

Hon. Mary Ann Vial Lemmon

by Megan Dupuy

Megan Dupuy has been Judge Mary Ann Vial Lemmon's career law clerk since November 2009. She is the vice chair of the FBA New Orleans Chapter's Younger Lawyers Division and a 2014 recipient of the FBA's Younger Federal Lawyer Award. Dupuy lives in Mandeville, La., with her husband and two young sons. She would like to thank Judge Lemmon for providing her with the opportunity to pursue a rewarding legal career and for her support and guidance in all aspects of career and family.

To say that Judge Mary Ann Vial Lemmon has dedicated her life to public service is an understatement. She is truly an inspirational woman and trailblazer who has demonstrated that it is possible to attain professional excellence while maintaining a balanced life with a loving family and a commitment to community involvement.

Judge Lemmon was born in New Orleans on Nov. 22, 1941. Her family hailed from St. Charles Parish—a short distance up the Mississippi River from New Orleans—where her grandfather, Leon C. Vial Sr., served as sheriff from 1916 until 1939. Judge Lemmon's father, James P. Vial, was an attorney and her mother, Irma Simoneaux Vial, was a first-grade teacher. In 1961, at just 19 years old, the future Judge Lemmon began her legal journey at the College of Law of Loyola University New Orleans, her father's alma mater. In December of her first year of law school, she married Harry T. Lemmon, an upperclassman at the law school. Judge Lemmon graduated second in her class and served as editor in chief of the *Loyola Law Review*, while raising a young and growing family. The first two of her six children were born while she was in law school, and she was pregnant with the third at graduation. Because the baby was due during the set test date, she was permitted to take the Louisiana Bar Examination early on the condition that the test would not count unless she graduated. Obviously, she passed the exam and graduated to become one of the first 100 women lawyers in the Greater New Orleans area (number 54 to be exact).

From 1964 until 1981, she practiced law at the family firm—Vial, Vial & Lemmon in Hahnville, La. Her practice was that of a “country lawyer,” serving her community and doing everything from family law to a large amount of oil and gas work. During her time in private practice, she learned to balance her family responsibilities and professional life. She recalls a particular deposition that her children continually interrupted; by about the third or fourth telephone call she told them that they better not call again unless someone was bleeding. They called again—someone actually was bleeding and ended up with 150 stitches!

In 1968, Judge Lemmon was a charter member of the 29th Judicial District Court Indigent Defender



Board. Then in 1969, she was the founding president of the St. Charles Parish Chapter of the League of Women Voters. In 1970 and again in 1980, Judge Lemmon spearheaded her husband's successful campaigns for election to the State of Louisiana Court of Appeal-Fourth Circuit and the Supreme Court of Louisiana, respectively. In 1981, the Lemmon household gained another judge when Judge Lemmon herself was elected to a judgeship on the 29th Judicial District Court for the Parishes of St. Charles and St. John the Baptist. She was the first woman elected as a judge in either parish.

Judge Lemmon's initiation to the bench was a baptism of fire. Her first three criminal trials were retrials of the penalty phase of three different death-eligible criminal cases that had been overturned on appeal due to faulty jury charges given by her predecessor. All three of those defendants were sentenced to death, and two were eventually executed. While on the state court bench, Judge Lemmon responded to the specific needs she saw in her community. She worked with school officials to form the Court School, which was designed to address the special needs of at-risk youths and divert them from criminal behavior. The program was geared toward behavior-disordered children on probation and was held adjacent to the courtroom to provide extra guidance and the means to

adjust probation conditions as necessary. The program was a resounding success; by the end of the first year, one-third of the students were successfully returned to the regular classroom. Further, she was the founder of the Mental Health-Juvenile Service Coordinator Program—which continues to operate—and was created to assist the judges in accessing services available to fit the needs of particular children involved in the criminal justice system.

Judge Lemmon also implemented a program to provide much-needed assistance to victims of domestic violence. She created a domestic violence intake process, which later became the model for the statewide procedure. Judge Lemmon received a grant from the State Justice Institute, which she used to produce a video explaining the court process to domestic violence complainants. A social worker was hired to coordinate services available for domestic violence victims during their journey through the court system.

Judge Lemmon served as judge for the 29th Judicial District Court for 15 years, which included four terms as chief judge. Her state-court experience also includes time as a judge pro tempore for the 23rd Judicial District Court for the Parishes of Ascension, Assumption, and St. James from 1981–1982 and the Louisiana Court of Appeal-First Circuit in 1991. On Dec. 19, 1995, President Bill Clinton nominated Judge Lemmon to a seat vacated by Hon. Peter H. Beer on the U.S. District Court for the Eastern District of Louisiana. She was confirmed by the Senate on July 10, 1996, and received her commission on July 25, 1996; she was sworn into office by U.S. Supreme Court Justice Byron White. Transitioning from the state to federal bench brought its own challenges, including an ongoing dispute with her husband regarding whether a federal district judge outranks a state supreme court justice. (They have yet to agree.)

Throughout her career, Judge Lemmon has remained actively committed to promoting excellence, professionalism and civility. Her professional affiliations include serving on the Louisiana Judicial College; Louisiana State Court Bench-Bar Liaison Committee; Advisory Committee to the Supreme Court for Revisions of the Code of Judicial Conduct; American Inns of Court; Public Information Committee of the Louisiana Bar Association; Bench-Bar Committee and Education Committee of the Louisiana Bar Foundation; Louisiana District Judges Association; Federal Judges Association; Board of Directors of the Federal Bar Association, New Orleans Chapter; Louisiana Law Institute Council; and Judicial Council of the Fifth Circuit. Judge Lemmon has been extraordinarily active in the American Bar Association, serving in many leadership roles and chairing the Coordinating Council of the Justice Center and National Conference of Federal Trial Judges. Judge Lemmon comments that her level of involvement in these organizations stems from

her particular interest in creating informative and enjoyable continuing legal education and historical programs.

Judge Lemmon's commitment to bettering children's lives is demonstrated by her time as a Girl Scout leader, religion teacher, Cub Scout campout host, literacy mentor, and member of the Advisory Board of Cafe Reconcile, which trains inner-city youth in the restaurant and construction industries. Over the years she has initiated and hosted numerous programs explaining the judicial process to elementary, middle and high school students. In 2014, she organized a special Naturalization Ceremony that was held in Roussel Hall at Loyola University and attended by high school students to celebrate Constitution Day. The program featured inspirational speakers, an essay contest, and a play about immigrants that was written by attorney Barry Ashe (at Judge Lemmon's request) and performed in three languages by high school students.

Judge Lemmon's achievements have been recognized with numerous awards, including the Grace House Woman of Substance Award (1997), Women Business Owners Association Achievers Award (1998), induction into the Louisiana Center for Women and Government Hall of Fame (2007), and Loyola University Outstanding Alumnus St. Ives Award (2010). Further, the 2015 Judicial Conference of the Fifth Circuit was dedicated to Judge Lemmon.

Judge Lemmon assumed senior status on Jan. 1, 2011, which has given her more time to enjoy her other interests—particularly history and her camellia plants. In 2012, Judge Lemmon chaired the committee responsible for celebrating the 200th Anniversary of Federal Courts in Louisiana. The committee developed a website dedicated to preserving the history of the Eastern District of Louisiana. The crown jewel of the celebration was a continuing legal education historical lecture attended by over 700 people, which featured a play about Louisiana's choice to follow the civil law tradition. This play was also written by Ashe (again at Judge Lemmon's request) and performed in three languages by high school students. Ashe commented that Judge Lemmon "encourag[ed] me to move beyond my comfort zone in assisting the court with its bicentennial celebration and Naturalization Ceremony. She challenged me, as she has so many others, to give back to our profession in ways that I could not even envision—even if it meant becoming a playwright."

Judge Lemmon is currently spearheading the Louisiana Bar Foundation's oral history project and relishes the opportunity to interview her friends and colleagues to preserve Louisiana's proud legal tradition. Judge Lemmon has been a member of the Historic New Orleans Collection museum for many years and often travels with the group to explore the roots of Louisiana history and culture.

Judge Lemmon continues to be an advocate for wom-

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zzo often reflected on this saying as a constant reminder of her sacred obligation to the people she served.

In 2008, Judge Milazzo was elected to the 23rd Judicial District Court without opposition; she was the first female elected to that position. Lawyers in the area were excited to finally have a female perspective on the state bench, and Judge Milazzo's unconventional path to the judiciary proved an asset to her position.

On March 13, 2011, Judge Milazzo's acumen as a judge was recognized by President Barack Obama when he nominated her to serve on the U.S. District Court for the Eastern District of Louisiana. She was unanimously confirmed by the Senate on Oct. 11, 2011, and sworn in on Oct. 12.

Discussing her service on the federal bench, Magistrate Judge Jay Wilkinson put it best: "Judge Milazzo exhibits as much good sense, practicality, and on-the-button legal instincts as any judge I have ever seen in this court. Along with her conscientiousness, I figure these traits must come in large part from her genes, since her late and much-revered father was one of the real lions of this court's bar for decades." Fellow District Court Judge Lance Africk echoed these sentiments: "When executing her judicial duties, Judge Milazzo combines a keen intellect, strong work ethic, engaging personality, and a homegrown compass that adroitly discriminates between right and wrong. Having grown up in a loving household replete with energetic discussions about politics and life lessons, Judge Milazzo learned at an early age that in order to achieve success, it is critical that one show respect for the viewpoints of others, including those with whom one disagrees. Her judgment is only clouded when it comes to her beloved LSU Tigers."

As a judge, she has also had the opportunity to serve as a mentor to law clerks and female lawyers alike. One law clerk, Stephanie Murphy, clerked for Judge Milazzo at both the state and federal court levels. Discussing Judge Milazzo's influence on her legal career, Murphy said, "During my three years of clerking with Judge Milazzo, she taught me that I could be a friend, a mom, a wife, and a daughter all while being an active legal professional. She illustrated hard work, integrity, professionalism, respect

for all that entered her courtroom, a true passion for the law, and gratitude for being a member of the judicial process. Now, in private practice, I see many women in awe of her every day as she exemplifies these things to her female interns, colleagues, and members of the bar. She is a shining example of how far an intuitive female mind, hard work both at home and in the office, and being true to yourself can get you. Oh yes, and how a fabulous pair of shoes never hurts!"

During her years in private practice, Judge Milazzo was active in several legal organizations and served as president of both the Assumption Parish Bar Association and the 23rd Judicial Bar Association. She was also a member of the Louisiana State Bar Association House of Delegates, where she served as a member of the Legislative Committee and as chair in 2007. As a state judge, she served on the executive committee of the District Judges Association. She currently serves on the Board of Directors for the New Orleans Chapter of the Federal Bar Association.

Judge Milazzo now resides in New Orleans with her husband, John Milazzo Jr., a retired banker, renowned jambalaya chef, and avid Costco bulk shopper. As Judge Africk said, "she and her husband John, a success in his own right and known by all of us for his good cheer and culinary talent as a Cajun chef, have rapidly become crowd favorites among the bar and bench." The Milazzos enjoy spending time at their home on Lake Verret, entertaining their six children and three grandchildren, and cheering on the LSU Tigers. Two of Judge Milazzo's children, Anne and Richard, joined the family tradition of practicing law and both enjoy diverse local family law practices. ☺

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en. In 2013, she was introduced to Kara Van de Carr, the president and founder of Eden House New Orleans, a home and treatment program for victims of human trafficking. In 2014, Judge Lemmon brought a spotlight to the issue at the FBA National Convention in Providence, R.I., by organizing a continuing legal education program on the topic and nominating Van de Carr for the Hon. Sarah T. Hughes Civil Rights Award, which she won. Judge Lemmon also organized the human trafficking CLE program presented at the 2016 Women in the Law Conference in New Orleans.

The Lemmon family legal legacy continues with Judge and Justice Lemmon's children. Four of their six children attended Loyola Law School; three are practicing attorneys and one is a Louisiana state court judge in the 29th Judicial District Court for the Parish of St. Charles. The two nonlawyers of the Lemmon brood serve the community in different ways: one is a children's psychologist and the other is a social worker specializing in preventing violence against women. The Lemmons have 13 grandchildren—11 boys and two girls. ☺