three having been: (1) education, (2) Michigan law practice, and (3) military service. I became an Assistant District Attorney in Lubbock, Texas where I was a misdemeanor and felony prosecutor, before becoming Chief of the Juvenile Division. It was within my purview to decide whether a juvenile should be certified to stand trial as an adult in the criminal courts, or be adjudicated in the Juvenile Court System for having engaged in delinquent conduct. In misdemeanor and felony cases, my focus was always on the “Rule of Law,” not how many cases I could win. Because if a defendant was convicted and I knew in my heart, that based on the facts of the criminal file, that he/she was innocent, justice was not served. If the facts and justice warranted it, I would dismiss the case before trial. I also applied this sense of justice and ethics as an Assistant District Attorney in Harris County, Texas. Later, as I left that part of my career (phase (4)), and became a defense attorney (phase (5)). I defended all my clients, some who I initially thought were guilty, but after careful and meticulous investigations, discovered that all things are not black and white. I learned that the purity of the law comes to those who seek it out, and strived to locate the equitable boundaries of substantial justice and fair play.

My journey through the practice of law was not over, as I eventually became a Municipal Court Judge with the City of Houston, Texas (phase (6)). There, sitting on the bench as either a trial or jury judge, I treated justice as I had always viewed her, a woman holding the scales of justice in one hand, and a sword in the other. I witnessed that some jurists at various levels were blinded by societal and cultural biases. I learned to not judge defendants by socioeconomic positions in life, the color of their skin, or their faith, but instead judge their cases on the facts as presented through lawfully admitted evidence, legal precedents, and my judicial temperament which had been honed and improved upon by the experiences of my legal career on the state, national, and international levels.

Once retiring from the Houston Municipal Courts in late 2004, I relocated with my spouse, Dr. Gaye Lang, to our new home in Marble Falls, Texas. After settling in and starting a private practice there as the only African American attorney in a four-county circuit, I was encouraged by the citizens of Burnett, Llano, Blanco, and San Saba counties to run for the 33rd Judicial District bench (phase (7)). I made history by becoming the first African American to run for judge in this region of the Texas Hill Country on any level. Although a terminal and incurable cancer forced me to withdraw from the race, I would like to think I made an indelible impression in the area of race relations on the people of the Hill Country.

Now once again residing in my native born City of Houston, and in total remission from cancer, I have taken on the task of helping to restructure the Houston Forensic Science LGC, Inc. (informally known as “The Crime Lab”) as a member of its Board of Directors (phase (8)). The position is voluntary and without pay, but my home city is getting a return on its investment in nurturing and raising an African American who once had to sit in the back of a city bus, and drink out of water fountains labeled as “Colored.” Our job is to ensure that evidence presented in a court of law is based on sound scientific principles.

My journey continues as I am now the Staff Judge Advocate of the soon to stand up 7th Air Wing of the Texas State Guard (phase (9)). However, I can see the end of my legal journey winding to a close. And as it comes to its conclusion, I will say to the young lawyers and those contemplating a legal career, understand that the journey will not always be easy, but its rewards are everlasting and quite fulfilling. Success is indeed a wonderful and deserved moment where one stands at the end of life’s distance run. Knowing that my journey will be complete only when I arrive at my career’s destination, and can say I have lived up to the words of my childhood hero who said in an inaugural address, “Ask not what your country can do for you, but what you can do for your country.”



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