



Chief Justice Pascal F. Calogero, Jr.

"... A friend to many — an enemy to none — he tolerates no prejudice in himself and treats all with equal justice. He is, in many ways the embodiment of the best that is in all of us, and a reflection of the high ideals of the people of this state."

— Hon. Moon Landrieu
Induction Ceremony of Pascal Calogero as Chief Justice of the Louisiana Supreme Court, April 9, 1990, 564 So.2d LXV, et seq.

Chief Justice Pascal F. Calogero, Jr.: A Man and His Work

By Roger A. Stetter

On April 9, 2005, Chief Justice Pascal F. Calogero, Jr. commemorated his 15th anniversary as chief justice of the Louisiana Supreme Court, a tenure which ranks as the fourth longest tenure as chief justice in the history of the court. The Louisiana Bar Journal extends its congratulations and best wishes to Chief Justice Calogero.

This article tells the story of how Pascal Calogero made his journey as the son of a New Orleans police officer to become the chief justice of the Louisiana Supreme Court.

Early Life and Education

Pascal Calogero, Jr. was born in New Orleans in November 1931. His father was a New Orleans police officer and the son of an Italian immigrant merchant seaman. His mother, Louise Moore, was an Irish-German American, and the daughter of a longshoreman who grew up in the Irish Channel and worked on the New Orleans waterfront. Pascal was their third child.

At his 1990 induction as chief justice of the Louisiana Supreme Court, Pascal remarked: "When I think of my mother and father, both of whom are now deceased, I think of love and discipline." Pascal then thanked many of the attendees for helping him become a successful lawyer and judge, including his 7th grade teacher, who he said, "taught me to love school and to grow intellectually."

Pascal attended St. Aloysius High School (now Brother Martin) where he became sports editor of the school paper and won a full academic scholarship to Loyola University. All the while, beginning at about age 13, Pascal worked at many jobs, from newspaper boy for the old *New Orleans Item*, to shoe salesman on Canal Street, and banana handler on the Desire Street wharf.

He also became an infielder on his high school baseball team which won the city and state championships in 1949 and played in a national baseball tournament in Johnstown, Pennsylvania. It was on that baseball trip that Pascal cemented his friendship with Moon Landrieu, another kid who liked baseball and would later become Pascal's law partner.

It should come as no surprise that one of Pascal's favorite boyhood heroes was Joe DiMaggio, one of the greatest baseball players of all time. Like DiMaggio, the son of an Italian immigrant fisherman who did not know how to read and barely earned enough money to support his family, Pascal Calogero would rise to the top of his profession through discipline and hard work.

Pascal's mother had two sisters who both worked as bookkeepers for Coca-Cola and urged their nephew to become an accountant. But his father wanted Pascal to become a lawyer and he chose that path instead. After completing pre-legal studies at Loyola, Pascal attended Loyola Law School, where he served as president of the *Law Review* and graduated first in his class of 1954.

After graduation from law school, Pascal served as a second lieutenant military police officer, as a first lieutenant, and as a captain in the Judge Advocate General Corps in Washington, D.C., including service in the Pentagon. He then returned to New Orleans to marry and raise a family, which would eventually grow to 10 children: Debbie Calogero Applebaum, and David, Pascal III, Elizabeth, Thomas, Michael, Stephen, Gerald, Katie and Chrissy Calogero. Sons David, Thomas, Michael and Gerald followed in Pascal's footsteps and are attorneys, as is his wife Leslie M. Langhettee.

In 1956, Pascal served for a year as a law clerk to the judges of the Civil District Court for the Parish of Orleans. Many of the state and city courts — including the Supreme Court, the Court of Appeal and the Civil District Court — were then housed in the magnificent Beaux Arts building on 400 Royal Street which, after a 46-year hiatus, has once again become home to the Supreme Court and the 4th Circuit Court of Appeal — largely through the efforts of Chief Justice Calogero.

Law Practice

In 1957, Moon Landrieu asked Pascal to become his law partner. A few months later, they were joined by another top-notch Loyola Law grad and boyhood friend, Charles Kronlage, who was also a young athlete. His father worked on the riverfront.

These three men shared a common heritage. Their parents, who came of age during the Great Depression, had to defer their goals and aspirations, but not their dreams, for the success of their sons.

It is difficult for those of us who began our careers working in large firms with big corporate clients to imagine what it was like for Landrieu, Calogero and Kronlage when they started their law firm in 1957. They chipped in \$300 each and rented a \$50 a month walk-up office on Broad near Washington. They did not have a secretary or a receptionist, did their own typing, and took in "anything that walked through the door." Before it became a significant client, Tac Amusement, which leased jukeboxes and pinball machines to bars and restaurants, used the firm's lawyers to notarize liquor license applications at one dollar per signature. According to Mayor Landrieu, they were grateful to get the work.

In time, and with the help of family and friends, the firm developed a good book of business, including domestic relations, personal injury, criminal and maritime work. It also moved to a larger office around the corner and above Joe Maselli's Liquor Store, and built out the space with carpenters from Pascal's family and a

plentiful supply of cold beer. But these three young lawyers did not have mentors to teach them the ropes. They learned by doing and eventually became one of the premier small law firms in New Orleans.

Landrieu, Calogero and Kronlage never had a written partnership agreement. They practiced law for 17 years on a handshake, split the profits evenly, and never had a serious conflict in all the years they were together. Charles Kronlage described his years of law practice with Pascal and Moon as "a beautiful time in my life."

In 1970, Moon Landrieu was elected mayor of New Orleans on a progressive platform, thus becoming one of the youngest mayors in the city's history. Two years later, in 1972, Pascal Calogero won election to the Louisiana Supreme Court in his first run for judicial office. It was a hotly contested election that included a court of appeal judge, William V. Redmann, a former state bar president and 1972 Rex, Leon Sarpy, and a respected civil rights lawyer, Revius Ortique, who would later become the first African-American elected for service on the Supreme Court. Their experience in being elected to high office could be likened to players winning MVP awards in their first season of Major League baseball. They succeeded by courting the votes of all New Orleanians — white and black, rich or poor — and outperforming their rivals.

The voters would elect Pascal to serve on the Supreme Court three more times, entrusting him with the position of chief justice since 1990. His current term expires in December 2008, at which time he will become the longest serving justice in our state's history.

Mr. Justice Calogero

From the moment he went on the Supreme Court bench more than 30 years ago, Justice Calogero showed he was meant to be a judge and that he loved the work of deciding cases. His first majority opinion, *Griffis v. Travelers Insurance Co.*, 273 So.2d 523 (La. 1973), involved a drunken prisoner who set the mattress in

his jail cell on fire and sued the City of Many, Louisiana, and its general liability insurer, for his injuries. The undisputed facts demonstrated that the prisoner had control of his physical and mental faculties and that he set fire to his mattress because the jailer refused to release him from his cell. Justice Calogero wrote that although a police officer owes a duty to an intoxicated prisoner to keep him safe and protect him from injury not attributable to his own willful act, "[h]e is not an insurer of the safety of the prisoner merely because the prisoner is intoxicated." *Id.* at 526.

Later in the 1973 term of court, Justice Calogero wrote a majority opinion striking down a municipal ordinance that prohibited firemen in the City of Crowley from engaging in any outside employment. *City of Crowley Firemen v. City of Crowley*, 280 So.2d 897 (La. 1093). The uncontradicted evidence in the record disclosed that outside employment by employees of the Crowley fire department had been a common practice since the beginning of the department, and that the firemen could easily do outside work without compromising the performance of their fire-fighting duties. Justice Calogero explained that the ordinance "operates as a direct infringement upon one of the basic individual freedoms, the right to work," and that arbitrary and unreasonable exercises of the police power violated due process. *Id.* at 902.

These early cases are emblematic of our great Chief Justice, Pascal Calogero, who, over the ensuing years, never wrote an opinion without considering the case from every angle, and always decided cases based strictly upon the facts and a reasoned application of the law.

Upon becoming chief justice in 1990, Justice Calogero became more than a judge with the responsibility for deciding cases. He also became the chief spokesman for the court, the manager of its operations, and the chief administrative officer of the judicial branch of the State of Louisiana. Despite an increasing caseload and a huge administrative burden, Pascal has done more than anyone to improve the judicial process and en-

hance the reputation of the legal profession in Louisiana during his years as chief justice.

As the father of 10 children, Chief Justice Calogero has taken a special interest in protecting children by improving our state's juvenile justice system. Speaking to a joint session of the Louisiana Legislature in 2001, he said that we must continue to strive toward a juvenile system which determines to focus on the needs of children and increase the likelihood that they will lead useful and productive lives:

"[A] reformed juvenile justice system that is not blind but knowledgeable in its application of services and sanctions, a system that is tough but not mindless, and a system whose cost effectiveness can be measured accurately and whose expectations are firmly and unrelentingly in favor of the rehabilitation of children."

Pascal Calogero has also led a court that has played a dramatic and decisive role in many other vital areas of the law, including:

- ▶ Revamping the disciplinary system as applied to lawyers and judges to ensure that citizens' complaints are acted upon swiftly and that corrupt or unethical practices are not tolerated;
- ▶ Creating a statewide Indigent Defender Board with appropriate funding from the Legislature so that no one charged with a serious offense is forced to stand trial without the benefit of competent counsel and the expert services necessary to mount an effective defense;
- ▶ Being an ardent spokesman against gender discrimination so that women attorneys have the same opportunities as men for professional advancement and achievement of their career goals; and
- ▶ Promulgating Codes of Professionalism for Lawyers and Judges that serve as constant reminders that civility in all of our actions as professionals is equally, if not more, important than winning cases or moving case dockets.

Conclusion

No talk about Pascal Calogero would be complete without saying a few words about his judicial demeanor. No judge in Louisiana has done more than Chief Justice Calogero to earn the affection and respect of his colleagues, and the admiration of every branch of the bar. His unfailing courtesy, kindness and patience have endeared the Chief Justice to every person who has been privileged to know him. He is a remarkable man who loves to accomplish things, large and small, but cares little for the limelight or receiving credit for his labors. In her wonderful memoir, *Washington Through A Purple Veil* (1994), our beloved former Congresswoman and Ambassador to the Vatican, Hon. Lindy Boggs, writes that one can accomplish just about anything by doing the job and letting someone else take the credit. Pascal Calogero and Lindy Boggs share goals in common and do not require public kudos or recognition. They act selflessly to promote the common good.

Asked to describe Pascal's greatest achievement, Moon Landrieu said: "He never lost his sense of justice and compassion for the underdog. He remains the same guy he was when we practiced law together over 30 years ago." In other words, Pascal never wanted to be anyone other than himself. And by being true to himself, he has become the hero of his own life and a blessing to us all.

ABOUT THE AUTHOR

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