

**SPEECH IN HONOR OF THE DEDICATION  
OF THE JOHN R. BROWN ADMIRALTY  
LIBRARY AT THE UNIVERSITY OF  
HOUSTON LAW CENTER BUILDING<sup>†</sup>**

*Hon. Karen K. Brown\**

I am very pleased to be asked to introduce Judge John R. Brown<sup>1</sup> to you on this occasion. This is the first time that I can recall, in the eighteen years that I have known him, that I have had the opportunity to speak first. I am going to enjoy taking full advantage of it. Every law clerk who ever worked for him has special memories. I thought I might give you the benefit of what I, after eighteen years, think of when someone mentions Judge John R. Brown to me.

I do not immediately think of him as the “chief-of-all-the-chiefs,” although he was. He was, when I was his law clerk, the chief judge of the largest constitutional court in the United States. The Supreme Court was superior. However, we knew the truth; our court was larger. I do not immediately think of him as the strong hand that guided the court through the volatile years of civil rights cases, which reflect the most extraordinary changes that have occurred in this country in my lifetime, although he was.

I do not immediately think of him as a master of organization, although he is. His innovative procedures are still followed today by the Fifth Circuit, despite the fact that it has increased its caseload since he was chief judge. For the benefit of those who have little sartorial imagination, and who might spread the rumor that John R. Brown is color blind because of

---

<sup>†</sup> This speech was initially delivered on February 20, 1992. [*Houston Journal of International Law* Editor's Note: We wish to express our sincere appreciation to the *South Texas Law Review* and the honorable Karen K. Brown for granting the *Houston Journal of International Law* permission to republish this article, as it originally appeared at 34 S. TEX. L. REV. 363.]

\* United States Bankruptcy Judge for the Southern District of Texas, Houston Division.

1. Judge John R. Brown died on January 23, 1993, of cancer. He was 83 years old. Judge Brown served the United States Fifth Circuit Court of Appeals as the chief judge from 1967 to 1979.

his bright apparel, I know that that is not true because he color-coded the Fifth Circuit. He can tell his pinkies, from his blues, and he always gets them in the right stack.

I do not think of him immediately as a master strategist and tactician, although he is. I have seen him find a way through a minefield of legal issues and bitter, divisive battles between judges, as well as lawyers.

I do not think of him immediately as a brilliant trial lawyer, although I know that he was when he was practicing. I know this in part because Judge Hannay told me stories about when John Brown appeared before him. One such case was a trial in which John Brown represented the vessel and the captain. The captain allegedly strapped a seaman to the mast and took a “cat-o’-nine-tails” to his back. Judge Brown argued the only reasonable defense—self-defense. Judge Hannay was still marveling over that case years later.

What I think about when someone mentions Judge John R. Brown is a scene that occurred in December 1973. Now my experience with Judge Brown comes from a very peculiar vantage point. I was his second female law clerk. He always says that I was the first. This is not true. Susan Crump was the first. It really does not matter because he called us all by the same name.

Through the years, I have come to understand this phenomenon. I suspect it happens to law professors too. I know it happens to judges after the first thousand cases and after the first few years of law clerks and interns. All the names run together. I was concerned about his emphasis on substance over form, however, the day that he called me “Steve.” I knew that I was much shorter than Steve Susman.

In December 1973, I had just graduated from law school. I had miraculously landed a job with the Chief Judge of the Fifth Circuit Court of Appeals. I was green as grass and just about as useful. My main concern was that someone might find out how useless I really was before I figured out how to do this job.

There were many facets of this job for which I was not prepared. The most serious that immediately presented itself after I came to work was the Christmas party. As you entered the Fifth Circuit courtroom on the eleventh floor of the Federal

Building, the lights were darkened and the tables were festooned with Christmas decorations. There were many former law clerks and their children, judges and their staff, and court personnel milling about. There, in the center of the courtroom, was the “rock” of my future career, the Chief Judge of the Fifth Circuit Court of Appeals of the United States of America, the Honorable John R. Brown, wearing a Santa Claus suit and-at that time-a false white beard. He was bouncing from child to child, “ho-hoing” and passing out candy.

No one fully prepared me for this experience. Consequently, I did not prepare my young son, who was then between four and five. As Judge Brown noticed my young son and started to approach him, I glanced down and saw the look in my son’s eyes which said, “DO NOT TOUCH ME!” At that moment I saw the first social crisis of my new career occurring before my eyes, and I was powerless to avoid the inevitable. Then, the most amazing thing happened. As Judge Brown approached my son, he looked at him closely, and with unerring trial lawyer instinct, just detoured around him and proceeded off in another direction.

Now, my young son was shy, but no one ever accused him of being stupid. He immediately perceived that the crisis was over, but he was the only child remaining in the room who had no candy. The only access to candy was through that big man in the red suit. It took about thirty seconds for him to compute all this. The next thing I saw was my son walking up to Judge Brown and tugging on the back of his red coat with his small hands outstretched. They became fast friends after that.

I learned a great deal from Judge John R. Brown that day and later. I learned to look in the eyes of small children and grown-up lawyers and treat them with courtesy and respect. I never saw Judge Brown demean any lawyer no matter how green and bumbling. I do not suggest that this is a man who suffers fools gladly. He is not known for enormous patience with those who waste his time. However, I never saw him treat any lawyer with less than professional respect. Sadly, I cannot say that for every lawyer who ever donned a black robe.

I also learned to place a high emphasis on ethics from him. “IF YOU HAVE TO STOP AND THINK ABOUT IT - DON’T DO IT!” That is a high standard, but it works well.

I learned a great deal from him about our responsibility to make the system as good as it possibly can be, despite the inevitable warts and blemishes that occur because the system must depend on poor, fallible mortals.

I learned about having a zest for life. This is a man who with the help of his wonderful wife, Vera, has great fun at what he is about.

It has been my great privilege and pleasure to know Judge John R. Brown for eighteen years. It is my privilege to introduce him to you now.