



By Brendan J. Begley

Sacramento Lawyer Lore: The Inimitable Joe Genshlea

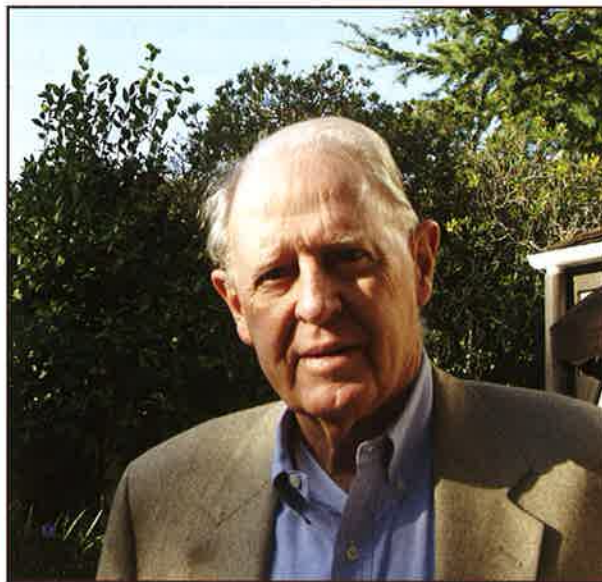
Many accomplished lawyers are fantastic storytellers, while others may possess great intellect, solid judgment or keen risk-assessment skills. Legendary Sacramento attorney Joe Genshlea is a prime example of one whose acumen in all those areas has translated into success for him and his clients – and his infectious sense of humor hasn't hobbled him either. However, he modestly bristles at being called a "storyteller."

"Saying someone is a 'storyteller' suggests that they tell fictional tales," Joe chuckled. "When I'm in court or doing one of my presentations about Sacramento, I stick to telling folks the facts." Regardless, people frequently have told him over the years that he should write down the stories he has shared. "I often wondered if they were saying that just to get me to stop talking," he joked.

But instead of writing them down, Joe spun his chronicles of growing up and practicing law in Sacramento into a one-man stage show. He performed one version of it at the Wells Fargo Pavilion in 2008 as a fundraiser for the Sacramento Theatre Company. He later performed another version of it at the Crest Theatre in 2010 to raise funds for Sierra Forever Families, a non-profit that provides mentoring services to foster children.

One of Joe's legal anecdotes stems from his early years in practice. A probate judge, the Hon. Stanley Reckers, became upset with another attorney for not bringing any witnesses to prove a will. According to Joe,

the attorney retorted that witnesses were unnecessary because Judge Reckers could plainly see the will was drawn up by the judge's former law partner and prepared by a secretary in



Joe Genshlea

his former law office.

"Judge Reckers scolded the lawyer that a judge cannot be called as a witness in his own courtroom," Joe recollected. "The lawyer answered, 'What's the matter, your Honor, don't you believe yourself?'"

Joe's yarns frequently involve both humorous and serious risks as well as contrasts between good and bad decisions. For example, he recounted the day when he was running in Land Park and heard the screams of a nearby woman whose purse had just been snatched by a young man. "I started to chase him and I hadn't gone very far when something really terrible happened," Joe deadpanned. "I realized I was going to catch him."

Although Joe helped bring the

bandit to justice and has no regrets about his decision, he said he reacted without first giving thought to the risks that his pursuit presented. "People often worry about risks that are very remote without paying attention to the immediate things that are more likely to harm them," he observed.

To illustrate the point, Joe told a story about a national security expert's presentation outlining all kinds of terrorism in the world. "At the end of his speech," Joe recalled, "someone asked him what people should do to stay safe – and he said, 'Don't smoke and wear your seat belts.'"

After practicing law for over 50 years, Joe has formed the impression that lawyers and their clients often run into trouble by forgetting that most immoral things are legal. "The Seven Deadly Sins are all legal and eight of the Ten Commandments are also legal," he quipped, adding that "coveting your neighbor's wife is legal – it's dangerous, but it's legal."

"People say that the lawyer said you can do this or do that," Joe explained. "Well that just means you're not going to get sued or go to jail for it. But that's a pretty low level to live on. We need to live on the level of 'should we do it,' and a good lawyer should never forget the difference between 'the can' and 'the should.'"

Of course, properly assessing risk and evaluating moral dilemmas can promote good choices and sensible resolutions. Joe's experiences show that it doesn't hurt to have a sense

of humor in that serious-minded process. For instance, he described an opponent he had never met, a seemingly reserved man of solemn religious convictions, who followed him to the men's room during a break from settlement discussions.

"He stood next to me while we were doing what men usually do while standing in the men's room and then he turned to me and said, 'You're full of B.S.,'" Joe remembered with a giggle. "After we got done laughing about the fact that he had found me out, we shook on it – hands that is -- and we got the lawsuit settled."


In cases that can't settle, Joe says, it's not necessary that the judge be the smartest person in the courtroom. It's more important, he reasoned, that they have the best judgment. "When lawyers are elevated to the bench," Joe said, "we don't call them 'smarties;' we call them 'judges.' They're supposed to have good judgment more than anything else."

When cases reach the trial stage, Joe is known for being a marvel at cross-examination and jury persuasion – but that doesn't exclude him from simultaneously playing the role of cupid. According to Nancy Sheehan, an outstanding trial attorney in her own right, she met her husband Rich at a local establishment one evening after Joe had just finished filleted him as an expert witness on cross-examination at trial. Love began to blossom, Nancy recalled, as she began to doctor Rich's wounds from that encounter.

Although proud of his career and reputation, Joe tries not to take himself too seriously. His genuine modesty, folksy parlance and kind disposition have won rapport with jurors, judges, clients, and even opponents. Meanwhile, his rarely surpassed intelligence and big-city sophistication have come in handy too at times – although he seldom focus on those instances.

Joe's seeming lack of wanderlust and

life-long love of Sacramento may fool some into thinking that he hasn't ever managed to get very far from Northern California. Indeed, he often introduces himself by announcing, "I live one block from where I was born," and he has openly professed that "Sacramento is the best place to live and has the best year-round weather in the whole country." However, it doesn't take long to find out that Joe is very well-traveled and holds a strong grasp of national and world affairs. His stories about Sacramento are just more interesting to him and – because they are genuine and insightful – to his listeners too.

Joe certainly is a curator of Sacramento's Lawyer Lore. 

Brendan J. Begley is chair of the SCBA Appellate Law Section and head of the Appeals and Writs Group at Weinbraub Genshlea Chediak Law Corporation in Sacramento. He is also a California State Bar certified appellate law specialist.



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