Judges Say the DarndestThings

Compiled by Fred Shackelford

William S. Hein & Co., Inc. Buffalo, New York 2004 Library of Congress Cataloging-in-Publication Data

Judges say the darndest things / compiled by Fred Shackelford.
p. cm.

ISBN 0-8377-3704-4

1. Judges—United States—Humor. 2. Courts—United States—Humor. 3. Law—United States—Humor. I. Shackelford, Fred, 1956—

K184.J83 2004 347.73'14'0207—dc22

2004042492

© 2004 by William S. Hein & Co., Inc. All rights reserved.

No copyright is claimed as to original U.S. Government works. No copyright is claimed for portions of the two cases in the final chapter to which West holds the copyright.

Printed in the United States of America



This volume is printed on acid-free paper by William S. Hein & Co., Inc.

DEDICATION

This book is dedicated to my wife, Anne, and to our children, Charles and Courtney

TABLE OF CONTENTS

Foreword vii
About the Authorix
Appellate Advocacy 1
Bad Stuff 3
But I Digress
Commercial Law
Common Knowledge 23
Constitutional Law
Divorce Law
Editorializing 33
Fat Chance
Hyperbole, Anyone?
Metaphorically Speaking 51
Personal Injury Law 57
Similes 63
Stay Tuned 67
Ten Points for Style
Tongue Twisters
Trial Advocacy
Typographical Errors
We're Very Busy 99
What's in a Name?
Wills and Estates Law 107
The Grand Finale

FOREWORD

When I was a child I often watched a television program that starred Art Linkletter. The show, which was called *Art Linkletter's House Party*, aired on CBS from 1952 until 1969. A regular segment on the show was called "Kids Say the Darndest Things," and it featured humorous interviews with young children. (In recent years Art Linkletter collaborated with Bill Cosby in a revival of these segments on a CBS show called, not surprisingly, *Kids Say The Darndest Things*.)

Since 1980, when I enrolled at the University of Virginia Law School and began reading legal cases on a regular basis, I have discovered that from time to time judges also say the darndest things. This book is a collection of excerpts from cases—excerpts that I hope the reader will agree are humorous or surprising. While I have uncovered many of these excerpts myself, a number were brought to my attention by my colleagues at the National Legal Research Group. Founded in 1969, National Legal Research Group is the nation's oldest and largest provider of legal research, analysis, and advocacy, with attorney clients throughout the United States. I thank them for sharing their findings with me and with others at the firm.

ABOUT THE AUTHOR

Fred Shackelford is a graduate of Woodberry Forest School, the University of Virginia, and the University of Virginia School of Law. After practicing for several years with private law firms in Richmond and Charlottesville, Virginia, he became a senior attorney at the National Legal Research Group in Charlottesville. *Judges Say the Darndest Things* is his first published work. Fred and his family live in Albemarle County, Virginia.