

September 6, 2024
The Supreme Court of Texas
Austin, Texas
Wallace B. Jefferson

Mr. Chief Justice and may it please the Court:

A call from Governor Perry's office set me on a course that I could not have imagined 23 years ago. He asked me to interview for a vacancy on this very Court. And since the day the Governor appointed me, I am asked a recurring question – did you ever think that one day you would be a Justice, let alone Chief Justice, of the Supreme Court of Texas? The answer? No, I didn't. But as I reflect on that day, there were signs.

I graduated from a high school on the south side of San Antonio – John Jay High School, named for the first Chief Justice of the United States. I received my

bachelor's degree from Michigan State University: specifically, James Madison College – Madison, the father of our Constitution. My professor at the University of Texas School of Law, Charles Alan Wright, was the premier constitutional scholar of his time. I was one of 9 students in his highly sought after class, in which each played the role of a sitting Supreme Court Justice, deciding cases the Court considered that term. I was Byron White, a stellar athlete who went on to serve as Justice on the Court – another historic parallel. When the Supreme Court granted the first cert petition I ever filed, Charles Alan Wright helped prepare me for the argument. Justice O'Connor, the nation's hero, wrote the opinion securing my client's victory. I had argued in this

Court, before Chief Justice Phillips and Justice Hecht, my predecessor and successor as Chief. All signs...

But one thing was missing – neither I nor anyone in my immediate family had ever been a public official, let alone a judge. But there are caveats. My great great great grandfather, Shedrick Willis, was a public official. He served on the Waco City Council just a few years after the Civil War. Before that, he was private property: “owned” by Judge Nicholas W. Battle, a Texas district court judge. The portrait you are about to see, painted by the renowned artist Yinghe Liu, tells the story – but it’s subtle. My hands rest on Volume 24 of the Texas Reports. In that volume, the Supreme Court of Texas affirmed a decision in which Judge Battle declared it was against public policy to enforce a contract to sell a free

black man into slavery. A remarkable and courageous ruling in 1856. After the war, the judge not only enforced the newly amended constitution but also encouraged those in power to entrust his former slave as a leader in the community. Once master and servant, these two would become colleagues when Shedrick's City Council appointed Battle as Waco City attorney in 1870. Not five years after the war, these two men, now coequals, guided the city into a new era.

And so, yes, a history of public service and judicial leadership – further precursors to the once improbable notion that the descendant of a slave once owned by a judge would ascend to the highest court in Texas.

And here we are, thanks to Renee, who encouraged me to sit for this portrait. Let me give you a preview of

what she calls “Easter Eggs.” I’ve already mentioned the Texas Reporter, for which I owe Justice Evan Young many thanks. It was difficult to find an untattered Reporter from 1856, but Justice Young, also untattered, had one in near mint condition. I am wearing a tie today, the same one in the portrait, adorned with the logo for the American Law Institute, where Charles Alan Wright served as President for many years. I was proud to serve as its Treasurer. The portrait’s setting is the Supreme Court of Texas Conference Room, where decisions of great import are woven into the law. You will see elaborate woodwork inspired by an historical motif – the carvings duplicate the ornate design in the historic courtroom in the Texas Capitol. The Capitol appears majestically in the background.

Unseen but implicit, are all the law clerks and staff attorneys who bear witness to the Justices' debates and contribute to the Court's writings, and Nadine Schneider, the Court's administrator who has kept the trains running for a long time. The many other dedicated servants, staff, executive assistants (like Linda Smith, who served the Court for decades) formed a family I will always cherish.

Also unseen, but displayed on special occasions, is Sam Houston's bible. Houston was a contemporary of Judge Battle and Shedrick Willis. An obituary noted that Shedrick, who was a blacksmith, shod Sam Houston's horse. Now, get this: In a twist of fate, Houston's great great great granddaughter, Marcy Greer, is my law partner today.

I am so honored to be here to celebrate with you this amazing adventure. I thank the Chief and the Court for hosting this event, the Supreme Court Historical Society for making it all possible, and the rule of law, without which our freedoms and liberties would waste away.

I will close with a tribute to Shedrick, quoting an excerpt from Henry Wadsworth Longfellow's poem titled

The Village Blacksmith:

Week in, week out, from morn till night,
You can hear his bellows blow;
You can hear him swing his heavy sledge,
With measured beat and slow,
Like a sexton ringing the village bell,
When the evening sun is low.

Toiling,—rejoicing,—sorrowing,
Onward through life he goes;
Each morning sees some task begin,
Each evening sees it close;
Something attempted, something done,
Has earned a night's repose.

Thanks, thanks to thee, my worthy friend,
For the lesson thou hast taught!
Thus at the flaming forge of life
Our fortunes must be wrought;
Thus on its sounding anvil shaped
Each burning deed and thought.