

**Memorial for
WELLBORN JACK, JR.
Presented at the Memorial and Recognition Ceremony
Held by the First Judicial District Court
November 9, 2023
Under the Auspices of the Shreveport Bar Association**

MAY IT PLEASE THE COURT:

Memorials are made for memories. They are the repositories of the collected and distilled recollections of our time spent with those we cherished—our stories reflecting the truth about a person we have known and cared about.

But, let me begin not with a memory but the filing of Exhibit A, the obituary of Wellborn Jack Jr. It was published in the Shreveport Times on the occasion of his passing on April 4, 2023. That obituary contains what Wellborn would have referred to as the “Facts Beyond Change.” It is a one page summary of the important structural elements of the story of his life: Where he was born, where he went to school, his most visible accomplishments, the names of his closest family members and survivors. What it does not contain are our memories of our time with him.

Those of us who were lucky enough, or as we say in the South, were blessed to have been his proteges learned very quickly that, for lawyers, memories are the raw material of Truth. What the witness remembers and what the witness will say are the threads we weave to craft a story encapsulating and revealing some truth about an event or a person.

For Wellborn, the client’s story was paramount. It was the story that made them a flesh and blood human being and not merely a client. He treasured many things, but the things Wellborn treasured the most were people and their stories.

Courtrooms Are Made For Sharing Memories

We would spend hours with a potential client probing and grilling them about their memories, not just of the contested event, but of their entire life. It would not end until Wellborn had the story, until he had the client’s Truth.

Upon accepting the case, he would then repeat it with great regularity around the office, share it with other lawyers sitting in the jury box before court. He would even run it past the waitress at a restaurant trying to take his order. *He would tell it to anyone who would listen.* He was always refining, revising and retelling the client’s story in preparation for its final delivery in a courtroom. And each telling always ended with the same affirmation and exclamation — “That’s the truth. And, if it isn’t it ought to be!”

It was in those stories that Wellborn found connections to people, to himself, to the Law and to Truth.

Many of those stories were told in this very courthouse. Some were epic, some were mundane, each ended in victories or losses great and small. Some, never made it to the courtroom, having been deemed sufficiently reliable to merit a dismissal, a reasonable plea



bargain or out of court settlement. Either way the story was told. A story worthy of being the Truth.

Memories Do Not Reside In One Person

Tutu Baker, Wellborn's former wife who he often said he wished had been his law partner, will tell you that he was simply brilliant. She knew him as a lawyer of sharp wit possessed by a singular focus on advocating for his clients. For the client, it was a blessing. For Wellborn it was sometimes a curse, blinding him to the most important and pressing events surrounding him.

He practiced for many years with his father, Wellborn Jack, Sr. And, Tutu recalls that on the day of Senior's funeral she walked into the living room to find Wellborn sitting at his computer. He was putting the final touches on a brief that was due the next day. "You are going to be late for your own Father's funeral," she screamed! Without missing a keystroke or lifting his eyes from the computer screen, he flatly replied. "If anyone would understand, it would be my father."

That event is consistent with what Mark Rogers would tell you about Wellborn. Mark recalls that Wellborn was fond of saying that "Anything worth doing is worth doing to an excess!" If Wellborn had a philosophy or credo by which he lived, that was it.

I think he was in his late 60's when he and his wife Catherine took up motorcycle riding. Now Wellborn was not a Sunday afternoon poser with a Harley that rarely saw the road. He preferred high revving Japanese bikes. optimized for speed, acceleration, braking, and cornering. He called them "crotch rockets." His wife Catherine was his knowing and enthusiastic partner in this and all other things extreme. He referred to her as his girlfriend. And, she was willing to ride to the edge with him and be the tether that kept him from going over it.

Whether it was studying the great philosophers in ancient greek or the Bible in Hebrew. Whether it was the science of cross-examination or the art of story telling. Whether it was the code of evidence or the analysis of DNA, Wellborn mastered the minutia of anything and everything that interested him. And much interested him.

So, he made himself an expert in many things. Not because he sought recognition from his peers or anyone else. He did it for the sheer joy of knowing and understanding, and for the greater joy the sharing that knowledge and understanding with others.

I worked for him as an investigator the summer before I went to law school. My first task was to draw what I thought would be a simple accident scene diagram. As a police officer I had done hundreds of them. Now, I'm not an artist. I'm married to one. But, I knocked it out in about 10 minutes and presented it to Wellborn. Shaking his head and pointing to a Macintosh computer, he demanded that I "Draw it on that." I'd never seen a Macintosh computer before.

He was paying me by the hour. So, after struggling for the better part of a day I went into his office to apologize the time it was taking. He looked up from his computer, knitting his eyebrows as was his fashion, and said "Don't feel like you have to be productive all the time.

You need time to learn new things and be creative.” Then critiquing my diagram, he sent me back to the computer to learn.

Memories Are Our Lessons Learned

Any of you in this room who knew Wellborn, or had the experience of being in a courtroom with him, learned something. And, I’m sure that some of those learning experiences were more pleasant than others. One of his long time paralegals, Janet Gregory, affectionately known as “Prissy,” recalls a particularly difficult hearing with Ron Interbitzen, a prosecutor who often opposed Wellborn. At the hearing Wellborn took the stand himself, testified, and tendered himself for cross-examination, Ron declined. When the judge asked if he was sure there was nothing he wanted to ask Wellborn, Ron replied, “You know Judge, going to trial with Mr. Jack is like going to Boot Camp. You learn a lot. But, it sure does hurt, and you’re really sore afterwards.” Any of you who ever opposed him at trial, or had to endure his deposition of your client knows exactly what Ron meant.

In the summer of 1992, a week after I returned to Shreveport, we were trying a personal injury case in U.S. District Court in Little Rock. It’s an iconic court room, the kind that overwhelms you with the sense of tradition, solemnity, and seriousness which pervades it. Spectators sit on slat-backed wooden benches. Portraits of long dead magistrates and judges hang from walls of dark paneled walnut. The jury sits off to the left of a high bench where the clerk, court reporter, and U.S. Marshal sit below the judge who is, of course, the center of it all. It is not unlike this courtroom.

Our clients were a family of four on vacation traveling along Highway 7 as it runs from the Louisiana line north through the Arkansas mountains to Missouri. They were run off the road by an 18 Wheeler. Liability was not seriously contested. The issue was damages, and the extent of the injuries which had hospitalized all family members.

We were opposed by a lawyer with the Rose Law Firm out of Little Rock. I believe his name was Sutton. During his summation, and as might be expected, Mr. Sutton naturally made some remarks attacking the credibility of the father’s testimony concerning his injuries and the injuries sustained by his wife and children.

Jumping to his feet Wellborn shouted “I object!” Turning to Wellborn the judge curiously asked “What is your objection Mr. Jack?” After looking down at his notes, and fidgeting for a moment, he pushed his glasses up on his nose fully extended his arm. Then, pointing directly at Sutton Wellborn said, “He’s . . . he’s lying!”

Now the judge, who was up in years as they say, had presided over many trials. But to our knowledge she had never actually tried a case. As far as we know, she had only one job after law school and before being elevated to the Federal Bench. She had been the law clerk for her father and predecessor on the federal bench. I fully expected to find myself in chambers with the court reporter and the Marshal, listening as the judge held Wellborn in contempt.

But that didn't happen. Instead, the judge looked down at her notes, then over at Sutton. Without hesitation or flair she flatly ruled: "Sustained. Move on Mr. Sutton." And, without protest or reply, he did.

Of course the jury came back for the clients. Now Bill Kendig will tell you that Wellborn was a true believer, a champion of the underdog. Someone who, when he you called for a favor, was always doing so for someone else, was never for himself. And if the truth be known about that case in Little Rock, Wellborn felt that the amount recovered, though large, was just not enough to make the client and his family whole. So what did he do? He waived our entire fee along with the very considerable costs he had invested in the case. He sent the lint home with every dollar we received in payment of the judgement.

That was not unlike him. Many will remember the Charles Head case. Tried in this courthouse Wellborn pioneered the use of Post Traumatic Stress Disorder as a basis for an Insanity Defense to the charge of murder. It had never been done before—*anywhere*.

Wellborn lost first trial. He appealed, got a reversal and a retrial. He then threw himself and his staff into it with the kind of single-mindedness that Kendig remembers. Wellborn brought the horror of Charles Head's Vietnam into this courtroom. He told the facts beyond change of the missions Charles had survived, He showed the jury the scars Charles acquired as a tunnel rat, hunting the Viet Cong in underground tunnels with only a flashlight and a .45 caliber pistol. He brought the demons who tormented Charles day and night into this courtroom. The ones who caused Charles to do terrible things he did.

He told Charles Head's story. The jury got it. They saw the Truth. They acquitted.

Many will remember that trial, that singular and unparalleled achievement. But few know or will remember that Wellborn was paid very little for that first trial, and nothing after that. The cost of the appeal, the transcripts, filing fees, the investigation, the expert witnesses, the subpoenas, the witness fees. All on Wellborn. All *pro bono*. He *was* a champion of the underdog.

Memories Are Echos

They are *res geste* really, consisting mainly of and reminding us about things said and done. Often poignantly bringing to mind something about a person that we simply cannot forget.

Jamie Moore had been a paralegal for both Bill and Wellborn. She will bluntly tell you that she received her education from the school of Wellborn Jack, Jr. She recalls how he would take the time to patiently teach, coach and explain simple things, like how to craft a letter. But more importantly, Jamie reminds us that Wellborn was never shy about telling the people around him just how important they were to him, about how often he thought about them, and how much he loved and cared for them.

If there is a crack in my voice, it is because I did not often enough tell Wellborn how much I cared for, loved, and appreciated him as both friend and mentor.

But, what I can do, what any of us who knew him can do, is share our stories about him. And, if like Mr. Interbitzen, your experience with Wellborn left you a bit sore, perhaps you can shake it off with a laugh, as Ron did. Just chalk it up to having crossed paths with a true believer,

one who understood himself to be liberty's last champion. A lawyer who loved his craft, his colleagues and his clients, blessed with a gift for storytelling and cursed with a calling to champion for the underdog.

As for me, I will remember the story of my time with Wellborn, coated as it is in the patina that comes with the passage of time, as nothing short of a blessing. I will always feel honored to have known, been befriended, and mentored by such a man. He was, for those of us who worked with him, the most important and influential person in our professional universe. Our lives would not have been as full, and our achievements would surely have been lesser without his tutelage.

Memorials are made for memories. They are the repositories of the collected and distilled recollections of our time spent with those we cherished—our story reflecting the truth about a person we have known and cared about.

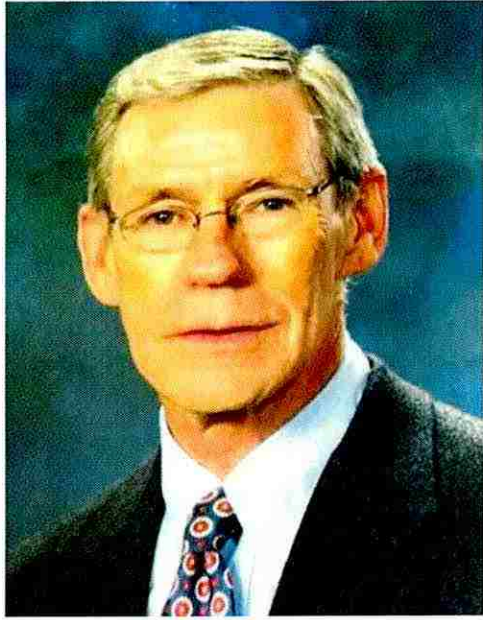
This is my story about Wellborn Jack, Jr. It's the Truth. And, if it isn't, it ought to be.

Your Honors, I now move to request that this Memorial Eulogy for Wellborn Jack, Jr. be duly recorded on this 9th day of November 2023, in Shreveport, Caddo Parish, Louisiana, and made part of the permanent record of the First Judicial District Court, Caddo Parish, Louisiana, and that copies be delivered to Mr. Jack's family.

Elton B. Richey, Jr.



Louisian Bar Roll Number 21836



Wellborn Jack Jr. gained his angel wings on April 4, 2023. He was born in Shreveport on July 23, 1936. He attended Barrett Elementary, Broadmoor Jr. High and Byrd High School. He graduated from LSU and LSU Law School where he was named Editor in Chief of the Law Review. He began the practice of law with his father in Shreveport in 1963. Wellborn had a brilliant mind and a passion for the law. He had an unparalleled commitment to his clients. He was included in "The Best Trial Lawyers of America" collection. Of all the cases he tried in his over 50 years as a trial attorney, two of them especially stood out. He was the first in the country to obtain, in a violent case, a not guilty by reason of insanity verdict based upon PTSD from the Vietnam War. He also defended a member of Earth First in an environmental conspiracy case in AZ. Wellborn was a life-long environmentalist. He was instrumental in

creating the Caney Creek Wilderness Area, the first designated wilderness area in AR. He obtained a temporary restraining order to stop the dam ultimately built on the Cossatot River. He was a co-founder of the Kisatchie Chapter of the Ozark Society. He was named Conservationist of the Year. Wellborn served in the National Guard Reserves. He enjoyed bird watching, hiking, canoeing, sailing, snow skiing, motorcycle riding, running, triathlons, piloting gliders and small planes and spending time with friends of Bill Wilson. He studied the intricate details of every activity in which he engaged and put everything he had plus some into it. He never lost his thirst for and love of knowledge. Everyone who ever met Wellborn knew that they had met someone very special. Wellborn was predeceased by his parents, Wellborn and Sue Dewitt Jack and his sister, Savannah Elizabeth Jack. He is survived by his loving wife Catherine; children Wellborn Jack III (Mary), Patrick Jack, Wayne Ashley (Suzi), Ransom Ashley (Terri), Andrea Swenson (Alan), and Angela Butler (Rick); sister Patricia Jack Morgan; grandchildren Will Jack, Spencer Jack, Sara Jack, Richard Ashley, Tiffany Olson, Ashley Crawford, Laura Moore, Jeremy Sitter, Ransom C. Ashley and Cole Ashley; and ten great grandchildren. A Mass of Christian Burial at The Cathedral of St. John Berchmans will celebrate his life and God's infinite goodness on Thursday April 20 at 10 am. In lieu of flowers, the family suggests memorials may be made to the Choir of St. John Berchmans, 929 Jordan St., Shreveport, LA 71101.

Posted online on April 12, 2023
Published in The Shreveport Times

Exhibit A