



Memorial for
JAMES PATRICK BODENHEIMER
Presented at the Memorials and Recognition Ceremony
Held by the First Judicial District Court
November 2, 2017
Under the Auspices of the Shreveport Bar Association

MAY IT PLEASE THE COURT:

We are here to pay tribute to my friend, our friend and colleague James Patrick Bodenheimer. Many of you may have known him longer and some knew him much better than I did. I suspect many of you would have something to add to what I have to say. I would invite you to share your stories with Jim's family who are in attendance with us today. To know Jim is to have your own story. Many folks will begin by telling you that this lawyer or that person is *one of a kind*. Jim Bodenheimer *was* one of a kind. They didn't break the mold. Jim just didn't come out of any standard form mold.

James Patrick Bodenheimer was born on March 11, 1947 in Shreveport, to parents G.M. Bodenheimer and Elizabeth Clohosey Bodenheimer. He died on October 19, 2016 at the age of 69.

I don't think I ever heard anyone call him "James." A lot of folks, including me for the longest time, thought his name was Jim Jr. It always struck me funny that his dad's initials were G.M. So one day one curiosity got the best of me and I asked my assistant to call his dad's secretary and asked what "G.M." stood for... she responded: "Mr. Bodenheimer." Turns out his dad's name was Gabriel Matthew, but many called his dad Jim. It really didn't matter, Jim answered to just about any name folks threw at him...Jim, Jimmy, Jimbo, Bodie, but seldom "Mr. Bodenheimer."

He attended Broadmoor United Methodist Church. His parents and his first wife, Sheila Roger, preceded him in death. He and Sheila had two children James Bodenheimer who lives in Shreveport and Rebecca Beach who lives in Kingsport, Tennessee. I remember when Jim got re-married to Connie. He and Connie were married for 23 years at the time of his death. Jim made some pretty big changes in his life by that time; the biggest change was being a new dad at the age of 46. Enter daughter Christine. He had all sorts of names for her, I'm not real sure how she responded to stinky, but it was a name given in love. I have never met Christine, but I

know all about her. Jim loved to tell me about the new adventures in her life and, of course in his life. It's not that he didn't also speak about his other kids, he frequently did, and his six (6) grandchildren too, but he never failed to tell me about Christine. He always spoke with a great sense of pride and couldn't help smiling broadly. Jim's eyes would actually twinkle when he spoke about his family. Maybe it was his recognition that Christine represented not just a second chance - a chance to do things again, but differently, and with a better understanding of the things to get stressed about and the things to just enjoy.

Jim graduated from Jesuit High School in 1965. He was an excellent student. Part of that may have been all business expectations of Mr. Bodenheimer. Jim was first in his class. He then attended Tulane University on a Legislative scholarship graduating with a BS in political science. Jim would be the first to admit and tell you that a Political Science degree was always a BS degree. Jim then attended LSU Law School. For our new admitees, the horror stories that sound too harsh to be credible ... yes, they used to tell us at orientation to look to the left and look to right, because one of those folks would not make it to graduation. Jim never had any concern; he was smart, worked hard and was first in his class. This is always a significant achievement, but considering professor Katherine Spaht was in his class and second only to him, this is an extraordinary achievement. Jim was offered an opportunity to be on the Louisiana Law Review because of his excellent grades. I would loved to have been in the room when he declined the honor - "sounds like a lot of work." But he did clerk for Professor Saul Litvinoff and was instrumental in revising the obligations code articles. He came back to Shreveport in 1972 and worked for the law firm of Bodenheimer, Jones, Klotz and Simmons, which was located on the 9th floor of the Lane Building. Later, he formed his own firm with longtime friend and mentor, J.W. Jones and David Szwak. David carries on the firm name Bodenheimer, Jones and Szwak. Or SWACK as Jim called David. Jim was also involved in both preparing the Louisiana Bar exam and also served as a grader for the exam.

In his obituary, his family mentioned that Jim spent his spare time playing golf and bridge, raucously rooting for the LSU Tigers, reading St. Paul's epistles and writing

poetry. This is a bit of a surprise. Not that Jim was raucous, he was that for sure, but the fact that he wrote poetry. "*Touchy*" and "*feely*" are not the first words that come to mind when one thinks of Jim. Like many good lawyers Jim was an excellent writer and enjoyed clever and well turned phrases in letters and briefs. He had a great sense of humor and enjoyed a good laugh. Maybe it's because he enjoyed the practice of law, or just who he was, but you knew he was smiling when he spoke by phone. It was disarming and made the cases we shared enjoyable, no matter who had the better fact set: like the time his insured's dog attacked my client's macaw while it was sunning on its perch in the front yard, and sadly killed it. My client was distraught, but Jim reminded me that Louisiana law did not provide for mental anguish damages for negligent property damage. No matter how much my client loved that bird, he would only be entitled to the ACV of that bird. But the ever-generous Jim told me he had good news. He had spoken with his client and they would pay the ACV, and wouldn't deduct for prior damage and they would also let my client keep the bird. From then on, Jim enjoyed telling people about the case where he gave me the bird.

My first encounter with Jim was to tell him the lawyer I was working for at the time was upset that he had not answered our interrogatories. I may have emphasized that he was "very" upset. Jim did not seem very concerned that my boss was upset. He told me that he was busy and wasn't going to be able get to my urgent matter for at least another 10 days. The man I worked for was not going to accept that response, so I boldly told Mr. Bodenheimer, as I called him at that time, I was going to file a motion to compel if the answers were not delivered to my office by the end of the week. Jim repeated what he had said previously and then told me he had to go. The phone line went dead. I had used my best *deep* voice, sounding as firm as I could as a newly sworn in lawyer. Jim was just not moved at all. I was absolutely flabbergasted. This guy just wouldn't be threatened. That was Jim; he told you what he thought. If you had to take some kind of action, that was just what you had to do. Jim just wasn't going to get excited over your problem. He had his priorities and at the appropriate time your emergency would intersect with his priorities. We would later laugh about that incident. Jim taught me that collegiality and co-operation was far better than stomping

my feet. Jim used humor to break down barriers and spoke with ease. Jim found the common ground and focused on the more enjoyable aspects of practice. I cannot recall Jim in my mind without seeing him smiling and laughing. I can't recall a conversation with Jim where we did not take a moment out from the facts of the case and just laugh. Another thing Jim did was smoke. Cigarettes, cigars and little cigars, like Clint Eastwood smoked in the *Good The Bad and the Ugly*. If you went to his office, there was going to be smoking and coffee drinking- lots of coffee drinking. Well, I enjoyed the occasional cigar and the frequent cup of coffee. When I went to Jim's office, I would bring two cigars and Cathy would bring us coffee. We would sit in his office, fire up our cigars, like a couple of swells, sip coffee and talk until our cigars neared the nub. Our purpose in meeting at his office, other than for depositions, would be to see if we might be able to settle the case. It was unspoken that we would first enjoy fellowship and our cigars, and then at some point, either he or I would pass our notepad – facedown- across the table. The other would do likewise. We had an agreement that we wouldn't waste time with the traditional used car number trading, but we would put our real numbers – our righteous numbers – on our notepads and trade them. If there was an overlap – which there never was, we agreed to spit the difference. If there was a deficit, then one of us had to decide if we could make any further compromise. If not, we would try the case. The truly remarkable thing is that we only tried two cases against each other over the nearly 30 years we were in practice together. The other remarkable thing is how closely we evaluated our cases. Jim treated me honestly, with respect and I did the same with him. There was no posturing, no gamesmanship, just a genuine conversation and attempt to resolve our cases reasonably. More importantly, we got the chance to take out a few minutes in our busy day to just be two swells, smoke cigars and hang out. I got to the point that I really looked forward to having cases with Jim and to the friendship that developed between us.

Jim and I also shared something else and that was our membership in AA. Jim wouldn't mind me sharing this with you, because like me Jim was not ashamed about his sobriety or membership in AA. Jim helped countless people in the AA community. Sobriety was something he was proud of, but not in a self- congratulating way, but

proud because he had been given that second chance to do things differently. Also to use his experiences, both before and after sobriety, to help others. Jim would not tell you about the people he helped, but I had the pleasure of hearing from a number of them over the years.

As lawyers, we all have a legacy that is well documented and generally well organized for seven (7) years after we close the file in compliance with the ODC document retention rules, or for litigators, in the West Southern 2d and 3d editions. Jim's appellate cases are reported, and some may be tempted to say that is how he left his mark on our profession and community. Jim handled personal injury, domestic criminal and contract matters. But Jim's legacy – and your legacy- can't be found in the southern reporters or the mountains of paper generated over our careers, Jim's legacy is in the folks he was able to help, as a lawyer, friend and as a member of AA.

For our new lawyers, the practice of law can be a tough job, but it can also be a fun and very rewarding job. Jim would remind you that you need to find ways to balance work and play, and if possible to work at play and to play at work.

I am honored to have been asked to share these thoughts and to have the opportunity to offer this memorial about James Patrick Bodenheimer. For older lawyers, share your stories with the family and new admittees today. To ensure that this story of this one-of-a-kind lawyer who practiced with us for over 40 years is preserved, I move that it be filed and made part of the permanent record of the First Judicial District Court and that copies be presented to Jim's family and forwarded to the Louisiana Supreme Court for further recordation.

Respectfully Submitted,



William F. Kendig, Jr.