

Judicial Profile

HON. MARK L. HORNSBY AND HON. ROY S. PAYNE

Hon. Tom Stagg U.S. District Judge, Western District of Louisiana

TOM STAGG NEVER ceases to amaze. If you've ever handled a case in federal court in Shreveport, La., the one thing you probably remember is that tall, outspoken judge with a bow tie who seemed to know your case inside and out. He is a judge with a well-earned reputation for fairness. On April 26, at the age of 86, Judge Stagg finished his 35th year on the federal bench just the way he started in 1974—hard at work behind the same big desk.

Already this year he has presided over four jury trials—civil as well as criminal—and made two long trips down to Laredo, Texas, to help with the exploding dockets of cases involving border issues—all the while handling his draw of the docket he shares in Shreveport with Senior Judge Don Walter and Judge Maury Hicks. Judge Stagg is preparing to spend a week sitting by designation on the Eleventh Circuit Court of Appeals, like he did last year for the Ninth Circuit. When the president of the Louisiana State University system recently needed to find a new chancellor for the university's law school, he naturally turned to one of the school's most loyal alumni, Tom Stagg (Class of '49), to chair the national search committee. Showing no signs of slowing down, Stagg likes to say that he was appointed for life and plans to serve out his term.

A native of Shreveport, Stagg graduated from Louisiana State University in Baton Rouge while he was still in his teens, and was commissioned in the U.S. Army as a second lieutenant in May 1942. Sent to Europe, where he served as an infantry platoon leader and company commander, he was decorated with a Bronze Star for valor, two Purple Hearts, three battle stars, and the Combat Infantry Badge (which he still wears on his lapel). He was wounded behind enemy lines in France—his pocket Bible having slowed another bullet to the chest—and was helped to safety by a farmer.

After the hostilities ended in Europe, Stagg landed a post at the VI Corps Headquarters in London (which he describes as “a very cushy assignment for a foot soldier”) and got a jump-start on a law career by at-



Judge Stagg with profile authors Roy Payne (left) and Mark Hornsby (right).

tending Cambridge University in England. Within two months of his discharge back to the states in 1946, he did two key things: he married his bride of now 63 years, Margaret (Miki) O'Brien Stagg, and he enrolled at the LSU Law School. He and Miki have two daughters, Julie and Margaret, and three grandchildren.

During the 25 years he practiced law before President Nixon appointed him to the bench, Stagg was a delegate to five Republican national conventions, held every party office from precinct captain up to national committee member, managed the campaigns of several elected officials, ran his own campaigns for state senator and Louisiana attorney general, was elected to the Louisiana Constitutional Convention of 1973, served on a half-dozen state and local government commissions, chaired the committee that created the Shreveport Regional Airport, and was a member and leader of civic and community organizations across the board from the Jaycees to the Volunteers of America.

The breadth of his connections has led to some surprising resources. In one big case involving a courtroom full of lawyers, when the judge was trying to schedule an important hearing, one of the lawyers objected that he had already paid for a nonrefundable week at a luxury resort in Hawaii during the date being considered. However, that was the only week that would work with all the other lawyers' calendars. So Judge

Stagg asked him which resort he had booked. Learning that it was a Marriott resort, Judge Stagg took a recess and called J.W. Marriott, whose wife, Alice, had served with Stagg on the Republican National Committee for 15 years. When Judge Stagg returned to an incredulous courtroom with confirmation from Marriott that the vacation could be refunded or the date changed, the hearing was scheduled. Vintage Stagg.

The judge has been active in court administration on the district and national levels. In the 1970s, he was one of the pioneers of court-approved pattern jury instructions, helping his friend Judge Hodges of Florida produce the Fifth Circuit patterns for criminal and civil cases. In the 1980s, Judge Stagg was a longtime member of the U.S. Judicial Conference's Committee on Judicial Statistics, which led to later service on the Committee on Judicial Resources. From 1984 to 1991, he served as chief judge of the Western District of Louisiana, during which time he laid the groundwork for the construction of the new U.S. courthouse in Shreveport. He was onsite daily during the construction in 1992 and 1993, and won praise nationally for bringing the project in on time and under budget. When the U.S. Senate held hearings in the 1990s about the escalating cost of courthouse construction, particularly in Boston and New York, the committee called Judge Stagg to testify about how he got the job done so economically. The committee hearings were broadcast on C-SPAN and showed how much the judge enjoyed being a witness. He chided the Senate for the lavishness of sculpted and gilded marble covering the enormous committee chamber. When a senator jokingly reminded Stagg that he could be removed by a two-thirds vote of the Senate, the judge laughed and retorted that the senator could never get 67 of his colleagues to agree on anything.

Judge Stagg's passions extend beyond the law to activities as diverse as photographing wildflowers and playing badminton. He has a badminton court at his house and, until recently, his law clerks, friends, and neighbors would join him every Monday night for an evening of intense doubles competition. These matches were not your backyard variety of badminton: eye protection was highly recommended. In summer 1992, Stagg traveled to Barcelona to watch the debut of badminton as an Olympic medal sport, and has followed it to other Olympic venues as well. During the 1996 Olympics in Atlanta, when hotel rooms downtown were impossible to find, he camped out in the Eleventh Circuit courthouse so that he could be close to the badminton arena. Judge Stagg's love of travel and love of photography go hand in hand. After a journey across the Serengeti Plain in Tanzania a few years ago, the judge entertained a Shreveport courthouse audience one evening with a slide show in the courtroom. His recent travels have taken him across Russia and Europe and, last year, down the Nile in Egypt. In preparation for what may have been the last reunion of his old Army unit, Judge Stagg recently demonstrated that he could still fit into his captain's

uniform—a fact that he attributes to his daily, early-morning three-mile walks.

Thoughtful preparation is the hallmark of all Judge Stagg's activities. Before conferences, hearings, and trials, he reads everything in the record. His law clerks prepare extensive memoranda on all foreseeable issues. The briefs and exhibits he carries to the bench or conference table are always adorned with tabs in a rainbow of colors that point to the portions he has highlighted. He takes copious notes during trials. Long before the years of real-time transcripts, it was never necessary to ask a court reporter to read back a question or answer; Judge Stagg could give it back to you word-for-word.

Woe unto the unprepared lawyer, because Judge Stagg expects—and demands—the best from the lawyers who appear before him. But for the well-prepared lawyer, trying a case in front of the judge is an unforgettable experience. Stagg is the model of efficiency: juries are selected and opening statements usually begin before lunch on the first day of trial. He is very protective of his juries, and they love him for his care. He conducts the voir dire himself as a way to ensure that the jury's time is not wasted and jury members' privacy is not invaded unnecessarily. Although he has little patience for anyone who is not prepared, he nonetheless treats counsel with respect and is aware of the need "to shield the shorn lamb," as he says, in order to avoid unduly embarrassing a lawyer who is left to argue the weaker side. Nearly all the lawyers who have appeared before him—both winners and losers in any particular case—will tell you that Judge Stagg is warm and courteous and has a keen sense of humor and an unwavering instinct for fairness. He is a lawyer's judge.

Judge Stagg sees his role as being a mentor to his law clerks, and this attitude is reflected in the devotion he receives in return. Twice every year—on his birthday and on the anniversary of his investiture—local former clerks gather for lunch or for wine after work. Every five years, the latter is marked by a dinner attended by former clerks hailing from coast to coast. He has shaped the careers of all who have worked with or near him—perhaps most visibly the two authors of this profile, who are his current and former magistrate judges—including federal prosecutors and defenders as well as private practitioners in both large and small firms. During his 35th anniversary celebration last month, all his former clerks presented him with a crimson robe. The robe is the culmination of a long story, which must be left for another day, although we all know that not just any judge could pull off wearing a bright red robe. Those of you who have met Judge Tom Stagg know that he can. **TFL**

Hon. Mark Hornsby was appointed as a magistrate judge in the Western District of Louisiana in 2005. Hon. Roy Payne served as a magistrate judge in the Western District of Louisiana from 1987 until his retirement in 2005. Both are former law clerks for Judge Stagg.