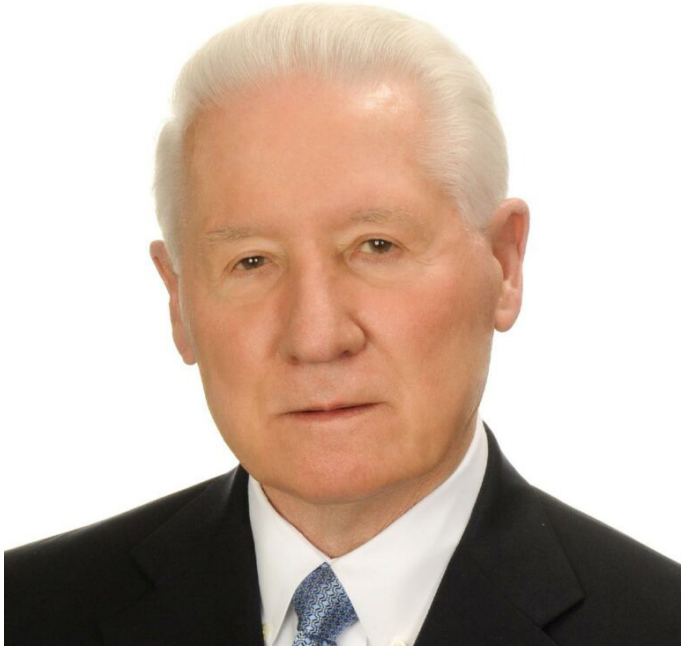
The Texas Lawbook

Free Speech, Due Process and Trial by Jury

Remembering James B. Sales

1934–2023



February 23, 2023 | **BY STEVE DILLARD**

It is difficult to encapsulate the life of someone as esteemed and respected as James B. Sales, who worked tirelessly to improve the lives of ordinary Texans in need of legal assistance through the Texas Access to Justice Commission, various bar associations and other notable endeavors.

Jim was one of our law firm's finest leaders and a preeminent trial lawyer. He made a lasting impact on the legal profession, the state of Texas and those who had the honor of knowing him.

Jim began working at Fulbright, Crooker, Freeman, Bates & Jaworski in Houston in 1960, became a partner in 1971, and led the firm's litigation department from 1979 to 2000. He continued to serve as of counsel for the next 22 years, including assisting his colleagues following the firm's 2013 combination to become Norton Rose Fulbright. During his 62-year tenure, Jim trained and mentored generations of trial lawyers at our firm, including myself. As a role model, Jim Sales was second to none.

Over his illustrious career, Jim tried well over 100 cases to verdict, with many successes. He specialized in cutting-edge product liability cases, developing the contours of product liability law in Texas and the nation for decades to come. He was integral in developing product liability law – even writing the book on it: "Product Liability Law in Texas," which served as a go-to guide for state lawyers and judges for many years.

Jim also worked on a number of groundbreaking cases, such as the appeal of Pennzoil v. Texaco in 1985. After a jury found against Texaco and awarded Pennzoil $11.1 billion, Texaco turned to Jim and a Fulbright & Jaworski team, who helped the client avoid financial ruin by successfully resolving the case in 1987.

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Enduring legacy: Providing access to justice

Jim was a passionate leader of the Texas State Bar and a champion of pro bono service. He will be remembered for his efforts to provide legal services to the underrepresented and poor in Texas. He served in nearly every leadership capacity possible, including as president of the Houston Bar Association, president of the State Bar of Texas, inaugural chair of the Texas Access to Justice Commission, delegate of the American Bar Association House of Delegates and many others. He initiated and helped found the Houston Volunteer Lawyer Program, the Houston Bar Foundation (serving as its first chair), the Texas Lawyers' Assistance Program and other programs designed to aid citizens and lawyers in need of help.

While serving as president of the HBA from 1980-81, Jim led the effort to establish both the Houston Volunteer Lawyers organization – to provide legal assistance to low-income Houstonians – and the Houston Bar Foundation – to fund those efforts. He was instrumental in forming the HBA's Dispute Resolution Center to provide no-cost mediation services, and he also initiated the HBA's Texas Lawyers' Assistance Program (TLAP) to help legal professionals struggling with depression and substance use. The TLAP was unique at the time and became quite successful, helping countless professional colleagues.

Jim served as the first chair of the Houston Bar Foundation alongside Harry Reasoner as vice chair. The two encouraged law firms, charitable foundations and others to support the foundation. They also created the foundation's Fellows Program to allow individual members of the Houston legal community to support the foundation and its mission.

"Boots on the ground"

Being keenly aware of Jim's skills and talents, the Texas Supreme Court appointed him as the first chair of the Texas Access to Justice Commission in 2003. Never one to stay idle, Jim poured himself into his new role and worked closely with the Texas Supreme Court to design and implement new and innovative statewide programs to expand access to justice for all Texans, including more than five million poor and low-income Texas families. The commission committed to ensuring that all Texans, regardless of economic circumstance or status, have access to the justice system and protection of the rule of law. After six years as chair of the commission, Jim stepped down as its leader and was designated by the court as chair emeritus of the commission.

In recognition of his work, the commission in 2009 honored him with the Harold F. Kleinman Award, named for the first chair of the Texas Access to Justice Foundation – a primary funding source for legal aid in the state. When presenting the award, Texas Supreme Court Chief Justice Wallace B. Jefferson said Jim met with the entire court to seek its commitment for bolstering legal aid.

"You epitomize everything that is noble about our profession," he told Jim. "To answer the question you constantly ask of yourself: Have you performed the job admirably? Have you changed the lives of Texans in desperate need of legal assistance? To that, I simply answer, 'Yes, sir!'"

In 2015, the commission honored Jim's career-long dedication to pro bono services with the Emily C. Jones Lifetime Achievement Award, named for the former executive director of the commission. The award recognizes outstanding individuals whose extraordinary commitment to legal services has improved our society and inspired others.

It says a lot about a person when they have a major award named for them. This happened not once but twice for Jim, with the Houston Bar Foundation's James B. Sales Pro Bono Leadership Award and the Texas Access to Justice Commission's James B. Sales "Boots on the Ground" Award. The latter award recognizes lawyers who have devoted a significant part of their professional careers to helping poor and low-income Texans. Jim coined the motto, saying "we need more boots on the ground" in the fight to provide low-income Texans access to legal representation. The award carries the refrain of Jim's extraordinary spirit in leading efforts to ensure justice for all.

Jim Sales mastered the transition from success to significance.

Advocate for women

Jim was always a strong advocate for women in the legal profession and regularly sponsored, supported and encouraged women trial lawyers at our firm. Under Jim's leadership, we were able to successfully increase the number of women litigators over several decades, as he promoted courtroom opportunities for female litigation trailblazers such as Linda Addison, Barclay Manley, Pat Kerrigan and others.

Jim was also instrumental in hiring longtime HBA Executive Director Kay Sim, who dedicated her 40-year career with the organization to helping Houston lawyers and the people they serve.

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Jim is widely recognized for his community and bar service, receiving every major award given by the American legal profession, including the ABA Foundation Outstanding Service Award. He also received the Appleseed J. Chrys Dougherty Good Apple Award, the Texas Bar Foundation Outstanding Fifty Year Lawyer Award, the American College of Trial Lawyers' Samuel E. Gates Litigation Award, the Anti-Defamation League Karen Susman Jurisprudence Award for Legal Public Service, the University of Texas Law School Distinguished Lifetime Achievement Award and countless other honors.

Despite all of his professional accomplishments, Jim's passion ultimately rested firmly with his family, including his high school sweetheart and love of his life Beuna Mae Vornsand, to whom he was married for 66 years. He also cherished his three children, Mark, Debbie and Travis, their spouses, his grandchildren and great grandchildren. And, in accord with the old adage that "imitation is the sincerest form of flattery," Jim and Beuna's three children and one of his grandchildren are all lawyers.

In many ways, I have tried to emulate Jim – his ethical standards, the way he treated others (including his courtroom opponents), his spirit of teamwork and his loyalty to his friends and colleagues. He was a true friend who viewed all of his colleagues at our firm as his brothers and sisters. Some of the younger lawyers may have initially been intimidated by the former Marine, but Jim insisted on being called by his first name and always made everyone feel comfortable.

Upon learning of Jim's passing, I have observed the outpouring of comments from fellow lawyers who talked about how Jim treated everyone with courtesy and respect. He was phenomenal – as good as anyone I have ever seen. Many of us owe so much of our careers to him.

"The memories of my years at the firm abound."

I will miss our one-on-one short talks that would inevitably evolve into longer conversations. I will miss the sage wisdom, life advice and the way Jim carried and conducted himself.

Lastly, we will always remember Jim's dedication to the firm. Last year, when he stepped down from his role as of counsel, Jim scripted a letter thanking the firm for honoring him at a partners luncheon. He wrote:

"The founding partners of our firm recognized from the outset that excellence, integrity and teamwork were essential to creating a world-class law firm. In the competitive environment of the law, this was nothing short of an extraordinary accomplishment. When I joined the firm in 1960, I could not have foreseen that one day I would be part of such an acknowledged and prestigious legal institution…

"The memories of my years at the firm abound."

Stephen C. Dillard *is of counsel at Norton Rose Fulbright*

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