INTERVIEW WITH LINDA SAMUEL-JAHA

MARCH 3, 2009

KEK: Hello, my name is Karen Kalnins. I’m a Reference Librarian at the Oklahoma City University Law Library. Today is Tuesday, March 3, 2009. It’s a little bit before 10 o’clock in the morning and I am here in Oklahoma City, Oklahoma speaking with Attorney Linda Samuel Jaha. This morning I will be interviewing her as a part of the oral history project that the Oklahoma City University Law Library is sponsoring. As a part of that project, the library is going around the State of Oklahoma and interviewing attorneys and judges to get their insights about their own personal experiences and about Oklahoma courts. So welcome Ms. Samuel-Jaha.

LSJ: Well, thank you Karen.

KEK: Thank you so much for agreeing to this interview. I was very pleased when you agreed.

LSJ: Okay.

KEK: What drew you to the law Ms. Jaha?

LSJ: What drew me to the law? You know I’ve been practicing for a while and before that law school so I’ll have to think long and hard. It probably has a lot to do with exposure, my personal experiences before attending law school. My first job was for a court and I was impressed by that situation. I enjoyed that situation. I worked for a Judge out at the Court of Criminal Appeals, Judge Tom Brett, who is now deceased. But I worked for him in a clerical position. I was a kid and I did filing and those sorts of things. But I think that was the turning point for me to be just in the environment of learned judges and attorneys and the law and helping people. So I decided that I too would like to be part of that profession and here I am.

KEK: Well very interesting. How long did you work for the Judge?

LSJ: I worked for Judge Brett specifically probably two, three years. And if you go back and look at my resume, and I’m a little off on those numbers, maybe I should have pulled that out. But I’ve been in this area a long time. But I think it was that long that I worked for the Judge. I was his Marshall and back in those days at the Court of Criminal Appeals that meant that when they had oral arguments at the Court of Criminal Appeals we opened court for them and kept their dockets for them and helped them to prepare clerically their orders and did their filing and things of that nature. So I think I was there about two-three years in that office.

KEK: And what did you learn from that first position?

LSJ: I learned a lot. You’d be surprised what support staffs of the judges of the courts actually do learn. I would venture to say I’ve never practiced criminal law but at that particular time I was quite learned in the area of criminal procedure and criminal appellate procedure because I read it
all the time. I didn’t generate it, but I read it all the time. I was responsible for procedurally getting the orders out and opening the courts and actually typing some of the Judge’s orders. So I learned a lot about criminal law when I worked for Judge Brett. I did.

**KEK:** Did that make you want to… you said that sort of gave you the incentive to think about going to law school, to actually go to law school. Did that make you more interested in criminal law or less interested would you say?

**LSJ:** Neither, neither. I just liked the idea of there being “the law” and there being someone who was learned about “the law.” Who was charged with the responsibility of insuring that “the law” was followed? And what would happen if “the law” was not followed? I just, I guess, I’m a…it escapes me what word you use, but I am a Rule of Law person. Even though now I’m in private practice doing a lot of plaintiffs’ work, I’ve done a lot of defense work as Assistant Attorney General. It’s just “the law,” whether it’s criminal or civil. My career has led me down the path of primarily civil law so I work with whatever law I’m presented with. But I’ve not done much criminal work. I’ve done a little in private practice but I try to stay away from it.

**KEK:** Well very good. Did attorneys ever ask you for advice when you were working down there?

**LSJ:** Sure.

**KEK:** And did you give it?

**LSJ:** Sure. Now advice is a very broad term and in my capacity as a Marshall for the court, yes they would ask me about things that I could advise them on; like whether or not their papers were filed, whether or not the Judge has made a ruling. When they might expect an order, what time will court begin? What would be actually on the docket? Should I wait here for the Judge? Should I not wait for the Judge? But as far as on the law no; they did not, because they would have been in trouble and I would have as well.

**KEK:** That’s right, that’s right. Do you think that it’s important for attorneys to cultivate some of those relationships with a judge or I guess with a judge’s support staff you might say?

**LSJ:** Sure, it’s important. I won’t say that it makes a difference one way or the other about what the law says and how the judge will rule. But it’ll make the process, getting through the process a lot better for everybody I think if you establish relationships with the entire court staff, because everybody has a job to do. And they have a job to do because that job is needed in order to get the end product. Yes, I think that is very important; being able to work with everybody on both sides. When I was hired that was impressed upon me in every job I’ve ever had, even my first job and that’s one of my things I do well. I get along with people well. I think that’s very
important in any profession I think. I guess if you’re not dealing with people it’s not
but in this profession we deal with people, so I think it’s very important.

KEK: What year did you enroll in law school?

LSJ: It took me four years, I graduated in 1992. And I think it was ’88, ’89 that I enrolled,
applied and was accepted and enrolled at OCU. It’s just a blur. I don’t know who that person
was. You know, it’s been a few years now. But it’s kind of like I did enroll, I do remember
standing in the line and of course you have to have a Bachelor’s degree before. So I’ve stood in
lines before. The majority of my college career I’ve done while working full-time, including law
school. So that’s why I say I don’t know who that person was that was able to do that, I do
remember enrolling. It had not dawned on me the magnitude of what I was doing I don’t think at
that time. I was a lot younger and I was just standing in another enrollment line. I’ve never been
turned down for anything as far as acceptance. But now I’ve come to appreciate the magnitude of
and responsibility and everybody can’t get into law school. It was probably a good thing that I
didn’t think that much of myself back then. When I look back on getting in and being able to
work full-time and get through law school and pass the bar and get a job. It’s just kind of like,
wow, who was that person, a much younger Linda Samuel Jaha.

KEK: Well no a very talented woman who obviously proved herself. And what made you decide
to go to Oklahoma City University?

LSJ: Well that’s another thing that I’m still in awe of. That was the only school I applied to and
I just figured it out. I had to work and support myself. I lived in Oklahoma City. There were only
two schools here in Oklahoma City. It never dawned on me about leaving Oklahoma; this is
where I was born. This was where I was going to be. My mom and dad are here. So I applied
to OCU because it was the only law school that would allow me to go to school after work and I
had to work. And I did. So that’s why. It was a wonderful program for me. I don’t think I could
have made it anywhere else. I’ve had the opportunity of course to work with students, now
lawyers from now both TU and OU and other parts of the country and we talk about our
experiences. I said I was put where I would succeed. It wasn’t easy. Law school was not easy,
but I got through it. And but for the program there at OCU I wouldn’t of, I wouldn’t be here
today. I just know I wouldn’t.

KEK: Well very good. Tell me about your experiences at OCU Law School.

LSJ: Oh gosh. I still see people that I went to law school with and we occasionally chat about
our experiences. There were certain classes that I really enjoyed. And then, there were professors
that I really got along with and I guess I got along with them all. I was not very social is the
word, because I had a job. And I had to work and I got there and I did what I had to do, and then
I went home and studied until I couldn’t stand up anymore or hold my head up anymore and that
was what I did for four years. But it was school for me. I did have a study group that I worked
with and personal relationships with those people. But we were all night students so we all had something else. The majority of us had something else, a job or a family or something else we had to do and so it was just like a job for me, law school was. And I didn’t do Bar Review or...I was President of the BALSA Chapter while I was there for a minute and that was nice. That was early on in law school I think. And then when it got to be that I didn’t have that kind of time because I needed to make better grades, I let that go. But, describe my experience. It was very hard. I had very good support and I was in an environment where I could thrive because everybody I felt was like me. I’m here, do my job, got to go. I must admit that there were a few times that we met up on Classen, what was it called, Triples or something like that and had a beer some Thursday. I think Thursday was our Friday after school. I did that a few times. It was the perfect match of social and business for me, the night program. I know the day program was probably younger people. I know it was younger people and they had more time to stand out on the square and visit and do those things. But I just worked. I did take some day classes in order to graduate you know within the 4 years or 3 ½ years. My job at Legal Aid allowed me to take a few day classes and use my lunch or whatever, work late or whatever, or come back and make that up. It’s just a fog, law school is for me right now. Just like, it was good. I don’t have any...I’m always questioning though anyone who says they enjoy law school. Have I said that yet?

KEK: No you have not.

LSJ: Okay. It was a job. It was what I had to do to become a lawyer. And it was very, very difficult hard work especially working full-time while I did it. So it got me where I needed to be. It served its purpose.

KEK: Exactly, exactly.

LSJ: I see professors now and we are friendly. I never got kicked out of a class or got written up for anything. So I guess I was a good student.

KEK: Sounds like you were. Are there any professors that sort of made a distinct impression on you or that you remember?

LSJ: Well even after I graduated in ‘92 I continued to serve on alumni boards and diversity boards for several years. I think maybe in the past few years I no longer sat on any of those. So I’ve maintained relationships with a lot of my professors and they changed of course after I graduated and are no longer in their class. But who sticks out in my mind and I don’t know if it’s because I’ve come into contact with them in that capacity or it started in school, but Marge Downing was very special. She may have been one of the first female lawyers in academia that I’ve ever come in contact with and she was just so cool and just so smart. How can you be cool and smart? But she was and no nonsense all at the same time; so she was very special there. Michael Gibson. You know I was scared. That was the first year, these professors. I was scared
to death of him, but after I graduated or maybe it was after I got out of his class, he was fun. He was funny, he had trains. He collects trains. Not that guy that I was scared to death of in contracts. But he and then LeFrancois, Professor LeFrancois and of course the Dean, who I took, Larry Hellman, gosh what class did I have under him? Whatever the class was, he became Dean later I think he and LeFrancois was Dean, Acting Dean for a while. But those people stick out in my mind for different reasons. It takes a special person to do academia, to deal with us and to help us become lawyers and so they stick out in my mind.

KEK: Did you ever feel like you were treated differently because you were a woman?

LSJ: No, maybe because I wasn’t as smart as some of those brainiacs, but not because I was a woman. You know the first year professors, this is a secret, their job is to weed out the chaff. And I probably had remains of chaff, but that was probably everybody in the first year now that I look back on it. It just made me work harder. There were some people that made law school look so easy. But I think it was, I don’t know, maybe they were wired differently. And those are the people that seemed to be treated better because they were smarter. But that was just my own insecurity. No, it was a good time. As a matter of fact, I think I came through at a time when the women in the class were really growing. If we weren’t 50%, we were pretty close before I finished and I think we are there now, maybe even more so. So we kind of ran things. We were the smartest; we were at the top of the class. I don’t think I was treated any differently because I was a woman or because I’m African American. We had our 1st, I believe, Professor Bernard came after my 1st or 2nd year and I had her class. Did I have her class? Yes, I remember her in a classroom. She wore St. John knit suits I remember. I’m going to wear those someday. Not that that’s the only thing that impressed me about her. She’s from here and I went to school with her sister, the doctor and I was so impressed by that family. She lived up to everything that I expected a law professor to live up to. So I did not feel discriminated against at all while I was there. Other then not being at the top of the class, but that probably had nothing due to discrimination, huh? Because one of my friends now and friends back then was a year or so behind me, African American female and she was the top of her class. So I don’t know. So I’m not going to give her a plug. You may even be talking to Lynn Saunders, I don’t know.

KEK: No, I haven’t contacted her. That’s a good tip.

LSJ: Contact her.

KEK: That’s a good tip. How important do you think your study group was to your law school experience?

LSJ: I think working with someone else helped me to pass exams. I don’t know about the bar itself, because by then you have it down. But everybody has a different take on the same material. I say everybody, but there are a lot of different takes generally in a study group on the same material. And it was inevitable that I would get something from those groups, even though
I’m sitting in class I didn’t dare ever miss because I’m working really hard here to get through this. I didn’t ever miss. But they would get things and they would help me to understand sometimes. Sometimes it would just be something that I totally missed. So it made a lot of difference for me in succeeding on the exams because you only get one.

**KEK:** Exactly, exactly. You only get one chance to shine.

**LSJ:** One chance and it’s either you shine or you are out.

**KEK:** That’s right.

**LSJ:** So it helped a lot, it helped a lot for me to work with study groups in preparation for exams and that’s primarily when I did it. Crunch time. Everybody had their outlines and their notes and whatever and just kind of sat and talked. It was amazing how some of those students, I don’t know where they got it but they were able to encapsulate the whole semester. I learned after awhile just look at the index of your book and put down what you know about every area and that is your outline. But I must admit it took me a couple of years to figure that out. I got that down. Study groups did help me, they did.

**KEK:** Well very good. Excellent, excellent. Where did you work while you were going to law school?

**LSJ:** When I was accepted, I was in the U.S. Attorney’s office. I had obtained a paralegal degree from Rose State College while I worked. I had just started to work there as a matter of fact; I’d been there about a year when I applied to law school. I was accepted. I gave my resignation after getting a position at Legal Aid because their schedule was going to be a little more flexible for me. It was closer to campus. So I started out in the U.S. Attorney’s office and then when I finished I was at Legal Aid of Oklahoma.

**KEK:** Well wonderful. And what did you do at Legal Aid?

**LSJ:** I was a paralegal and I think my title was Pro Bono Coordinator at some point during those three years that became my title. I don’t know that I was hired to do that. But intake paralegals over there do a lot. They are generally, back in those days at least, they are the initial contact with the clients and they screen them to see whether or not they qualify for the program. And we even did representation of clients before administrative agencies. Of course we couldn’t go to court but we would represent them before the housing authority, the unemployment, social security administration and things like that, DHS. We actually represented clients and then in my position as a Pro Bono Coordinator of course it was my responsibility to get private lawyers to donate their time and take cases. So I would find cases that came through the office that fit a particular attorney who had filled out this questionnaire about the types of cases and the type of
work that he wanted to or she wanted to volunteer her time. So I was just coordinating cases with pro bono lawyers.

KEK: That’s great. And what did you do after you graduated from law school; did you stay at Legal Services or what were your plans?

LSJ: You know I’m just a mover and a shaker I guess. I think I had actually taken the bar and got my results at Legal Aid, but almost immediately got a position with the Attorney General’s office, the State Attorney General’s office. So I went with my bar license in hand to the Attorney General’s office and I was assigned to their civil litigation division where I stayed for like 11 years. And I did civil rights defense work primarily, labor and employment law for the State Attorney General’s office. So it was a great position because I know many of us upon graduation we spend time researching and writing for more experienced lawyers, but I had the opportunity, I think I tried my first federal lawsuit probably within the first year there. It was just a wonderful experience. It was just supposed to be like everything else in my career, it was just supposed to be. I really enjoyed that, I did. Like I said I did that for 11 years, I worked with; I think I just missed Robert Henry. I think he was going out as I was coming in as Assistant Attorney General. But I worked under Susan Loving, the first and only female Attorney General. And then of course I worked with Drew Edmonson, who’s still the Attorney General. That’s what I did right after law school; I was an Assistant Attorney General for the State of Oklahoma.

KEK: Wonderful. What kinds of things did you learn in that job?

LSJ: I learned how to try cases. I learned how to, initially I think, primarily my work was responding to the inmate litigation; the civil rights litigation that the inmates from the prisons filed. The majority of it was pro se and from that I started actually defending discrimination lawsuits and wrongful termination lawsuits filed by state employees at any agency. And I still occasionally defended cruel and unusual punishment Title 8 cases filed by the prisons in federal court. I learned how to try cases. I did. And everybody didn’t want to do that. But of course I was wide open. I’d seen it done because I’d worked in the court. I can’t even remember why it is myself as a brand new lawyer, but older than a lot of brand new lawyers. I just had the confidence and if you have the confidence and you’re willing to work and learn…I’d had that opportunity and so I did. I learned how to drive. I learned the state because we represent the entire state and so I became licensed to practice in all three Federal Districts here in the State of Oklahoma. So I traveled quite a bit, wherever there was a lawsuit filed, of course we had to go. I even had the opportunity to argue before the 10th Circuit. I mean this is within…you know some lawyers never do it. But I had that opportunity. It was a wonderful experience. I learned how to be a lawyer there; from a law student to a lawyer. And I learned a little bit about politics and how that intertwines with offices of elected officials. I’d never done that of course before. It was a fun group. We had Christmas parties every year. We had a good time. Drew was and probably still is a musician. So we had a lot of fun. I still run into people from that experience as well and we
laugh about the hard work and how politics…we try to stay away from it and now they have a beautiful building, now that I’m no longer there.

KEK: That’s right, that’s right.

LSJ: We were up at Lincoln Office Plaza with a lot of other state agencies. I learned how to practice law. I learned to be a litigator.

KEK: And what types of skills do you think are important to be a litigator?

LSJ: Lot of energy, organizational skills. You have to be a…you have to know the Rules of Evidence. You have got to be able to research because probably less than you know 5% of the actual cases that are filed are actually tried. So that other 90% plus are done away with by paper. So you got to be able to write and research and get rid of that junk. You have got to be able to research, write a brief, argue a brief. That’s what you do at the 10th Circuit of course and when all else fails you have got to be able to get up and convince a jury why they should rule for your client rather than the other guy’s client. You got to be respected, because the judges, you want, most people don’t want to talk about it but in addition to the character of the witness, you as an attorney, you are presenting stuff, if you keep submitting mess then you’re going to be known as someone that “well I don’t really…you’re going to have to prove that counselor.” But we all have to prove everything anyway. To be a good litigator, I think one of the most important things is being able to see the big picture and that big picture depends on the case and once you’ve done a few then you’ll be able to recognize what the big picture is for your particular type of case. But you want to see it from the beginning to the end and how you get from where you are to where it is you want to be, what it is you have to do and what things it’s going to take in order to do that. So it’s like…I associate it with a play. A director, you’re a director and you get all the parties and the actors or witnesses in this particular case and the evidence that’s going to help prove your theory of the case. You get all that together and you get it organized in such a fashion where you can convince Joe Blow walking off the street that this is how it happened, so this is how you should rule. So you’re kind of like a movie director as best I know and you start planning for the end at the very beginning.

KEK: That’s a great analogy, a great analogy. What was it like to work for Susan Loving, the first female Attorney General?

LSJ: It was great, it was great. Susan was an Assistant Attorney General, wasn’t she? I think she was one, it gets foggy. Maybe I did work for a while when Henry was the Attorney General. But you got to be on a, for some reason I was on a level, an equal level with her and I think everybody was in that office. She was very, very easy to work for. If you had been doing your job and you’re doing a good job and if you needed her help, and she specialized in what I did then she was always available for me with someone with less experience in employment and labor defense work. Now she’s doing that on the plaintiffs’ side, you know in private practice.
That’s what I recall about her most; easy to work for. Somebody you could pick up the phone and ask a question of, even though she’s the boss. “I just got a quick question for Susan.” She was there. I’ve heard her say she’s not a politician she’s an attorney and a working attorney. Sometimes there’s a difference, but I remember that about her. She was very assessable and very smart and a female. What else do we have to say, right?

**KEK:** That’s right, that’s right. Tell me about one of your most memorable cases while you were at the Attorney General’s office.

**LSJ:** You know that’s probably on this list, memorable cases? I don’t have a memory of any of those cases. I guess it was the case that I worked with Neil Leader, who’s the Appellate guru. I think Neil is still working for the Attorney General’s office. I’m not sure. And I got to do an oral argument at the 10th Circuit. It was about Indian rights and Indians’ rights to contract regarding Indian property with the State. It’s kind of a constitutional issue as to whether or not they have immunity to the extent that contracts aren’t the same as they relate to Indian property and Indian money as they are with non-Indian property and Indian money. I still don’t know the answer. But I think that the court found in that particular case that they were not immune. And that they in that particular case the contract was enforceable against them even though they were. It was Indian land or Indian money that was involved. So that was, you know we deal with a qualified immunity with state officials all the time and that’s an accepted affirmative defense if you will. But it was still being, the law was not clear as far as whether or not that same immunity applied to Indian property and Indian land when you are talking about contracts. So that was interesting to me.

**KEK:** It sounds like a very interesting case. What was that like to argue before the 10th Circuit?

**LSJ:** Oh, nerve-wracking initially. But once you, you’re a litigator and you just get up and you just...it was to a panel and I’ve done very few panels. The majority of my trial work has been to juries. And that was different and I expected it to be a lot more challenging then it was. I really think they know what positions they are going to take before you get there and then they just want to hear what you have to say, so it was very nerve-wracking to prepare and to get there. But once I got there it was like sitting, standing up there talking to my judge. “Judge this is why I think this should be ruled this way,” and once you get comfortable with that, you’re prepared and it wasn’t so bad.

**KEK:** Did they…what kinds of questions did they ask?

**LSJ:** Oh, I don’t remember. “Counselor” I remember that. I don’t remember any of the questions. I know that’s probably been close to 10 years or so ago. So I don’t remember; I did that early on. Maybe not 10, maybe 6 or 7 years ago. But I’ve been gone from the Attorney General’s office and yes it probably has been 10 years since I got to do that.
KEK: How did you prepare for that oral argument? Do you remember?

LSJ: Of course you filed a case here at the District level and their briefs. That’s part of the briefs. There’s research and law and their positions taken in my brief. Then the other side has a different…I don’t even remember who was on the other side. A different position, a different law of course we have to argue each other’s law. It’s just being very, very familiar with the positions you’ve taken at the District level. I reread my briefs; of course there are no witnesses. And you just get up and basically make a short opening statement and then it’s opened up for the judges to inquire of you. So just become very familiar with the law because that is what they talk about; the law. And why it is that this case doesn’t mean this and why this one means that and why shouldn’t it be that this be our ruling; that kind of thing. That’s what I recall. I don’t remember any of the specific questions. I don’t even remember what the law was at that time. I haven’t done any of that since then. I did it once.

KEK: That’s right, that’s right. That’s more than a lot of them.

LSJ: I can put that on my resume maybe. Which I haven’t but…

KEK: Now did the change in Attorneys General sort of change the office at all or did things kind of remain the same?

LSJ: They remained the same. They remained the same. I guess you have to politically get into that position. The whole time I was there the staff remained basically the same, people would come and go transitioning even when it wasn’t an election year. We called ourselves “the worker bees.” We just want this election to hurry up and be over so we can go on. But it didn’t change the office work or staff really you know much at all. I think Drew was there, well that’s what of course stays, what I remember most. Of course they bring in their First Assistant. I can’t even remember if that happened with Drew, it probably did. I can’t remember who Susan’s was. But everything else just basically remains the same as far as staffing and work. I never heard any dictates come down from the Capital that we’re no longer going to do anything. We just work as the cases came through. There’s a Chief for Civil and a Chief for Criminal. And if a case came to the office and was accepted, then it was just kind of dealt out like a deck of cards primarily to the assistants in that particular area. So no it didn’t, politics doesn’t really affect the work I don’t think.

KEK: Well that’s interesting. Well I see we are about half-way through the interview so I will go ahead and stop the recording now and then we can continue on with our second half.

LSJ: Okay.

KEK: Hello. This is Karen Kalnins again. I am a Reference Librarian at the Oklahoma City University Law Library and this is the second half of the interview with Attorney Linda Samuel
Jaha. And we are still in Oklahoma City, Oklahoma and it’s about 10:30 in the morning. In the first half of the interview Ms. Jaha talked about her law school experiences and her first position at the Attorney General’s office. And Ms. Jaha where did you go from the Attorney General’s office?

**LSJ:** I had a wonderful opportunity to go and work for corporate America. I thought it was a wonderful opportunity, and it was, it was. I think everyone should experience that. I went to work for Kerr McGee. Oil, I think they were an oil corporation. You know, big name, big staple here in the State of Oklahoma who’s no longer here. But I went there and worked in their legal department. I still did employment/labor type work for them, primarily I would work to retain outside counsel. Kerr McGee was a global company, corporation so they had cases all over the world. And someone had to retain counsel sometimes and then even if counsel had been previously retained then kind of watch their work and their billing and get summaries on cases. So that’s what I did for Kerr McGee after leaving the Attorney General’s office.

**KEK:** And how long were you at Kerr McGee?

**LSJ:** I was at Kerr McGee a little more than a year and then they began to downsize and I was not there anymore.

**KEK:** Oh I’m sorry to hear that. What opportunity arose after Kerr McGee?

**LSJ:** I had the opportunity to go into private practice. I had tried a case against, on the defense side of an attorney who was looking to broaden his staff and so I went to work for the Eddy Jones Law Firm here in Oklahoma City and did plaintiff’s work in federal court, labor and employment law. You know just the opposite from what I had done at the Attorney General’s office.

**KEK:** And what about labor and employment law motivates you or what interests you about that area of the law?

**LSJ:** Our constitution says that everyone has a right to be treated equally and that includes the employment arena. I don’t know that I’ve ever experienced discrimination being an African American female in the employment arena but I’ve seen it a lot. And having walked into it at the Attorney General’s office on the defense side, I learned a lot about it. I was good at it. So of course it interested me because I was successful on the defense side. And I thought I would be in private practice able to carry that over because you know what to look for in a good case. Discrimination cases are fact intensive so you can spend a lot of time and a lot of money on meritless cases. So having done it for 11 years I just I felt like I could recognize a duck if it walked in the door. Being learned in the law I could be successful in that area even on the plaintiff’s side.
KEK: Well very good, very good. How long did you stay at the Eddy Jones Law Firm?

LSJ: I was with Eddy Jones upstairs 2 years, maybe 3 years. Yes, better than 2 years less than 3 years. And like I said I should have got my resume out. But it’s all a blur. I left the AG in 2004. I think I was with Eddy Jones 2 years, not exactly, but a little more than that.

KEK: And then at that point did you come down here?

LSJ: I came down here with the idea that I would continue to do plaintiffs’ work, which I’m doing now. I of course had to downsize a little bit because I basically share space here with 5 other lawyers and we all have our own individual practices. So federal practice, I don’t do as much of that as I once did just because it’s fact intensive and it takes a lot of time for every case. So I’m doing more state work now. I still get to do some employment/labor but more on the state level now with agencies and over at Oklahoma County.

KEK: How does the state work differ from the federal work?

LSJ: It’s all the same. Of course the rules of procedure are different. There are federal rules and there are state rules. So of course the minute differences and of course the judges are different. So you have to get to know the judges and their expectations in their courtrooms. The law is the same depending on what kind of case you are doing. The majority of the same cases that you can file in federal court can also be heard by state court. It seemed to me just personally that the federal courts are more sticklers for the rules. Their rules and the rules are more stringent on the federal level I think than on the state level. But you have got to learn the rules. As far as the law and introduction of evidence and decorum in the courtroom and when you file, all those kinds of things differ just a little bit. And there’s more flexibility I think on a state level then there is on a federal level. I guess just because we’re dealing nationally, so they have to be. But here locally, judges have a little more discretion on how they function within their individual courtrooms, that’s just Linda’s opinion having been both places now.

KEK: That’s right, that’s right. And how do you decide as an attorney whether to file something in state or in federal court?

LSJ: Well sometimes it’s dictated. Like I do things now in addition to what I did before like divorces, of course that’s going to be state court. Personal injury, unless it’s on federal property or something like that, it’s going to be state court. So sometimes the facts of the case will dictate where you go. I don’t plan to travel like I did for those 11 years for the Attorney General’s office, so that too will dictate whether or not I take a case where the venue will be so…Sometimes it’s the case that dictates and sometimes it’s you the lawyer that has discretion of whether you file in state or federal. Because Western District I have no problems filing here with Western District in Oklahoma City. Of course the other 2 Districts are a travel away, so…but I have not had to not take a case for that reason. I’ve not taken cases because I think that they’ve
not had merit for either court. But I’ve not taken a case because of the venue of a case. So, it’s worked out that way so far.

**KEK:** Why, or I guess what I want to ask is, what do you think about practicing as a solo attorney as opposed to practicing in a law firm, which do you prefer?

**LSJ:** Well it, right now I like what I’m doing. Now this economy and “recession” that we are about to go through…it’s going to maybe dictate some change. Doing it the way I do it now, if I get the right cases, which I do then it works for this office. But of course the type of cases I would take on would differ if I were with a firm. You have more support and so you can do the bigger productions. Whereas if you are here as a solo practitioner, unless you co-counsel with someone, I think it would not be in the best interests of a client to take on the big production because you have other clients that you have to give your time to and it’s just you. But you take the cases that you can work and sometimes they grow and you don’t know it. But of course then you get some co-counsel or you refer out which we as sole practitioners do sometimes. We didn’t categorize them properly and in an effort to do the best for our clients we refer them out or get a second chair.

**KEK:** So tell me about one of your most memorable cases that you’ve had since leaving the Attorney General’s office.

**LSJ:** You keep saying memorable. You know once you get through with them Karen you just go on to the next one.

**KEK:** That’s right, that’s right. You’ve served the one client and you move on. Was there anyone that sticks out in your mind where you learned a great deal, either about yourself or about something else?

**LSJ:** And you are going to ask me what that was. The last case I tried and they always are when they go to jury verdict. And those are the things that stick in your mind, the last case that you tried that actually went to a jury verdict is going to be the most memorable because you had to do the entire production. So it sticks there. I had what turned out to be a wrongful death case over here at Oklahoma County the latter part of last year. I think that it was November maybe that we got a defense verdict. So it did not go well for me and my client but it was a wonderful experience because it had been a while since I’d tried one to verdict. And in Oklahoma County before this particular judge I’d never tried one before. That is memorable to me. I had an issue with a juror that I’d never had before. You know I’d been practicing since ’92 but in the latter part of 2008 I’d learned something again about jury nullification and how to look at that differently. So that was a very memorable case.

**KEK:** Sounds like it. And for the record, explain what jury nullification is.
LSJ: Jury nullification is a basis for which you exclude a juror from sitting as a juror. There was an issue after the completion of the trial, all the evidence had been introduced that became evident, and that should have been a flag to me. But I just thought, you know, oh it was just an oversight. But now that it’s over and I’ve had an opportunity to talk to the jury that was probably a mistake on my part. I should have removed that juror. But here we are.

KEK: Do you get a chance after the trial was over to talk to the jurors?

LSJ: Yes. If they want to talk and they walked up to me. That was a first as I can recall. Everybody was friendly, I don’t know and it was a short trial maybe. They wanted to tell and I overheard them telling opposing counsel what a great job he did. They told me the same thing. They just want to tell you their take on it and what was missing or what they wanted to hear. Things like that. No there’s no problem with talking to them after it’s over. Can’t talk to them while it’s going on but…You can’t beat them over the head and make them talk to you, but if they want to talk to you then either one of us can initiate a conversation.

KEK: Do you find that kind of feedback helpful?

LSJ: Yes, I learned from that. I did. That was very helpful for me. By nature I am a trusting person and I just feel like our system works like it’s supposed to work 99 and 7/8th of the time. But every once in a while and we lose sight of that over the years I think that every once in a while things get eschewed for whatever reason and you got to be open minded and receptive to that idea. And if anything looks a little skewed it probably is really skewed. So I did learn, kind of brought me back to reality I guess.

KEK: That’s great. Well besides the law practice Ms. Jaha, what other kinds of activities, professional activities or organizations are you involved in?

LSJ: Too many? I’m a firm believer that we as lawyers should give something back in order to improve the system or help someone else along the way or help society because we learn things that are beneficial; if nothing more how to get into law school or how to get through law school. People that can’t afford an attorney, help them out pro bono-wise. I guess that reflects back on my old Pro Bono Coordinator days, but that’s just me. I think it’s very important that we lawyers do give something back. Do community service. Work on bar committees because that is where the system is improved. There’s always room for improvement. Society requires or dictates a change and improvement sometimes and we as lawyers, it’s our bar so I think we should be active within the bar, within the community and just give something back, even to our law schools. I’ve worked for several years on different law school committees. As a matter of fact, there is a bar committee that is called “The Law School Bar Committee” that goes around and visits the law schools and just kind of gives them advice and recommendations and other help that they need. I sat on that for a while. So I think it’s very important. Right now I chair the Oklahoma Bar Association Diversity Committee which is one of the newer committees in the
Oklahoma Bar, over 100 years. And we’ve had the Diversity Committee for probably 7 years now. I’ve been part of it since then and this is my second term as Chair. I think it’s a very important committee, as they all are. Our goals and objectives are to increase diversity within the profession at all levels, administratively, practicing, the Bench, the bar itself. I’m very proud of the Oklahoma Bar Association recognizing the need for such a committee and the inroads we’ve been able to make over the past few years with that committee.

KEK: What types of activities does the Diversity Committee sponsor or take part in?

LSJ: Of course it’s a volunteer committee as they all are. And so we busy lawyers are sometimes overzealous, but there are 3 projects this year that we’ve taken on. One of which is a Diversity Scholarship, a Bar Review Scholarship wherein we raise money through private donations and help law students with the cost of taking their Bar Review. So they make application and we have an interview and we award whatever money we’ve been able to collect throughout the year. One way we collect money is through a second project which we call the Diversity Forum. During the annual meeting for the Oklahoma Bar Association which is held in November, we put on a forum of panelists local or national speakers come and talk about diversity topics. This year we talked about legislation, both local and national legislation, relative to immigration laws and how that’s affecting the market place and how fair it is or how unfair it is. As a matter of fact here in Oklahoma, and I know I’m going way off but you asked, here in Oklahoma there’s a challenge to our immigration law and I think it’s going up to the Supreme Court. I think one of our federal judges here has ruled our immigration law unconstitutional. So we had a panel to discuss their particular positions on that in our Forum. And as part of the Forum we initiate our fund drive if you will. So they get to listen to these learned speakers on a topic and donate money. And then the other project is one which we’re still struggling with. But it is a non-committal summer clerkship program for students who would not otherwise be selected to clerk for the larger law firms. We’re trying to get state agencies or federal agencies or small firms or sole practitioners to take in a law student for a summer clerkship, paid or nonpaid. Some students just want some exposure. We’ve placed several students, but it could be a lot bigger program if we all just had some time to pull it together. I’m real excited about that one. The Diversity Forum and the scholarship have been going for a long time and it’s doing pretty good. But that summer law clerk program could really help a lot of students. So I’m excited about us getting that together and giving some students some assistance, because it makes a big difference. I never was one without exposure and experiences. I worked the whole time I was in law school in the legal profession. But it makes a big difference not only in succeeding in law school I believe, but in the type of lawyer that you become after you graduate. So those are the 3 projects that the OBA Diversity Committee is doing. I’m real proud of that committee.

KEK: It sounds like it. Why do you think it’s so important to encourage diversity, both through a formal OBA committee and just generally?
LSJ: The credibility of our justice system I think hinges on whether or not it comes across as fair and just. And if everybody looks like white, middle-aged men, people like myself or even you are going to be suspect of the justice that’s provided for people by people that don’t look like me. I need to see somebody that looks like me, so I can feel like there is fairness and justice even in the system. So the credibility of the system I think is better off with there being diversity. If you don’t have diversity, then I won’t say we’ll be in anarchy, but people will have less respect for the system. That’s why I think it’s so important and you get so many different takes, like the study groups we talked about, life’s experiences, law school experiences. Just, it makes for a better system when you have a more rounded system, a reflection of this country. I mean it’s the judicial system for this country, so it should be a reflection of this country. And so I think it’s very important, I do. And one of the things that is evident just here locally is that we have a long way to go. We do, but we are seeing a few more women on the Bench or in administrative positions at the Bar. But still predominately it’s white men and we are going to see a change. We’ve seen a change nationally; we’re going to see a change locally. I hope to live to see it.

KEK: Hear, hear.

LSJ: And do what I can to help it along.

KEK: That’s right. That’s right. Ms Jaha is there anything that I have not asked you that you would like to say or that you would like to talk about?

LSJ: Just that it’s a wonderful profession. There are so many different things you can do with a law degree. Bleeding hearts, like myself, I get to help people and try to increase the fairness of the system. Anybody that wants somebody to talk to that is toying with the idea of becoming a lawyer, I’d love to talk to them because it is a wonderful profession and I recommend it highly. A lot of work, a lot of hard work to get there and even to maintain your status as a practicing lawyer, but it’s a wonderful profession and I wouldn’t want to do anything else.

KEK: Well that sounds great. Would you recommend going into the law for young people?

LSJ: I would, I would. And what I hear and I have a niece who’s just graduating, Sabrina Caldwell from OCU’s Mass Communication Department. She’s very bright. She got a full ride scholarship there for her undergrad and she’s toying with the idea. I’ve shared with her, I’m not going to push anyone into that, but if someone has an interest and they have questions, I think I would be a good person to talk to about it. But you have to really want it, because it is a lot of work. And I would recommend it, if a person goes in it with that understanding. That it’s not like it is on television. There is some glamour to it sometimes, but more often than not, it’s just a lot of hard work. But you get gratification that me personally I can’t imagine getting anywhere else. So, yes I would recommend the profession highly.
KEK: Well that sounds great. What kind of advice would you give someone who is just finishing law school, who is just starting out in the legal profession?

LSJ: Work with someone. I see that a lot and I’m kind of shying away from where people just come out of law school and hang up their shingle. Academia, there’s a big difference between academia and actual practice. And I think I haven’t seen the statistics, but I think the attrition rate for attorneys that do that or end up in trouble, or ethical troubles because they just don’t know. But work with someone you know if you don’t accomplish that during law school, then try to do it after you graduate otherwise I’m afraid you may do a disservice to yourself and to your clients. Work with someone. Mentor, have someone to mentor you even if you’re out there with your own shingle. Because we love to tell people what to do, including the lawyers. Just pick up the phone and say “You got a minute, you got a question, this is where I am.” But work with someone at whatever level. Just reach out, because there is a difference.

KEK: Well very good advice. What is the best advice that someone has given you along the way?

LSJ: Be prepared. I think even having practiced for some time now, you never know it all. Just always prepare for what it is you are doing as though it is the first time. Yes you’ll be able to glean over things a lot quicker once you’ve done it, but always be prepared. Otherwise once again you do a disservice to yourself professionally as well as your client.

KEK: Well very good. Do you have anything else Ms. Jaha?

LSJ: No. Thank you for this opportunity.

KEK: Oh thank you. I know that we’ve sort of gone a little bit over the hour and I know that your time is money. So thank you again for your time today.

LSJ: Thank you, thank you.

KEK: It was great.

LSJ: Thank you.