May 21, 2013 – Jim Coleman was presenting an argument to a Dallas judge in a 1969 business dispute when opposing counsel jumped to his feet.

“I object, your honor,” said the lawyer, Patrick Higginbotham, arguing that Coleman’s position was not supported by the law.

The trial judge turned to Coleman: “What should I do, Jim?”

“Overrule it, judge,” Coleman responded.

“Overruled,” the judge declared.

“It was clear to me and every other lawyer who was ever in court with Jim Coleman that Jim Coleman was the best and smartest lawyer in the courtroom, and the judges all knew it, too,” says Higginbotham, who is now a judge on the U.S. Court of Appeals for the Fifth Circuit.

Coleman has practiced law in Dallas for six decades and been the lead lawyer in hundreds of trials. He has defended Ford Motor Company, GM, Uniroyal, John Deere and nearly every insurance company and bank in Texas. He won a multi-billion-dollar trial for Oscar Wyatt’s Coastal States in 1972, when billion-dollar cases were unheard of. Thirty years later, in 2001, Enron Chairman Ken Lay made Coleman one of his first calls when he saw trouble coming.

Over lunch more than a decade ago, I asked legendary Dallas federal judges Barefoot Sanders and Jerry Buchmeyer who they would hire if they ever needed a lawyer. Without hesitating and nearly in unison, they responded, “Jim Coleman.” Plaintiff’s attorneys Joe Jamail and Frank Branson describe Coleman as one of the best lawyers they have ever seen.

Scores of lawyers have called him for help when they’ve gotten in trouble. He fired clients when he learned they weren’t telling the truth or when they hid evidence from the court or when they refused to work with some of his lawyers just because they were women. Judges openly admit that legal briefs with his name on them have greater influence. Just about every award ever presented for professionalism, integrity, community service and justice are hanging on his wall.

Simply put, Jim Coleman may be the most respected lawyer in Texas. No lawyer has influenced the legal profession or lawyers more.

“Jim is the model of what every lawyer should be,” says U.S. District Judge Barbara Lynn. “He is the best lawyer I have ever known or will ever know.”

Adds George Chapman, a long-time partner at Thompson & Knight, “If you took a poll of Dallas lawyers on who they admire most, it would be Atticus Finch first and Jim Coleman a close second.”

On Thursday, Coleman turns 90. He’s not conducting two jury trials a week anymore, but he still goes to work nearly every day at Carrington Coleman. He’s a regular fixture for lunch at the City Club on the 69th floor of the Bank of America Tower.

“I know my clock is running down,” says Coleman. “I love being a lawyer because >
the law is the most beautiful thing you can do. It is about helping people.”

Coleman says the practice of law today “isn’t nearly as much fun or as gratifying” as when he started. Law firms, he says, operate too much like a business and too little like the great and noble profession that he loves.

“Today, it is mostly about winning and who gets the biggest fees, and that is sad,” he says. “But looking back, I wouldn’t change a thing.”

**Child of the Great Depression**

James E. Coleman, Jr. was born May 23, 1923. He was in the first grade in Atlanta when the stock market crashed. His father, who was a real estate agent, refused to file for bankruptcy protection and instead used his entire personal savings to pay his debts.

“People were jumping out of windows on Wall Street,” he says. “My dad did the right thing and we lost everything.”

The family lived in a small house that sometimes went without electricity because they couldn’t afford it. One day in 1930, the family car started sputtering as his mother drove it into the garage. The car didn’t move for several years because they didn’t have the money to get it fixed.

“I had two mothers – my white mother and my black mother, Bell Jones, who helped raise me and I loved her very much,” says Coleman. “When I was 11, I had typhoid fever and Bell Jones never left my side the entire summer. She even slept in my room.”

That same year, a neighborhood friend used the n-word when talking about his second mom. Coleman immediately cold-cocked the kid, drawing complaints from the friend’s parents but support from his own mother and father.

When World War II began, Coleman’s mother went to work for Sinclair Oil because she wanted to do her patriotic duty.

“She quit the day the war ended, even though Sinclair offered to double her salary if she stayed,” he says. “She loved being a mom and wife.”

At 17, Coleman started thinking about his future. He considered being a doctor, a minister or a lawyer. But he read an article in Good Housekeeping that most parishioners were dissatisfied with their reverend.

“So, I marked being a minister off the list,” he says.

Coleman enrolled as a freshman engineering student at Georgia Tech, where he met Margaret Sutherland, whose father, William, was the founding partner of one of Atlanta’s largest and most influential law firms, Sutherland, Asbill & Brennan, which now has offices in Austin and Houston.

**College, War, Marriage & the CIA**

On Dec. 7, 1941, Coleman was exiting a movie theater when he heard a newspaper boy with the Atlanta Constitution on the street corner scream out, “Extra, Extra. Japan Attacks Pearl Harbor.”

A few weeks later, Coleman enlisted in the Army, where he served as a platoon leader and Second Lieutenant and marched through Europe with Patton’s Third Army and later received the Silver Star. At the end of the war, he was transferred to Camp Swift in Bastrop, Texas, where he served until he was released from duty in 1946. It was his first brush with Texas and he loved it.

With the G.I. Bill paying the way, Coleman went back to Georgia Tech to finish college and get married, as he and Margaret had gotten serious. Ms. Coleman died last year. The couple had been together for more than 65 years. >
“Margaret was the love of my life and I miss her very much,” he says.

In an early test of integrity, Coleman’s chemistry classmates approached him the night before the final exam. They had obtained a copy of the test and answers and invited him to review it with them. Coleman declined and spent the night studying instead.

“The next morning, I sat in class as the test was being handed out and then I heard a gasp from my classmates,” he says. “The teacher had learned that some students had gotten the exam and he had completely changed it.”

Next stop: law school at the University of Virginia. The happy couple dropped by the post office on their way to a college football game in Charlottesville in 1951 when Coleman received an official-looking letter. It was an order to report to Fort Meade in Maryland to prepare to deploy to Korea immediately upon graduation.

Following a basic physical, Coleman was given a street address in Washington, D.C. and was ordered to report the next day.

“The taxi driver pulled up to the U.S. Government Printing Office,” says Coleman. “I started arguing with the taxi driver that this couldn’t be the building, but he insisted it was the right address.

“I went inside and learned that it was really the Central Intelligence Agency,” he says.

From May 1951 to July 1953, Coleman worked for the CIA. He refuses to discuss his work for the spy agency, but he makes it clear he was no mere desk clerk.

“Even my wife never knew what I did,” he says.

That summer, Coleman started looking for a job. His father-in-law made it clear he could move back to Atlanta and join his law firm. But Coleman felt he would always be “under Bill Sutherland’s shadow,” so he and Margaret moved to Texas.

**Coleman Arrives in Texas**

Paul Carrington of Carrington, Gowan, Johnson & Walker, which, along with Thompson & Knight, was the largest law firm in Dallas with 18 attorneys, offered Coleman a job as a lawyer in the real estate contracts practice. The salary was $200 a month – not enough for he, his wife and their two children to live on. So, the couple started taking loans from Mercantile Bank just to pay bills.

Coleman quickly made friends with another of the firm’s rising young lawyers, Jack Hauer, who would later become a named partner at Akin Gump Strauss Hauer & Feld.

“Jack and I loved doing trial work, so we would go around the office every Friday asking everyone if they had a case going to trial on Monday that we could handle for them,” he says. “Then, Jack and I would decide which one of us would examine the lying insurance agent and which one would tackle the lying doctor.”

Hauer and Coleman hung out at the courthouse just looking for opportunities. One day in 1954, they wandered into the Justice of the Peace Court in Oak Cliff, waiting for their client’s case to be called.

The judge in that court described himself as “the Law West of the Trinity.”

The first case on the docket that day featured a lawyer who was suing a day laborer who
couldn’t afford to hire a lawyer over an unavoidable car accident. The plaintiff/lawyer sought $200 in damages – money the guy didn’t have.

“Even though the evidence and the law was on the non-lawyer’s side, the lawyer was clearly winning,” says Coleman. “Jack and I leaned forward and asked the guy if he wanted two really good lawyers to defend him for free.

The man quickly agreed.

“I stood up and said, ‘Judge, Jack Hauer and I have just been retained to represent this defendant in this matter,’” says Coleman. “We won the case for our client in 20 minutes. The lawyer on the other side was not happy.”

A Billion Dollar Trial
Coleman’s first huge bet-the-company case came in 1971. Coastal States Gas Company, which had been founded by Oscar Wyatt, sold gas to cities such as San Antonio, Austin and Corpus Christi for about a dime a gallon.

When OPEC cut production and raised prices by 70 percent, Wyatt convinced the Texas Railroad Commission to allow Coastal to raise its rates. San Antonio refused to pay and instead sued Coastal. Coastal countersued. Several billion dollars in damages were at stake, which was real money 40 years ago.

When Coastal States and Wyatt hired Coleman, company officials told the newspapers that if he lost the case, the company would go out of business.

“We were getting killed in the press, saying this was the worst issue to ever hit San Antonio – worse than the Alamo,” says Coleman. “The judge down there treated us like a country dog come to town.”

“If Coastal States had lost the trial, the company could never have posted the appeals bond and the company had already hired Baker Botts to prepare to file for bankruptcy,” he says.

Coleman essentially moved to San Antonio, staying in a hotel room on the river for more than a year. “I joined the YMCA and took out all my grievances on the punching bag at the end of each day,” he says.

A key moment during the trial came when the plaintiff’s star witness, the mayor of San Antonio, took the witness stand to testify against Coastal.

Under a blistering cross-examination by Coleman, the mayor became confused, provided testimony that conflicted with his own earlier statements, refused to answer some questions and clearly demonstrated a lack of knowledge of the facts.

“Judge, he’s not answering my question. He’s not responsive. He’s believing in the tooth fairy,” Coleman repeatedly told the judge.

“We had to prove that they had no cause of action in Bexar County because we were doing business there. We slowly started seeing the judge move to our side.”

Lawyers for both sides noticed that the judge was slowly changing his position in favor of Coastal States, leading San Antonio officials to agree to settle the case on terms very favorable to Coastal States.

“Back then, it never took a year or two for a case to go to trial because the judges would push us to trial,” Coleman says. “There were several times when I picked a jury in one case while I had a jury in another case down the hall deliberating their verdict. I waived a jury trial twice in my life and both times it was a mistake.”
“I got to where I was more comfortable at the courthouse than I was in the office,” he says.

Carrington Coleman senior counsel John Martin remembers the first case he ever tried with Coleman. The pair was defending the manufacturer of air conditioning units. As part of the discovery process, the lawyers were allowed access to a small room where the plaintiffs’ lawyers kept all their documents.

“The room was a mess – papers were scattered everywhere in complete disorder,” recalls Martin. “We went through every document, organizing them in a way that helped us better understand what was important about the case.

“When we were finished, Jimmy shocks me by throwing the papers all across the room,” says Martin. “I tried to stop him because this wasn’t the calm, very ethical Jimmy Coleman I knew.”

“But then Jimmy explained to me that the way we had organized the papers was work product and privileged because it showed what documents we thought were important and thus revealed our case strategy and that he was simply returning the evidence back to its original state,” he says.

Martin, who handled civil rights cases in the 1960s in Alabama for the U.S. Justice Department, says Coleman was absolutely correct.

Brilliant Insight in Asbestos Settlement
Martin says he witnessed Coleman’s brilliance again in the 1990s when the duo were appointed by a federal judge in East Texas to represent a class of plaintiffs who were involved in the multi-billion-dollar global asbestos settlement known as the Fiberboard Corp. case.

Fiberboard and its insurance carriers, Continental Casualty and Pacific Indemnity, were facing tens of thousands of personal injury lawsuits that threatened to bankrupt all of them. To avoid such a result, the companies and lead plaintiff lawyers reached a deal.

But Coleman, according to Martin, had doubts about the legality of such a broad settlement.

“Jimmy convinced the insurance companies, who were absolutely certain that the courts would approve the settlement, to agree to pay $1.5 billion to those who were suffering from mesothelioma even if the federal courts eventually rejected the global deal,” says Martin.

Coleman’s instincts were right. In 1999, the Supreme Court rejected the settlement, sending the litigation into chaos.

“But thanks to Jimmy, the victims received at least some money from the insurance companies,” says Martin.

James “Blackie” Holmes, who has been a Texas trial lawyer for more than 50 years, says Coleman “isn’t one of those gotcha lawyers who employs Rambo-like tactics” in court.

“Jim is a great trial lawyer because he is so smart and because he has so much integrity, which judges and juries automatically see,” says Holmes, a partner at Burford and Ryburn. “To have Jim Coleman introduce you to the judges gave you instant credibility with those judges.”

Standing Up for What’s Right
Judge Lynn, who Coleman hired right out of SMU Law School in 1976 and eventually made the firm’s first woman partner in 1983, says lawyers gained instant credibility with judges if you told them you worked for Coleman.

In 1976, Lynn joined a lawsuit brought by the SMU Association of Women Law Students against a handful of Dallas law firms claiming >
the firms discriminated against them in their summer hiring programs because of their gender.

The lawsuit was viewed as sensitive and highly political at the time, with many lawyers declining to take a stand. Lynn was one of the early witnesses in the case for the plaintiffs.

“I heard she would be testifying, so I went by her office and asked if she would like me to go with her to court,” says Coleman.

Lynn quickly said yes.

“Jim walked into court with me that day and walked me around the courtroom introducing me to every lawyer there, basically forcing them to shake hands with me,” Lynn recalls. “Jim sat on the front row and when I was done, he stood up, put his arm around me and walked out with me.”

Coleman says he was sympathetic to the cause.

“I took Barb that morning to meet the judge and I introduced her to the opposing counsel and right in front of him, I said, ‘Bob will treat you with great respect and dignity or I will tell his wife,’” Coleman says.

Judge Lynn says Coleman's support never wavered and he always made decisions based on doing the right thing.

“We had a client who said he didn't want women working on his case,” Lynn says. “Jim looked at the client and said, ‘Then we don’t want your business.’”

Another time, Lynn, who was a young associate, was handling a matter for a major firm client when she discovered the client was withholding documents despite a court order to produce them.

“I told the client that I would not represent him if he continued to hide the documents,” says Lynn. “The client demanded to speak with Jim, but Jim completely supported me and my position. He was willing to lose the client rather than compromise his integrity. That is Jim Coleman.”

No Mandatory Retirement or I’m Leaving

In 1986, Coleman was facing his 65th birthday. He kept seeing many of his long-time lawyer friends across Texas being forced to leave their law firms because of mandatory retirement policies.

As his firm’s managing partner, Coleman called a meeting of the partnership to discuss mandatory retirement.

“I want one of two things: an agreement that we have no such policy or to be grandfathered in and to be exempt from it,” Coleman told the lawyers. “If those things don’t happen, I’m leaving to join another law firm.”

John Martin immediately made a motion that Carrington Coleman should never have any kind of mandatory retirement policy. It passed unanimously.

“Carrington Coleman would have been a firm of fools if they had forced Jim to retire,” says Judge Lynn, who was a partner at the time. “Every lawyer in the firm knew that Jim Coleman was the most valuable person there.”

Bruce Collins, the firm’s current managing partner, says it “would have been crazy” to ask Coleman to leave.

“Jim is still very active and we turn to him quite often for his advice and insight into client and firm matters,” says Collins. “Jim’s example and values are our firm’s guiding principles.”

Prominent trial lawyer Bill Dawson, a partner at Gibson, Dunn & Crutcher, says Coleman >
“discovered and mentored more great young trial lawyers” than any other Texas lawyer.

“When others (in a huge trial) were distraught, he was calm and composed,” says Dawson. “He had seen lots of combat in WWII. He won a Silver Star for valor. When the war was over, he promised he would never allow any situation to upset him so long as no one was being shot at.”

Dawson says he once argued with Coleman that handguns should be outlawed because “you couldn’t hit anything with them you intended to hit, and they were just accidents waiting to happen.”

Coleman listened to Dawson make his case and then he responded.

“Well, that is not my experience,” Coleman told Dawson. “When I was a Lieutenant in Patton’s army, walking across Germany, I picked up a .45 off a dead American and carried it the rest of the war. One day, one of my men came up to me and said German soldiers were holed up in a farmhouse down the road.”

Coleman kicked in the door and found the house was full of German soldiers.

“They were pretty much ready to surrender, except for one guy,” Coleman told Dawson. “I guess he felt duty bound to put up a fight. That .45 spun him like a top.”

Dawson says he immediately “threw in the towel” and conceded the argument to Coleman.

Dawson and other lawyers believe that Coleman was the first lawyer in Texas to defend a legal malpractice case back before law firms had malpractice insurance.

The managing partner at the firm being sued called Coleman and asked if he would defend them. Coleman agreed.

“Jim tried the case and won it,” says Dawson. “The law firm thanked him. It never occurred to either of them that he would charge a fee, or be paid a fee. To Jim, it was a professional courtesy, a badge of honor to be a lawyer’s lawyer.”

Adds Judge Higginbotham, “I can’t tell you what all the characteristics are of a great lawyer, but I can point to Jim Coleman and say with absolute confidence that he has all of them.”

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