

Wednesday, 5 August 1959

A District Judge spends a large part of his time on "trash", petty little motions over matters the parties should settle by themselves. When I practiced law - I tried to settle all preliminary points of difference - and was quite successful at it. I tried to sweep away all the chaff and go to Court on the main issues. If more lawyers would try to do that, the Courts would have more time for trials on the merits.

All this day was devoted to "Trash" - motions for allowances, motions for permission to amend - arraignments - show cause orders for contempt - restraining orders to keep some man from beating a woman he never would touch - orders to recustody of children. People fight too much - too hard, and too long over children. Divorce seeking and divorced parents use the children as a whip - a lever - a club, or an excuse to distress each other - as a result - in many cases the children become a football - kicked back and forth between the warring parents. I learned quite a lot about humanity in the practice of law - but I now find one year on the Bench is equal to 5 or 6 years in practice. From up here on the Bench there is a clearer view of both sides of a battle, and after many years of practice - a Judge is able to understand quite well what has gone on before the case comes to the Courtroom. It is all very interesting, but I wish I could preside over a Court where only important cases come to trial, and I would not have to sweep up - and clean up all the "trash".

Last evening I worked at Chambers until 12:00. Tonight I am at home for a change.