



# What I've Learned: Shelby McKenzie

## Vital Statistics

**Age:** 79

**Born and Raised:** Baton Rouge, La.

**Parents:** Rosalind and Leslie McKenzie

**Parents' Occupation(s):** Insurance/Volunteer Civic Activities

**Spouse:** Molly McVea McKenzie

**Children:** Douglas, Charles and Leslie

**College:** Princeton University (BSE, Chemical Engineering), 1961

**Law School:** LSU Paul M. Hebert Law Center, 1964

**Hobbies:** West Feliciana farm

**Law Practice:** Taylor, Porter, Brooks & Phillips (1964-present), co-managing partner (1998-2004), law practice concentrating in insurance law, university law and litigation

*TBRL: Did you always know that you wanted to become a lawyer?*

**WSM:** No. My undergraduate degree is in chemical engineering.

*TBRL: When did you first decide that you wanted to be a lawyer?*

**WSM:** In my undergraduate junior year, I took a course in law for engineers taught by a practicing attorney. I enjoyed his law course so much more than my advanced engineering courses (particularly my struggle with thermodynamics) that I decided upon graduation to enter the LSU Law School.

*TBRL: Why did you want to become a lawyer?*

**WSM:** While no one in my family was an attorney, I knew and respected several Baton Rouge lawyers, including LSU law professors who were parents of my University High classmates. After my undergraduate academic exposure to law, I recognized that I would enjoy studying law and that the combination of engineering and law would offer future employment opportunities.

*TBRL: Do you recall your first court appearance and how it went?*

**WSM:** I do not recall my first court appearance, but I distinctly remember my first jury trial near the end of my initial year of practice. I represented the insurance company whose intoxicated insured had crashed into the plaintiff's auto. Liability was admitted. Although the plaintiff's physical injuries were minor, the plaintiff and his family claimed that the plaintiff continued to suffer from disabling mental anguish caused by the accident. In closing argument, plaintiff's counsel argued that his client should be awarded the \$25,000 policy limits. In response, I suggested that an award of \$750 was appropriate. The

jury returned a verdict of \$500. Afterward, the jury foreman advised that I was overly generous. I never made that mistake again.

*TBRL: Any mistakes to avoid that you have learned along the way?*

**WSM:** In 50 years of active practice, I made mistakes and observed others. We will all make strategic mistakes—settle or not settle, ask the question or keep your mouth shut, file the motion or save defense for trial, take deposition or spring knock-out question at trial, etc. You just need to make these decisions with serious deliberation and hope for the best. The mistakes to be avoided are those that affect your reputation with judges, other attorneys and your clients. Play by the procedural rules; respond timely and truthfully to pleadings, discovery and other legal communications; handle funds and client relations appropriately; treat the judges respectfully; and so forth.

*TBRL: In addition to practicing law, you were also an adjunct professor at LSU Law Center. What classes have you taught at LSU Law Center? What impact has teaching law made on your life and career?*

**WSM:** Initially, Dean Paul Hebert asked me to teach Federal Jurisdiction and Procedure for one term while Professor George Pugh was on sabbatical. The next year, he asked me to teach Professor Denson Smith's course in Insurance Law. For those of you old enough to remember, Pugh and Smith were big shoes to fill, but I survived (barely). I went on to enjoy teaching Insurance Law for 40 years, until I passed the insurance baton to my law partner, Skip Philips, who continues to teach the course.

The major impact of teaching insurance on my life is that it led to the publication of a treatise on Louisiana insurance law by West Publishing Company. As chairman of the Louisiana Bar Association's Insurance Section, Mike McKay advised me that his section saw a need for a

treatise on Louisiana insurance law and offered a stipend to undertake that project. I accepted on the condition that I was able to recruit then LSU Professor Alston Johnson to be a co-author. Alston accepted. The first edition was published in 1986, and we are now in the fourth edition with annual supplements.

*TBRL: What do you do when you are not working?*

WSM: At age 79, I am now fully retired. In 1969, we purchased a farm in West Feliciana Parish, 15 miles northeast of St. Francisville. For the first 20 years, we enjoyed the 100-year-old cabin on the farm with weekend family trips and an annual camp out with families of our Baton Rouge friends. Thirty years ago, when the termites won the battle for the cabin, we built a new home. It has been expanded to accommodate our children and grandchildren, all of whom are now Baton Rouge residents. My wife Molly and I spend our time equally at our farm and at our Baton Rouge home.

Our family has always enjoyed travel. Molly and I took our three children to the 48 contiguous states, much of the travel with a pop-up camper. In recent years we have taken our children and five grandchildren on annual trips, the last two being a cruise around the British Isles and a

trip to the Grand Teton and Yellowstone National Parks.

*TBRL: What advice would you give to young lawyers about de-stressing after particularly long workdays?*

WSM: De-stressing is not easy when still in trial or under other pressure. However, remember that a good night's sleep is the most important preparation for the next stressful day.

*TBRL: What was the best advice you received from a senior attorney when you first entered the profession?*

WSM: In my first year of practice, I made a settlement presentation to one of Baton Rouge's most distinguished senior attorneys. I concluded with a threat to file suit if our demand was not satisfied. The senior colleague responded: "Young man, you will never intimidate me by threatening to sue one of my solvent clients."

*TBRL: What was the turning point in your professional life?*

WSM: My turning point was the decision to abandon chemical engineering and enter law school.

*TBRL: What do you enjoy most about the practice of law?*

WSM: I most enjoyed my relationship with my Taylor Porter partners and associates. Regardless of trial or other pressures, we enjoyed a mutually supportive relationship.

*TBRL: What is one thing that you would change about the practice of law?*

WSM: I have been retired long enough to forget my pet peeves.

*TBRL: If you hadn't become a lawyer, what would you be?*

WSM: I really do not know. Since entering law school, I have never given serious thought to another career.

*TBRL: In your experience, how has the practice of law changed over the years?*

WSM: Clearly, the greatest change is technological. When I started, we had typewriters with carbon copies, not word processors and email. Calls had to be made by land lines, not cell phones. Copies of documents were slowly made by messy mimeograph machines.

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Research was in the books, not online. The technological advances are truly amazing to us old lawyers.

*TBRL: How do you think technology has changed the practice of law?*

WSM: Technological advances have vastly expedited communications and research. Sometimes, senior attorneys may pine for the older, slower days when we enjoyed a week of peace between mailing a letter to opposing counsel and receiving a blistering response. However, upon further reflection, most would agree that technology has greatly improved legal communication and research.

*TBRL: What your biggest pet peeve from an opposing counsel?*

WSM: Failure to respond timely to telephone and written communications.

*TBRL: What are you most proud of achieving or accomplishing in your career?*

WSM: Representing LSU in the Higher Education

Desegregation Case, a 32-year litigation saga that resulted in a reasonable settlement, providing differentiation of the missions of Southern University and LSU, enhancement of Southern University and the creation of the Baton Rouge Community College, now a very successful, highly integrated two-year institution.

*TBRL: What has been the most fulfilling aspect of your career?*

WSM: A short time after I retired from Taylor Porter at age 72, I received a call from LSU President Bill Jenkins, asking me to fill in as interim general counsel "for a couple of months" while that LSU vacancy was filled. Two and half years later, my replacement was employed. I thoroughly enjoyed the unexpected extension of my career, and I happily entered full retirement at age 75. 🍷



INTERVIEW BY JUSTIN JACK

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