

**REFLECTIONS FROM PROFESSOR
ROBERTSON'S CIVIL PROCEDURE CLASS:
FALL SEMESTER 1982**

*Compiled by Donna M. Barnes**



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B.A., University of Mississippi, 1962; J.D. Harvard University, 1965; Partner, Campbell and DeLong, Greenville, MS; Joined faculty on a fulltime basis at the University of Mississippi Law School, Fall, 1979; Subjects taught: Admiralty, Federal and Civil Procedure, and Appellate Advocacy.



* Donna M. Barnes, Chief Judge, Court of Appeals of the State of Mississippi. Judge Barnes compiled reflections from her classmates beginning with reflections of her own.

INTRODUCTION⁰

I met Professor Robertson in the fall of 1982. I was a first-year law student at Ole Miss, and he taught our section (section one) civil procedure. I had never been in a courthouse, the only railroads I knew by name were the ones on the Monopoly board, and I couldn't fathom a shoe being international. Robertson walked into class with nothing but a coffee cup.¹

He spent the class alternating between lecture and cross examination. I spent the semester head down, frantically taking notes and trying not to be called upon.²

The class syllabus proclaimed:

A major purpose of this course, and the entire Law School curriculum, is to train you to think like a lawyer. It is no doubt important to learn certain rules of law, black letter law, as it is sometimes called. You must also learn the procedural rules by which substantive law is applied and enforced. But as you are gaining that knowledge, it is our purpose to train your capacity to form insightful judgements, and to do so quickly and accurately. The most important skill a lawyer can possess is the capacity to make sound, unbiased judgments.³

⁰ Donna Barnes, *infra* note 29.

¹ There may have been others, but the coffee cup I recall had a cartoon drawing by Sandra Boynton. "Don't let the turkeys get you down."

² Fortunately, I sat on the front row with Shellye Vines McDonald. *See infra* Shellye Vines McDonald p. 692.

³ Professor James L. Robertson, *A Few Beginning Thoughts*, Fall Civil Procedure 503 Syllabus (1982) [hereinafter *Robertson Syllabus*].

Professor Robertson explained that:

The law never has been and never will be static. It is folly to try to learn the law by simply memorizing statutes, rules and case holdings.⁴ Many do this and think they know the law as it is. But law as it is, is a continuous process of becoming. When you do not know from whence the law has come, nor the direction in which it is moving, you spot your adversary a substantial, often insurmountable advantage. This process of becoming—once you see the law as such—will prove a major source of your understanding of the law. Sound legal judgments result when a dispassionate and analytical legal mind applies its understanding of the law to concrete problems life presents.⁵

He exalted the virtue of the trial lawyer as gladiator:

A trial lawyer is a lawyer who by reputation and experience is known to be wholly unafraid to go to trial (as distinguished from settlement) if the client's case warrants it, you must be perceived by your adversary as a fearless *trial* advocate for cause of your client, if you are to be effective in anything else that you do.

Most trial lawyers are made, not born. There are few natural trial lawyers. There are few who do not know fear especially the morning before trial, as they stand up to cross examine a key witness, or as the jury returns....

Yet, you are not a trial lawyer, nay you are not a lawyer, until you accept your place as one of the persons in the arena within the spirit of these words from a speech by Theodore Roosevelt made many years ago:

⁴ We did not have Constitutional Law until the next year, so I did not recognize this to be a challenge to his friend George Cochran.

⁵ *Robertson Syllabus*, *supra* note 3.

It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again; . . . who knows . . . the great devotions, and spends himself in a worthy cause, who at the best knows in the end the triumph of high achievement; and who at the worst, if he fails, at least fails while daring greatly; so that his place shall never be with those cold and timid souls who know neither victory nor defeat.⁶

Rather than being valiant, I recall being in a state of confusion the entire semester. Who can blame me when the syllabus itself warned that some of the assigned cases were wrongly decided?⁷ One example has stayed with me all these years because it reflects Robertson's twin themes of wrongly decided cases and admiration of a lawyer's job well done. I was able to recreate the scenario with the help of the syllabus and Westlaw. In discussing our Long-Arm Statute,⁸ Professor Robertson assigned *Lee v. Memphis Publishing Co.*⁹ The issue was whether the *Commercial Appeal*,¹⁰ a daily newspaper printed and published in Memphis, Tennessee, could be sued in Mississippi for an alleged defamatory article about a resident citizen of Webster County, Mississippi.¹¹ The *Commercial*

⁶ Theodore Roosevelt, Former President of the United States, *Citizenship in a Republic* (Apr. 23, 1910); see also *The Man in the Arena*, THEODORE ROOSEVELT CTR., <https://www.theodorerooseveltcenter.org/Learn-About-TR/TR-Encyclopedia/Culture-and-Society/Man-in-the-Arena.aspx> [<https://perma.cc/H9N6-WULJ>] (last visited Apr. 12, 2025); see *Robertson Syllabus*, *supra* note 3.

⁷ *Robertson Syllabus*, *supra* note 3. "Some assigned cases were wrong when they were decided. Some assigned cases were right when they were decided but are wrong today. Some cases are assigned because they are so wrong that they stimulate reflective, creative thought." *Id.* Of course, the syllabus didn't identify which cases were which. We had to figure that out ourselves.

⁸ MISS. CODE ANN. 13-3-57 (2019).

⁹ See generally *Lee v. Mem. Publ'n Co.*, 14 So. 2d 351 (1943).

¹⁰ *Id.*

¹¹ *Id.* at 352-53. A prior version of the long-arm statute was at issue in the case. Miss. Code Ann. Chapter 246, Laws of 1940, provided that:

Any non-resident, . . . or any corporation not qualified under the constitution and laws of this state as to doing business herein, who shall do any business or perform any character of work or service in this state, shall, by the doing of such business or the performing of such work or services, be deemed to have appointed the secretary of state . . . to be the true and lawful attorney or agent of such non-resident, upon whom

Appeal maintained a news office in Jackson, Mississippi, approximately forty thousand copies of the paper were circulated in the state daily, and nearly one-third of its total subscription revenue came from Mississippi.¹² Yet the Mississippi Supreme Court ruled, over a strongly worded dissent, that the paper was not doing business here.¹³ Professor Robertson advised that we were not to wonder how the court could have ruled as it did, but to think, "What a lawyer!"¹⁴

Recognizing my inability to do Professor Robertson's memory justice, I took the liberty of asking a few of my section one classmates for their recollections. Upon review, I find the recollections evidence Professor Robertson's success in achieving his class goal and his practicing what he preached.

process may be served in any action, accrued or accruing from the doing of such business or the performing of such work or service, or as an incident thereto by any such non-resident, or his, their or its agent, servant or employee. The doing of such business or the engaging in any such work or service in this state shall be deemed a signification of such non-resident's agreement, and equivalent to an appointment by, such nonresident of the secretary of state of the state of Mississippi, . . . to be the true and lawful attorney or agent of such non-resident upon whom may be served all lawful process in any action or proceeding against any such non-resident for any cause of action which has accrued or may accrue in this state.

Id. at 352.

¹² *Id.* at 351-56.

¹³ *Id.* at 355-57.

¹⁴ For the sake of posterity, the lawyers for the *Commercial Appeal* were Cowles Horton of Grenada and Fitzhugh, Murrah & Fitzhugh of Memphis. *Id.* at 351.

OTIS TIMS^a

Between eighty and ninety of us first-year students settled into seats in the lecture room to begin what was for most of us the second class session of our law school experience. Professor Robertson entered, closing the door behind him—the door on the left side of the room— and crossing behind his desk and lectern to close the door on the right. He carried a coffee mug, nothing else. Scanning the room he took a sip, he paused as if scanning his memory. Mr. _____, he called to one of us, “Let’s take a ride on the Erie Railroad.” And also began, specifically, a discussion of the pivotal 5-3 opinion by Justice Brandeis that, in the face of more than a century of conflicting decisions, established that federal courts exercising jurisdiction on the basis of diversity of citizenship should use the appropriate state law as the substantive rule of decision and apply federal law to procedural issues.¹⁵ But the next hour and twenty minutes on that late summer Thursday did far more than inform us about how courts some forty years earlier had sorted out the rights between hapless Harry Tompkins and the Erie Railroad whose train had severed his arm in Hughestown, Pennsylvania.¹⁶ Beyond using the decision simply as a springboard for introducing manifold fundamental concepts about how American courts derive and exercise power, Professor Robertson found *Erie* an opportunity to consider a statement of the lawyer’s role as advocate intermediary for the client: to get to you, your adversary must first come through me. In all, his was an engaging, commodious performance to initiate what many of us had expected to be a dry and mechanical study of rules of procedure.

^a Otis Tims recently retired after 40 years of practice with Mitchell McNutt & Sams in Tupelo. As an undergraduate in 1972-1973, he served as editor of *The Daily Mississippian* just as Jimmy Robertson did in 1962.

¹⁵ See generally *Erie R.R. Co. v. Tompkins*, 304 U.S. 64, 78-80 (1938).

¹⁶ *Id.* at 69.

During that semester, Professor Robertson was nominated by Governor William Winter to fill a vacancy on the Mississippi Supreme Court. Though that appointment ended his full-time teaching career at Ole Miss, Justice Robertson returned to Oxford every Friday and for several years taught alternating semesters titled Jurisprudence and one called Legal Process, both of which dealt with theories and philosophy of legal systems and decision making. Without question, those of us in these classes benefitted as much from our studies of John Rawls, H.L.A. Hart and Ronald Dworkin. Indeed, bringing the real world into the classroom—encouraging my Civil Procedure cohort to observe his argument of a class-certification hearing motion in federal court in Oxford and personally sponsoring his admiralty students to attend a national maritime law conference in New Orleans, are but two examples—was a hallmark of his teaching career and gave his students a utilitarian perspective for understanding the more speculative concepts to which he introduced us.

MARY KAY HANSEN^β

I wanted a career in a helping profession, so I enrolled in law school. I viewed a law degree as a means to that end. I dutifully applied myself to the assigned readings to learn the law so I could proceed towards my goal. Law school became a transformational experience when I had the privilege to be taught by Professor Robertson.

Professor Robertson loved the law, and he exuberantly shared his love for the law with his students. He had a joyous quality about him as he taught. His enthusiasm was infectious. We were prodded and pushed to respect the law while challenging and testing it. He taught with a welcoming spirit that encouraged students to participate. Students would leave his classes continuing to explore and debate the concepts and principles discussed.

^β Mary Kay Hansen has been in private practice since graduating in 1985, focusing on family law, mediation and Social Security disability. She practiced in West Virginia and subsequently in Nebraska. In 2023 she received the Outstanding Contributor to Women in the Law Award from the Nebraska Bar Association. Mary Kay thanked me for asking her to contribute to this article memorializing Professor Robertson, saying “Now and again, you have a teacher, or in this case, a professor, who positively changes your trajectory. I am sure he was quite unaware of his influence on me as he was just doing what he loved, sharing his passion for the practice of law.”

I found my time in Professor Robertson's presence to be transformational. During my time in his class, I learned the invaluable lesson that it was important to learn the law, but the true lesson was to learn to think like a lawyer. This simple but profound lesson changed my law school experience and made me a better lawyer. Professor Robertson positively influenced the law school experience for many of my classmates as it did for me. What an admirable legacy for a man who loved the law

GENE BERRY^z

As a first year civil procedure student, how can anyone forget his law classes with citations to cases (and page cites) and detailed quotes from reported cases and no casebook or notes. Just a cup of coffee.

He was truly an outstanding lawyer, professor of law and Mississippi Supreme Court Justice.

GILBERT VAN LOON^δ

In addition to having Professor Robertson for Civil Procedure, he was also my legal bibliography writing advisor. I appreciated his practical approach to legal writing. Despite his Harvard pedigree, he detested (or at least disliked) the Harvard Bluebook as being unnecessarily formalistic.¹⁷ Instead, he told us a citation to authority was sufficient "if I can find it in the library without great difficulty." (Remember, this was said at the infancy of computer research.) As someone who never had any intent of litigating or brief writing, his approach was music to my ears.

^z Gene Berry is a sole practitioner in Madison, concentrating in real estate litigation.

^δ Gilbert Van Loon practices in the Ridgeland office of Butler Snow, concentrating in employee benefits law.

¹⁷ Paul Barnes recalled Justice Robertson used an esoteric personal style of legal citation and threatened anyone who dared to edit his work to conform to the Bluebook. See *infra* p. 695 for other recollections of Paul Barnes.

DAVID D. O'DONNELL^ε

Robertson played mind games with the class. His unique form of intimidation was using the Socratic method in a course noted for its extreme dryness. He would walk into class without any notes or class roll (he memorized the seating chart). One particular class he asked “who would like to take a ride on the Erie Railroad?” Of course, the question was rhetorical, and there were no volunteers. He chose the rider by looking directly at a particular classmate, calling him by name.

Another memory involved an interaction after class. We were discussing the law in general, and he made a point, which he repeated, that there were no substantive differences, only contextual, in contracts, torts, property, and criminal law. Each followed the same matrix—duty, breach, causation and damages.

SORIE TARAWALLY^φ

Justice James L. Robertson, Prof as I always refer to him, was my role model as a lawyer and a scholar. His erudition is evident in the Southern Reporter during the time when he served in the court. As a lawyer doing legal research on a case or an issue, you look for or search for a Robertson opinion; you find one, viola; you have the law primer on that issue. Jimmy, in his professorial Harvard don manner, will give you a short course on the law of the case and issues. Our share of pages of Mississippi cases in the Southern Reporter reduced considerably with his untimely and premature exit from the court. He was a good teacher; I still remember him in his Jurisprudence class. H.L.A. Hart's *The Concept of Law*¹⁸ was one of our texts for that class; I took a decade to complete reading it and understanding Jimmy's esoterica in the concept of the law analyzed in the book. I still have questions which I wish I could call and ask my prof, but time has taken its toll.

^ε David D. O'Donnell practices with Clayton and O'Donnell in Oxford, concentrating in civil rights defense. He serves as board attorney for the Lafayette County Board of Supervisors and served as an adjunct professor of law at Ole Miss for 25 years.

^φ Sorie Tarawally clerked for Justice James L. Robertson at the Mississippi Supreme Court upon graduation from law school and practiced general litigation until his retirement.

¹⁸ See generally H.L.A. HART, *THE CONCEPT OF LAW* (1st ed. 1961).

SHELLYE VINES McDONALD⁷

On the first day of Civil Procedure taught by Professor James L. Robertson, I took the closest available seat on the front row. What seemed to be a momentary misfortune, my near tardiness, was soon rewarded with Professor Robertson's announcement, that those of us "brave enough" to sit on the front row would not be cold-called upon in class to discuss the assignments. Thus, for the remainder of the semester, this not-yet-fully-formed-first-year brain, unencumbered by the fear of having to speak and think on my feet, witnessed up close, a great legal mind at work.

The subject matter of civil procedure is probably the most abstract concept to a 1L, and admittedly, most of the time I felt lost and confused as to what in the world Professor Robertson was talking about. His delivery seemed like more stream-of-conscious monologue than lecture and often digressed away from the assignment. His addition of Charles Dickens's *Bleak House*¹⁹ to our reading list didn't help matters. However, as time marched on, the dots slowly began to connect, and the lectures became more of an informed discussion, often touching on Professor Robertson's passion for the philosophy and beauty of the law. Gradually I discovered that I was beginning to think like a lawyer.

A frequent theme of Professor Robertson was the impact of the lawyer's role as the champion of his client's cause, as servant and guide, helping to navigate and translate the complexities of procedure and its application to the client's predicament. His memorable example was a criminal defendant, likely forsaken by all others with the exception of the assigned defense attorney, and the client's last chance in the world to experience that someone cared. I still think on this lesson today and try to incorporate it in life beyond the law.

⁷ Shellye Vines McDonald is engaged in a general liability and insurance defense practice at Franke & Salloum, PLLC in Gulfport.

¹⁹ See generally CHARLES DICKENS, *BLEAK HOUSE* (London: Bradbury & Evans 1852).

Though study, practice and experience over the years have taught me the intricacies of civil procedure, it was Professor Robertson's big picture lessons of the role that civil procedure plays in any given action that frequently reminds me not only of the practicality and logic, but also the nobility, of our chosen profession.

GEORGE WARD¹

Like most, I admired Justice Robertson's legal acumen. However, I most admired his warm personality. I took civil procedure from Professor Robertson. He had a photographic memory. He lectured with no notes and could quote lines from legal decisions verbatim. Often as he was quoting citations and opinions, he would stare into his coffee cup. One day after class I approached him and asked if I could look into his coffee cup. To my surprise, there were no notes, only coffee grounds.

He also taught me Jurisprudence. It was a small class with ten or twelve students. He would invite the entire class to his home on a Friday night for supper and group discussion. On one occasion each of us was assigned a role to play based on one of the five judicial opinions or perspectives in Fuller's fictitious case of *The Speluncean Explorers*.²⁰ We sat with Professor Robertson in his home, drank his wine and had a lively discussion. We argued with each other and laughed together, and while I did not recognize it at that time, I now realize he was teaching us a valuable lesson: as lawyers we can disagree with each other and get along with each other at the same time. Those were memorable occasions for a law student, but no one enjoyed that time together more than Professor Robertson.

¹ George Ward is Chancery Court Judge for District 17 (Adams, Claiborne, Jefferson and Wilkinson Counties).

²⁰ See generally Lori L. Fuller, *The Case of the Speluncean Explorers*, 62 HARV. L. REV. 616 (1949).

GAIL DAY NICHOLSON^π

I first encountered Professor Robertson as a first year law student in his civil procedure class where he terrorized us with his razor sharp Socratic method. Later, I took several of his seminar classes which would be much smaller in number of students, but more demanding in participation and preparation. Ole Miss was a wonderful law school with talented, engaging teachers, but I believe that he was the only one that articulated for us evolution of legal theory which opened a vast frame of reference for better understanding the Rule of Law and the Common Law. Clerking for him at the Supreme Court gave me a foundation for the practice of law beyond anything that could be taught in a law school.

I admired his work ethic: at the court 7 AM until 10 PM Monday through Thursday, then back to Oxford on Friday to teach his seminar classes. I would mirror him, and thus was privy to many of his arguments with Justice Sullivan²¹ over dinner—two brilliant minds without an ounce of give between them.

Also, I remember his telling us that our true character would be revealed in how we practice law. In the practice of law there is no hiding from ethical challenges that arise in almost every representation -we would be tested every day.

^π Gail Day Nicholson clerked with Justice James L. Robertson at the Mississippi Supreme Court upon graduating from law school. Thereafter, she and her husband, Chet, practiced in Gulfport as Nicholson and Nicholson Lawyers until his death in 2014. Gail continues the firm practice in state and federal courts.

²¹ Justice Michael Sullivan served on the Mississippi Supreme Court from 1984 until his death in 2000.

Justice Robertson admired Oliver Wendell Holmes Jr. and would often quote from *The Common Law*:

The life of the law has not been logic: it has been experience. The felt necessities of the time, the prevalent moral and political theories, intuitions of public policy, avowed or unconscious, even the prejudices which judges share with their fellow-men, have had a good deal more to do than the syllogism of determining the rules by which men should be governed. The law embodies the story of a nation's development through many centuries, and it cannot be dealt with as if it contained only the axioms and corollaries of a book of mathematics.²²

PAUL BARNES^o

I learned a lot of law in law school, but I learned how to be a lawyer from Jimmy Robertson. He didn't just teach professionalism and respect for the law, judges, other lawyers, and the legal system by example. He lived it. He always treated others with professionalism, respect, and civility, and he expected the same of his proteges.

Never ask me for permission to grant an extension of time. Never deny a request unless it might prejudice our client, and even then, you better be damned convincing about the prejudice when you explain it to me. It's a professional courtesy, and besides, next time it will be us needing an extension.

Like all great lawyers, Jimmy had a tremendous competitive streak, but winning cases was only part of it. He considered it part of the obligation of every lawyer to make the system better and had great disdain for those who didn't...often the same ones who called him idealistic as if it were a flaw. Jimmy believed the duty of lawyers to represent their clients with the

²² OLIVER WENDELL HOLMES, *THE COMMON LAW* 1 (Boston: Little, Brown, & Co. 1881).

^o Paul Barnes was not a member of that civil procedure class, but as my little brother, he heard me speak, in hushed tones, of Professor/Justice Robertson. It was years later when he, as a new lawyer, worked for fifteen years with Jimmy Robertson at Wise Carter in Jackson. He now serves as board attorney for the Mississippi State Board of Medical Licensure.

zealousness required by the Canons²³ was existential. He told me, “If you never risk getting sanctioned for pushing the envelope, you’re not zealously representing your clients to the best of your ability.” A close corollary was “at least we didn’t get sanctioned by return mail.” He also taught me—“clients will lie to you.”

I never saw Jimmy intimidated, regardless of who was on the other side, but I saw many lawyers dread to rise in opposition to him. He relished the challenge of going up against the best. He was a meticulous and tireless researcher and expected the same of everyone who worked with him. He knew not only the facts of his cases, but the historical facts behind the facts. That, with his unmatched near-photographic memory for details, gave him an edge on almost every lawyer he faced. I never saw him use notes when he was arguing a case. He cited specific pages in cases and specific pages in the record from memory. I once saw him mistakenly cite the wrong page at oral argument, then correct himself two minutes later and apologize to the court.

Jimmy had an extremely strong sense of social justice, which is why he and George Cochran were such good friends. Their relationship was based on mutual respect and sometimes fiery disagreements. Lunch with Jimmy and George was like being between Scylla and Charybdis.²⁴ He helped George get the Innocence Project started at Ole Miss.²⁵ I had the privilege of helping him defend the Innocence Project against a defamation suit brought by Steven Hayne. That was Jimmy at his finest, defending a righteous cause and fighting for justice. Way before my time, Jimmy was a part of the big Delta voting rights cases. He considered Judge Keady²⁶ one of his primary mentors.

Jimmy enjoyed tilting at windmills and had a photo of himself where he looked like the leaning tower of Pisa. He was disappointed

²³ See Model Code of Professional Responsibility, Canon 7 (1969) (“A lawyer should represent a client zealously within the bounds of the law.”).

²⁴ Paul explained that Jimmy considered any writing to be inadequate without a sprinkling of literary references.

²⁵ See Ronni Mott, *These Are Not Fair Trials: The JFP Talks with John Grisham*, MISS. FREE PRESS (Jan. 9, 2008), <https://www.mississippifreepress.org/these-are-not-fair-trials-the-jfp-talks-with-john-grisham/> [<https://perma.cc/66CB-HW57>] (discussing Jimmy Robertson’s involvement in establishing the Innocence Project in Mississippi).

²⁶ William C. Keady, United States District Court Judge for the Northern District of Mississippi, was appointed by President Lyndon Johnson in 1968 and took senior status in 1983; he served in that capacity until his death in 1989.

to have to explain that he was tilting at some distant windmills in the background of the picture. Jimmy was one of the editors of *The Daily Mississippian* during the James Meredith era and wrote a front-page story titled “*Meredith—the Man*” that was not appreciated by believers in the status quo.²⁷

On a personal note, Jimmy loved baseball and was always open to scheduling out-of-town depositions and meetings to coincide with MLB game schedules. We once got stuck in New York for an extra day after depositions in a hockey negligence case (he had a widely diverse book of business) because a hurricane was moving up the southern East Coast. We rode the 7 Train to Shea Stadium and watched the Braves play the Mets from the box seats and had a dog and a beer. Jimmy was a huge Ted Williams fan and had an autographed picture of him in his office. Sunlight had faded the autograph until it was practically invisible, but he never took it down. He included sometimes very lengthy baseball metaphors and stories in his decisions, and he didn’t give a damn if others didn’t like it.²⁸

Whenever we traveled, Jimmy took it upon himself to supplement my cultural education. He took me to Strawberry Fields in Central Park for the first time. Same with the Museum of Modern Art and the Museum of Natural History. Going to NYC with Jimmy was like having a personal tour guide. He bought me

²⁷ See *Meredith—the man*, THE MISSISSIPPIAN, Feb. 9, 1962, at 1, <https://egrove.olemiss.edu/cgi/viewcontent.cgi?article=4421&context=thedmonline> [<https://perma.cc/4JX8-8UZU>]; see also John Corlew, *Reflections on my Interview with James Meredith*, CAP. AREA BAR ASS’N (Aug. 2012) <https://caba.ms/articles/features/reflections-on-interview-with-james-meredith> [<https://perma.cc/W3GZ-VPGU>].

CABA member and former [Mississippi] Supreme Court Justice Jimmy Robertson preceded Sidna as editor and wrote a front page story in 1962, “Meredith – the Man.” He quoted persons who knew Meredith as “a quiet student with few outside interests” and his family as “good, solid, substantial citizens” of Attala County. A campus senate resolution sought to reprimand Robertson for his article (and other editorial misdeeds), but succeeded only in passing a measure that stated it was “not in complete agreement” with his policies.

Id.; see Bill Barton, *Senate Opposes Editor*, The Mississippian, Feb. 21, 1962, at 1, <https://egrove.olemiss.edu/cgi/viewcontent.cgi?article=4427&context=thedmonline> [<https://perma.cc/42ZH-QVH4>].

²⁸ Gail Day Nicholson recalled that the final exam in one of the Friday seminar classes was to examine the legalities of the exemption of baseball from antitrust laws.

my first corned beef and pastrami at Carnegie Deli after taking me to my first off-off-Broadway show in an old zipper factory where all the seating was scavenged from junked vehicles. Watching Bebe Neuwirth belt it out from a third row, school-bus-bench seat broadened the horizons of a boy who grew up in Natchez and Oxford.

One of his major character flaws was his love of bombastic opera, especially Wagner. I could never listen to music while driving with Jimmy. He either wanted total silence so he could mentally prepare for an argument or insisted on listening to opera all the way home.

CONCLUSION

After all is said and done, that is, after reviewing my 42-year-old notes and memoranda, talking to my classmates and brother, and reading their recollections, I am convinced of three things: I am envious of my brother for his chance to work with Justice Robertson, I should have taken Jurisprudence, and I am so glad I sat on the front row with Shellye Vines McDonald.²⁹



Justice Roberston at the State Law Library's Inaugural Holiday Open House in 2018 along with Mississippi College School of Law Dean Jim Rosenblatt, Judge Donna Barnes, and State Librarian Stephen Parks.

²⁹ Donna Barnes, Winner, Am. Jur. Award, Civil Procedure I (Robertson) (1982).; Photo above previously published in The State Law Library of Mississippi Newsletter. *In Memoriam: Justice James L. Robertson*, LETTERS FROM THE LIBRARY (Dec. 2023) <https://courts.ms.gov/research/statelibrary/Newsletter/2023/Newsletter%20December%202023.pdf> [<https://perma.cc/L2W9-NMXA>].