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David Crump
University of Houston Law Center

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IN APPRECIATION OF PROFESSOR BILL DORSANEO

*Professor David Crump**

IF you litigate in Texas, about 90% of your work will be in the Texas state courts. And if you litigate in the Texas state courts, your best friend will be my own longtime friend, Bill Dorsaneo.

Professor William V. Dorsaneo III came from an elite college in the frozen North, but as soon as he crossed the Red River, he became a Texan. A little-known fact is that he and I started out in the same law firm. And we tried a jury trial as co-counsel, with Bill in the lead. We always laugh about that case when we get together. The opposing lawyer brought out an event harmful to himself, distasteful, and to us, amusing (trial lawyers are like that). Later, we both became professors. I ended up at the University of Houston Law Center and he at the SMU Dedman School of Law.

During his time in the firm, which was named Geary, Brice, Barron & Stahl when we started, Bill took on a massive pro bono case for the local antipoverty agency involving ethnic discrimination allegations. I don't know whether the case was itself massive, but Bill's dedication to it was. I've since read an opinion piece by Sandra Day O'Connor suggesting that pro bono work will relax you. Bill and I have both done prodigious pro bono work since, but we both know that it's not relaxing. Instead, it's hard work, and it's harder even than usual hard work, because of the sometimes ambiguity of pro bono: there are two sides, and the other side usually has its valid points to make—and is usually outraged. Pro bono is worthwhile because it is valuable in itself, not from any hope of relaxation.

Bill and I have written three law school teaching books together. One is *Cases and Materials on Civil Procedure*, which is a federally oriented, first year casebook. And we have two Texas procedure casebooks: *Texas Pretrial Procedure* and *Texas Trial and Appellate Procedure*. (Since then, we've added Beth Thornburg and Elaine Carlson as coauthors.) I'm proud to be associated with these fine works and appreciative of Professor Dorsaneo's leadership on the Texas books throughout many years.

Bill showed himself to be a true Texan in the first-year work. At one point, I wrote about the origins of the modern system of pleading, and I led with the Field Codes of New York, as many others have done. Bill re-wrote that passage to reveal that the first near-modern pleading system

* John B. Neibel Professor of Law, University of Houston Law Center.

was, of course, in Texas. Following Continental ideas, Texas simplified the system to make it more like what it is today. The point was, Texans are not the bunch of yahoos that some people elsewhere regrettably picture. Instead, as Professor Dorsaneo has shown, Texans should swell with pride.

But the biggest piece of work Bill has done is a huge collection of volumes that make up *the* one and only *Texas Litigation Guide*. And this monumental *Guide* is the reason Bill Dorsaneo is your best friend if you're in the Texas court system. If you've never heard of a special exception, or a plea in abatement, the *Guide* educates you with clear and comprehensive explanations. Increasingly, graduates even of law schools in Texas have never heard of these devices, unfortunately. And the *Guide* also contains strategic advice. It contains forms with suggested means of tailoring them to your situation.

It's a work that has spanned many decades. And for years, Bill has supervised a cadre of researchers and updaters inside the publishing company. At times, I'm sure it has become a tear-out-your-hair nightmare because there have been so many changes every single year, even when he was writing new volumes.

I imagine it's been done with the same personal characteristics that I saw in Professor Dorsaneo when we worked together in trial. He was unusually well organized, and he had a style that was low-key but powerfully direct. And he had a sense of humor. I'll never forget his standing with a smile on his face when the other lawyer objected to a whole series of his own questions and asked to have the answers stricken from the record, even though he had caused it and the jury had heard all of it. I've forgotten what Bill said, but the whole courtroom laughed (except perhaps for our opponent).

Now, when Professor Dorsaneo—the legendary Professor Dorsaneo—retires, I wonder who's going to carry on his work. It won't be as excellent, it won't be as compelling, and it won't be done with the same style. I'm not asking who will replace him, because no one could ever replace Bill Dorsaneo. Around SMU, and around the Great State of Texas, his mark will remain.