



Season 2 Episode 23 – Judge Troy Odom on Grace and Respect

Matt: Joining Craig and I for today's episode is Judge Troy Odom. He is one of three chancellors elected to the Rankin County Chancery Court bench. You'll get to know, Judge Odom, learn about his past, his time in law school, his early law career, and finally him becoming a judge and the things that he sees from the bench every day.

Craig: So throughout my legal career, one of the places that I've enjoyed working the most has been Rankin County, Mississippi. I've worked before Judge Zeburt, Grant and Fairly. And then more recently, Judge Roberts and MacLaurin and the newest member of the Rankin County bench is here with us, Judge Troy Odom. Judge, thank you for taking time to talk to us today.

Judge: A pleasure to be here. Thanks for asking, Judge.

Matt: So you were elected in November of twenty eighteen, right?

Judge: Correct.

Matt: OK, so you've, what, a year and a half into your first term on the bench?

Judge: That's right, yeah. I started my first case January 2nd, 2019. And so, I guess what does that a year and seven months in.

Matt: And so has it been everything that you thought it would be?

Judge: It is. It's exactly what I thought it would be probably a little less time that I thought I would be on the bench. But I think a lot of that may be due to the recent covid pandemic. Yeah. Other than that, yes. The difficult decisions I thought I would be making are exactly what I thought they were. The enjoyment of being on the bench, of seeing good lawyers try cases. It's all been really what I thought it was going to be. And part of the reason I, you know, I ran in the first place.

Craig: Well, let's take a step back and let's tell the listeners a little bit about you. We were talking off microphone a little earlier, and I did not remember that you your family has a military background and you guys moved around a good bit.

Judge: That's right. Now, my people are from my mom's family's from Canton, Mississippi. My dad's from Hattiesburg, Mississippi. But he was in the military. He was an airborne ranger when I was born. I was born on an Army base, Fort Lewis now Maddigan Air Force Base in Tacoma, Washington. And so I was born into the Army Brat lifestyle. Now, he had retired from the Army for a brief amount of time where he was teaching flight lessons here at the Madison Airport. But then the passion for flying and piloting drew him back. And so he joined the Coast Guard when I was four. And so that began a new military lifestyle. And he was in the military until I had graduated high school.

Craig: Now, Judge, you have brothers and sisters?

Judge: I do. I have one brother that lives in Fort Lauderdale.

Craig: It must have been exciting to have a dad who was a pilot. I mean, that sounds like something out of a movie.

Judge: He did. He's got a license, I think, to fly everything. Still, even though he's fully retired from the military, he lives now down in Florida on the panhandle close to Eglin Air Force Base, where there's a large Air Force and community. He volunteers his time at the Pensacola Air Naval Museum, still flies a hot air balloon in various competitions around the country and tries to stay as much in the air as possible. He did that, too, while we were growing up.

Craig: Did you share that love of being in the air with your dad.

Judge: I did not. Listen, when I was ten and eleven years of age, we lived in Kodiak, Alaska, and there was a club, a flight club on the Coast Guard base there, and he could rent and fly and a little one prop Cessna's, and we would go up frequently with him. And he loves flying so much. And there's so much to see in Kodiak, Alaska. We'd be flying and we'd see a bear and he'd want to go, you know, double back to go see the bear better. So here we are, 180 degrees turn, you know, turning around and you get a little airsick sometimes when you're ten and eleven and you're doing these maneuvers that you probably shouldn't be doing in a Cessna. So I did not grow up wanting to be a pilot.

Craig: And I can totally relate to that about my poor brother Keith, who I adore. I can remember being at Six Flags as a as a kid and God bless. He was ever next to me because Craig Robertson gets seriously motion sick, too. So, yeah, I totally understand.

Judge: The only time I've ever been motion sick was when flying with my father.

Matt: Well, so if you didn't want to grow up being a pilot, did you always want to be a lawyer?

Judge: I did not. But of course I wanted to be a professional baseball player when I was growing up, the same sense I always thought I was going to be that to which I got cut for the varsity days cross. I didn't have that much direction either. When I was going to college, I had seen Silence of the Lambs was a huge movie when I was graduating high school. So yes, I wanted to be that FBI agent Clarice Starling, who was tracking down serial killers and using her witts. And like she in the movie I wanted, I was a psychology major and that's what I always intended on doing until I graduated, took the LSAT, did so well on it and decided, well, you know, maybe a law degree would help me get into the FBI Academy.

Craig: So that was that was the motivation for going into law school was to continue that dream of being the the star FBI.

Judge: Sure, man, I was a psych major and I was going to be a lawyer. I figured it was going to be a direct pipeline into the FBI. But as things happen, once you get into law school, you're at least my tastes changed. And I realized that, you know, maybe the FBI wasn't where I wanted to go into rather. I just like the battle on the courtroom, the litigation.

Craig: Well, let's talk about that a little bit, because for a lot of people, law school is a game changer. I can remember me when I was in law school back in the late 90s. I had never had a problem sleeping a day in my life. And then all of a sudden, I'm a first year law student and I become an insomniac. And all this this information is running through my head. It really is kind of a paradigm shifting experience when you first, especially the first year of law school.

Judge: It's like nothing else that you've ever experienced. It doesn't hold a candle to at least my experience in undergrad.

Matt: And I personally hated it from the from the first day that I got to law school, I wanted to leave. I thought, this is I mean, I just I did not enjoy it in the least. Thankfully, looking back, my

father told me, you know, he's a physician. And he said, you know, practicing medicine is nothing like medical school. And I'm pretty certain that being an attorney is nothing like being in law school. So don't let that be. You know what makes your mind up? And thankfully, I guess I stuck it out, but I did not enjoy law school in the least.

Craig: We'll talk about the transition judge. So you have a military background. You guys moved around a lot. You finished high school in Mobile and then went to Southern Miss for undergrad, studied psychology and then headed off to law school at Ole Miss. And so the transition in your life from law school to being out in the legal world, what was that like for you?

Judge: Having a military father, I was able to cut ties with mom and dad pretty easily. I was prepared for life upon graduating from undergraduate. I did not depend on them in any way, shape or form or fashion. So it was an easy transition. I had been dating Britney, who is now my wife, when we were undergraduate, and I knew I had a plan. I mean, my life is a series of five year plans, right? And so the five year plan then was continued dating Britney, go to law school, graduate, pass the bar, get a job, marry Britney, you know, five years later, have children and start a family and grow the career. And that's exactly how it played out. It's amazing.

Matt: Catch Hannibal Lecter.

Judge: Yes. Right.

Matt: So obviously, you mentioned that your taste changed and you thought that you were going to want to practice law. What type of law did you practice once you got out into the real world?

Judge: Of course, when you're in law school and you're doing well in law school, you think, oh, I'm going to be insurance defense at a tall building law firm, make lots of money and live that type of lifestyle you see in the movies. And I had clerked with one of the tall building firms in Jackson, Mississippi, as well as a smaller three person firm, a boutique firm that practice primarily oil and gas law in flowood. And after completing my summer clerkships with both of those law firms, it was clear to me that the smaller firm was more my taste. I enjoyed the work there. And so I immediately started working with Blair and Bon Ron upon graduating law school and was there for six years.

Craig: Judge Odom that's that's that's funny because there's there's a saying some of our listeners might have heard before that the people who make A's in law school become professors and the

people who make B's in law school become judges and the people who make C's and Law School become rich. And I'm still waiting to see if that holds out to be to be true. But I didn't have the people recruiting me because I was I was a hard working law student, but I was a very average law student. And so after I got out and started kind of making a name for myself practicing family law, I got recruited by a tall building firm. And I thought that was the path that I would take. And I'm glad that I did, because that's where I met my law partner, Matt. But it turns out for me and for the practice that I do, that that just wasn't really conducive to working with people and individuals, especially in family crisis, because that intimate boutique setting, at least in my mind, works better in family law.

Judge: Well, you don't know of many family law practitioners in larger what we call tall building law firms. There are a few out there and they're excellent at what they do, but there's not many.

Craig: Well, let's transition then. So you're practicing law. You're doing well. You're following the five year plan as you as you talked about it. So why the transition from the practice of. Law to running a campaign to be elected a chancery court judge here in Rankin County.

Judge: Well, 16 years of practicing law, primarily oil and gas and land related disputes. I felt that it was just time for a change in my career. And I always knew that the goal was the bench. I felt this is going to sound kind of conceited, but you just know when you're practicing law and you're in front of a plethora of different judges, you get a sense of what makes a good judge. And I thought in my own mind, I possess some of those traits that make a good judge, calm, demeanor, intelligence, hardworking, the ability to make good decisions after hearing both sides of the issue, common sense. And I knew that I was a people person, that if I ran a campaign, I would do a very good job. I would probably outwork anybody that ran against me and I would have at least a good chance of winning. And so when Judge Grant announced that he was retiring, it just felt right.

Matt: Did you enjoy the campaign process?

Judge: Loved it.

Matt: Really?

Judge: Yes, absolutely. I love talking to people and meeting people, and I think I'm good at it. I feel that I can make people feel more comfortable in an unusual situation.

Craig: Well, as a person who ran a judicial campaign and on the other side of a judicial campaign, do you think our judges should be elected?

Judge: That's a great question. I am not necessarily a fan of electing judges. I am because that's in our Constitution. And until that's changed, that's the way it's going to be. But I do believe that there is room for at least a discussion on alternate ways of building a judiciary.

Craig: Yeah, because I think that the average citizen and the average person who might be listening to our voices right now, they might not even recognize that judges are actually elected. And, you know, unless you're in a smaller community, there's usually a disconnect a lot of times between especially the judicial elections, less contentious because they're because they're not run. They're not partisan elections. And so I think the average citizen doesn't fully understand that. Yeah, we do elect judges who are placed in the position to make these big decisions for families.

Judge: Judges are elected. And what you don't want it to become is a popularity contest. That's not a good way of building a judiciary. You don't want it to become that. But there's judges, when they are running are so handcuffed as to what they can say. And you certainly don't feel comfortable raising money when you're running for the judiciary because that just opens up a Pandora's box of are people going to believe that if you did, they gave you money that you're going to be favoring? That's just it's uncomfortable. And I just wish that there was room to discuss alternate ways of appointing judges.

Craig: Well, so but you are elected and you're now have been on the bench. So what's the hardest part of the job that you do on a day in and day out basis?

Judge: Obviously making decisions affecting child custody. A lot of times it's not that difficult of a of a job because you have two good parents. And even though it's a tough decision, it's not made difficult knowing that that child is going to be loved no matter what you do. It's those cases where you have two bad parents that makes this job so difficult. Those are the cases that you have trouble sleeping at night while you're thinking about it, that you ruminate hours on end about. Those are the more difficult cases.

Craig: Do you do you have problems sleeping at night sometimes because of what you hear from 9-5?

Judge: No, no. I think I do a good job of making decisions without having to bring it home in that sense. But it is still somebodies children. So I just have other ways of of dealing with it. One of those is surrounding myself with incredibly competent, intelligent and caring people here at the courthouse who can help make tough decisions along with me.

Matt: Well, I mean, I know obviously I've never been a judge, but through doing nothing but family law, I think you have to create some type of separation there, because if you didn't, it would just eat you alive and you wouldn't be able to do your job effectively. I know that when I let my parents know that I was going to be a family law attorney, my mother was terrified that this was going to ruin me for relationships forever. At the time, I wasn't married and I actually put, you know, a fair amount of thought into it. It's like, OK, is this going to skew the way that I feel about relationships, make me jaded? And I made a decision very early on that. It was going to be all about perspective and that I was going to use the things that I encountered to make my relationships better, like learn from the mistakes that I see other people make.

Craig: I can just even this week, I tried a really contentious custody case, and it was involving a young girl who was 14. And I've got a 14 year old daughter right now. And I mean, immersing myself into that family situation, just it just immediately wanted to send my daughter a text and tell her how proud I am of her. And you know that she's a champion and a winner. And so for at least for me, it's taught me a lot about the value of my family, about the relationship with my wife and the relationship with my children and how precious that is and how important it is to me to protect it.

Judge: I learn something new every day on this job, and it's not just something new about the law. It's something new about how to better my relationships when I see other relationships in action. So I agree, just like you all said, I take what I see on this job and I use it to better my relationship.

Craig: Do you have more faith in humanity as a person who's been on the Chancery Court bench two years in now than you did before? Or how has your perception about people changed and developed?

Judge: It hasn't. I'm a Christian. I have full faith in humanity. We are all created in God's image. And that is something that I bring to this court and have from day one. I know that we have good people in the courtroom. Yes, we are all sinners, but we're all made in God's image. And I need to always remember that no matter how bad the facts are, I always remember to extend grace, make the right decisions, do what's in the best interest of the children, follow the law, but always remember that everybody deserves respect and grace.

Matt: Well, and I'm glad you said that, Your Honor. I know that I'm sure every family law practitioner has a few almost like canned conversations that they feel like they have with every single client that they have before they go into a courtroom. And I know one of the things that I always tell clients of mine is that the judge is a person. They're not perfect. They're you know, oftentimes, you know, judges married, they're not a perfect spouse. They're not a perfect parent. And they don't expect you to be perfect. And I know that you're nervous about going in there and having your worst moments put on display, but you just have to have faith that they're going to understand the fact that you're not perfect, tell the truth, you know, be open and honest and let's just see what happens.

Craig: Judge, speak to that a little bit. So I want the person who is concerned that they might end up in a family court in Mississippi to hear this. What are some what are some things that people get wrong? What are some things day in and day out that you observe that you wish a national or at least a local bulletin would go out to tell people before they come to court, don't do these things?

Judge: Well, just as we've been saying, I believe that it is better to be honest with your flaws in court than to try and hide them. The judge is very discerning and the judge knows. I am, like I said, fallen, I am a child of sin, just like every single person walking this earth and including those that are in my courtroom. So I kind of recognize it as well. So don't ever try to. Cover up your failings as a parent or a spouse, be forthright and honest about it, because otherwise the judge is going to know and the judge is going to then question any other testimony that comes out of your mouth. If he finds out or she finds out that you're not really telling the truth about something.

Craig: Right. Give me an alcoholic three months into recovery as opposed to somebody who's still in denial. I mean, I can deal with the look. I'm falling. I'm broke, and I've made a mistake. But these are the things that I'm doing to try to right the ship, to try to walk a different path.

Matt: Well, I always tell people oftentimes people work themselves into a place where they believe that this is all their spouses fault, you know? And I think that that is a very big mistake to make when you're walking into a courtroom, because if you try to tell the court that this is 100 percent that other person's fault, which means I'm perfect and that I've I haven't done anything wrong here, in my opinion. And you'll correct me if I'm wrong, but I would think that most judges would hear that and say, I don't know that this person is intentionally lying to me, but they're not in touch with the reality of whatever their situation is, if they think that they didn't do anything wrong and that it's only the other person. It undermines the rest of their story if you don't take any responsibility for what brought you into that room? I've always felt like that's just the wrong way to go.

Judge: I agree. It's I don't know that I've had a case where one side was completely in the right in a marriage. It is so difficult to get away from the fact that if there are problems, usually both have at least some level of fault in those problems. That's how I approach my marriage every day. I know I'm not the perfect spouse and neither is my wife. And I have to sometimes remind myself of that in order to build a better relationship. But you're right, it's only in a very rare case as somebody, as we say, comes into court with completely clean hands.

Matt: Since we're talking about, you know, what's going on in the courtroom, I'm interested to know from a from a judge's perspective, does a good lawyer make a difference? I mean, is there a difference between all the different attorneys that are out there and how wide is that spectrum?

Judge: It absolutely makes a difference. You would hope that it would not. But, yes, it does. It really behooves your case to have an attorney that has the ability to spend the time to prepare adequately for a case to make plenty of copies of documents. And I know, Mr. Robertson, you tried cases in front of me. You do a good job of this so that the court is not having to fumble around to try to see what document that witness is testifying about it. It that makes a huge difference when the attorney is prepared and adequately brings all copies for both counsel opposite and for the court.

Craig: Well, let me ask you this, judge, you've got a brother, if your brother was unfortunately walking through a divorce and he lives in another jurisdiction. What are the types of things that you would tell him to look for in an attorney?

Judge: One of the things that you understand perfectly, and I do, but maybe your clients don't because they're so unfamiliar with the battleground that is the courtroom, is that the complete story is not going to be told during a trial. And that's the only thing the court can rely on when making its decision. So what you want to look for is a lawyer who understands how important it is to effectively convey your story during a trial. Somebody who is experienced with the particular court that you're going to be in knows how to convey that message to the judge.

Craig: A great lawyer is a great storyteller. And you touched on this. How could you tell a great story if you're talking about a picture or a document and the judge does not have the ability to see that in real time while you're discussing it. And so some of it is just having an awareness of what's going on in the courtroom. You know, the court reporter has to take down everything that's being said. So, you know, when she's doing something else as opposed to writing what's being said, you need to wait. I mean, just simple awareness of. And that comes with experience, of course.

Judge: And it's so hard to convey that message or story when reading a cold manuscript from the court reporter. So it's just that much more important to be able to convey it to the judge who's going to be making the decisions live.

Craig: Well, and I think about that when I'm when I'm thinking about the presentation of the trial, I think about art, who's my strongest witness? What is, you know, the elements of story? What does that thing that you want to convey right in the beginning? And what note do you want to end your case on? And who's your worst witness? So you can call them right after lunch when everybody's really, really tired and haven't had their afternoon cup of coffee yet, or at least it hasn't kicked in. So, I mean, a lot of it is just is good storytelling and

Matt: it's going in prepared, which, of course, you can't tell a good story. And just to be clear, I know when we say story sometimes that can be construed as that telling something that's fiction. It's trying to paint the accurate picture of what happened, but doing it in an effective and engaging way. Write the story of somebody's life. Right. And you have to be able to know how to organize that, to put, you know, to to put it out there in a way that people can easily digest and it's going to engage them and draw them in.

Craig: Right. Quentin Tarantino makes a cool movie, but sometimes it's not great to start in the middle of the story. You know, you got to start in the beginning.

Matt: Right. And it's impossible to tell that story effectively if you're not prepared going in. So that's not just having your documents, but it's knowing the material. And it baffles me how often I run into some practitioners that it's just clear that they are not like they're not ready, like they did not spend any time getting to know their client, getting to know the story, preparing their exhibits. And you can't expect them to get up there and tell a good story on fly.

Judge: But we can't talk about this without also recognizing. The reality is that is when I was in private practice, my main clients were oil and gas companies, and they had the finances to be able to allow me to prepare adequately before representing them in court. That may not be the case when dealing with some families.

Craig: And that's a great point. And I tell people that all the time is I can't take the tall building approach to your case because, no, I can't depose every possible witness. We can't subpoena every possible document. We're fortunate that we're able to work with people that have resources, but everybody has limited resources when it comes to divorce and family conflict. And so we have to remember as practitioners that we represent people and not companies. And people, generally speaking, don't have unlimited access to funds and unlimited access to the courtroom doors.

Judge: And that's so important for the Chancery judge to remember at all times so that he doesn't base a decision just because one side has more resources than the other. It is still important to have an attorney that is good enough to be able to know exactly what kind of evidence he or she needs to put into evidence at trial so that the court can still make a decision based on the law and the facts and not just about the resources that one party has over the other.

Craig: And Judge, I'm glad that we're talking about the preparation of lawyers. Talk about a little bit about the preparation for a judge, because obviously you've got to for example, you might have a five day trial coming up on specific issue, what do you do to prepare yourself before you take the bench and the bailiff says, all rise?

Judge: I can be very specific on this case, we have we set our docket here in Rankin County so that we are anticipated to be in trial in court from eight thirty a.m. to 5:00 pm with an hour and 15 minute break at lunch, four days a week. And Friday is our what we call X Parte date, where we handle matters that can be handled without having to go to trial. And it's also my preparation date. And I also prepare well in advance for all cases when I had the time during the week. So I read the pleadings and I review the law and I actually write out an outline for every case that is going to trial so that I know these are the issues that are in play. This is the law regarding those issues. And I leave a blank in there so that I can fill it with the facts that are presented and then I can give a pretty efficient decision.

Craig: You said that you made an outline for your case. And then while the case is actually proceeding, you can start applying the facts to the law, right?

Judge: Yeah. The one thing you don't want to do as a judge is pre-judge any case, because I can't rely on any evidence outside of what is introduced and admitted into evidence at a trial. But I do want to know what the law is about the issues that are going to be tried that day. So I want to make sure I'm up to date on whether, what the law is on a downward modification of child support, because I know that's, what's going to be at issue. I want to know what factors this court needs to look at when making that decision so that when the facts come out at trial, I can apply them quickly.

Craig: So what are you actually doing while you're up at the bench? I mean, you know, when I was in law school, we didn't have computers. And so if somebody wasn't taking notes or sleeping or something like that, you could, you could pretty easily tell, but I've gone back and done a few presentations that at Ole miss and at Mississippi college, and everybody's behind a laptop and of course judges have computers on their, on their bench. And I'm not saying that no law students playing solitaire while their teachers giving them a great constitutional law presentation. But what are you doing, judge? What are you doing on the bench while evidence is being presented?

Judge: Well, I have two computers on my bench. One computer is for what we call real time so that I can see what the court reporter is typing in real time. So if there is a something that I missed or a, usually it's a figure, I can't write down these large numbers that attorneys are talking about when it comes to property division. So I have a real time computer screen that that's all it's on there. And then on the other screen, I'm taking my notes.

Craig: Facebook's on the other screen.

Judge: I find that I can type I type well enough. I can type notes faster than I can. Right. So that's what I'm doing on the other end.

Matt: So you're typing into the outline that you mentioned earlier

Judge: Word, and I format it real quickly. And then I just go at it. I try to get as many words that is testified as possible.

Craig: I was joking with you about looking at Facebook on the bench, but I do want to talk about social media. And what were your, what were your perceptions about social media as it impacted your work on the bench? And what has what's the reality? I tell people that there is absolutely nothing you can do on tik tok, Instagram, Facebook, Twitter, or any other social media platform. That's going to help you in a courtroom setting. It's only going to hurt. Am I right? Or am I wrong?

Judge: You're right. Yeah. That's the hard truth. I, it is such an issue that this court, uh, has a standard, I don't want to call it a diatribe, but a standard speech that it gives to participants in cases where it's an issue. And I tell them, just get off of social media. If you have children and you want to constantly post about the father or mother of that child and the children themselves, it may be better. And probably is for your court case to get off of social media altogether. It is not going to alter their lives for the better or for the worse. If you get off of social media and exhibit A, B, C, and D of every single contempt or modification hearing that I have is social media posts.

Craig: Sure. I can't pay my child support, but I'm taking a, a cruise in the Caribbean right now.

Matt: I went to a concert or

Judge: can you believe how bad my child's father is even worse?

Matt: You know, I, and I couldn't agree more, your honor, I I've never done the actual math, but I believe that social media is a part of over 90% of the cases that I work on, whether it led to some of their original problems is in, like, if they rekindled a relationship with their old high

school sweetheart that they reconnected with on Facebook, or whether you're using it as actual evidence of things that's happening, you know, during the case. And I tell, you know, my folks that it's a good thing for them to just get off of it. If you want to, if you want to look at it, it's fine. You don't have to delete your account. And I don't want you to get rid of, of evidence, but you gotta prioritize, you know, your, your life at this point. And I want you to have the same commitment to your case that I'm about to have to your case. And if you're telling me that you just can't make it without posting a picture of what you ate for lunch, then we're just not prioritizing the thing, you know, your case the same way. And so it's not much to me, it's not much of a sacrifice that you're going to have to make for the next nine months or however long that it takes to, you know, get everything done.

Judge: I agree. And folks we've been in the social media era for so long. It is probably very difficult for a lot of people to get off of social media. They get their community belonging. They get a lot of praise through that as well. And so they feel the need to continue doing it. And that's great, except when it starts to affect particularly your children.

Craig: Well, judge, you, you seem like a pretty easy going guy. And I have had the honor of trying a case before you, what does get under your skin though? What is it that you're, that you just get mad? I have, we did a podcast on the Enneagram and how people respond to stress. And I definitely am a reactive type person, and I probably wouldn't be the best judge because of that, because I'm sure that I would do or say something that I would almost immediately regret. But, so what about you? What, is there anything that particularly gets under your skin when you're hearing a case or when you're working in open court?

Judge: The answer is no, because I understand how important it is for a judge to be emotionless and cold when hearing and deciding a case. I don't want to make decisions based on emotion. I want to make them based on the facts and the law. So I try very difficult. Like I said earlier, to always remember, there are going to be some bad facts and it's going to be upsetting, but we're all sinners. And we can, we're all children of God. But at the same time, remember that I can not let that get me upset because that may affect my decision in a negative way. Uh, obviously there are many things that are said on the witness stand that are upsetting, and I take that into account and I make decisions based on that, but I don't like to get the emotional reaction of angry.

Craig: Cause your emotions will they'll fool you. I mean, really, but you, you can't always trust them. And you said that. So articulately, just the idea of, of just applying the facts to the law,

because it would be easy as a divorce lawyer. It'd be easy as a family court judge to get wrapped up in the emotion associated with the cases, but it really doesn't serve your clients and the people that you serve well.

Judge: I've had enough cases and it happens all the time where an attorney will tell me a bad fact. And normally it would, it would start raising the ire and the judge, but then the other attorney on the other side has an explanation for it. So I know that you don't need to let your emotions get the best of you, keep them in check because there's always two sides of every story.

Matt: Well, your honor, talking about emotions, how important do you think it is for the actual litigants, the parties that are in there to keep control of their emotions while they're in court? Because I always tell people that their body language matters and the things that they're the way that they're reacting in court matters.

Judge: I have children just like the litigants in my court. And I understand that when you are testifying from your heart, you're telling the truth that sometimes you can't control your emotions and that's okay. I understand that the one emotion that I do want litigants to try and do a better job of holding back is anger. We're in a court, this is a, a stale cold proceeding. Yes, you're going to get emotional when talking about your children, but there's no need for the fight reaction to take place in a courtroom, demonstrate to the judge that you are calm and that you can make rational decisions, not based on emotion and keep at least the anger or desire for retribution against your soon to be ex or a father of your child, or to remain in check. I don't want to see it. I want the facts not clouded in emotion

Craig: You said this and it really, really struck me when you said that we're in a stale cold environment. And you know, sometimes family dispute is not best resolved in that stale cold environment. So my question to you judge, is how has your experience on the bench affected your perception of ADR, alternative dispute resolution, settlement and compromise?

Judge: Another thing that, uh, you and Mr. Easterling understand Mr. Robertson, that your clients may not fully understand is what we've talked about earlier is I don't know the full family dynamic at play. I haven't been involved in these people and the, your clients, his family from day one. All I know is what is introduced into evidence at trial. And so your clients may have a hard time understanding that I don't understand everything fully. So I always believe that if the two people that understand that the best the parties in the litigation can come to a mutual

resolution involving their family, their children, then that's better than what I can come up with, without knowing the full story, because I trust them to make the best decisions for their family, if they can. And sometimes they can.

Craig: And I've never thought of this analogy till right in this moment, but it's almost like you're viewing this family through a telescope you're removed from them. And you have a limited window of perception when it comes to the full story of what's going on with a family. Cause there's no way in six or seven hours of a one day trial, that you can really fully understand the history and the richness of the people that come into your courtroom.

Judge: I'm just looking at it through a microscope. I don't get the full picture. I'm just getting a microscopic view of usually just the dirty laundry and not the good things

Matt: I always thought of it. Like if I did a good job at best, you're getting the cliff notes on the actual story. Yeah. And I tell people to this day, you know, if you let a skilled attorney be on the other side of me and you made me, I'm a party in a case and you threw up my three worst moments where I just lost my cool or just things that I would be ashamed of. You could make me look like a monster. Now you've, there's no context there, but it can be done where it is. You can make somebody look different, then you know what they really are. Because like we said earlier, nobody's perfect. And everybody's had a reaction or done something that they wished they had not done, or, you know, or there's a shame to the way that they responded. And then I've even, you know, we were talking about the way that people's body language in court. I remember early on in my career, there was this lady, the other side kept saying that, um, you know, the way that she would yell or that she would be mean or ugly. And I, this was the most mild-mannered soft spoken person I'd ever met. I was like, this is just, I just, it's just not that this can't be right and goes in complete conflict with everything that I'm seeing. And then on the witness stand her head spun around and fangs came out. And I know that the judge had to have been sitting there think, cause there were two completely different sides to the story. You know, this isn't me at all. Wait, this is what this person is like. And then they got to see it in real time. And it's like, all right. Some of what they said earlier makes a little bit of sense.

Judge: Your clients need to remember that. That's the only side we see on the witness stand.

Craig: If, if we had a time machine here in the Rankin County, Chancery court and judge Troy Odom could get in that time machine and go back five years and talk to lawyer, judge Odom, what would you tell yourself?

Judge: Stick to the plan. It works out. You know, I was telling you this earlier, I've always, I try to have a four or five year plan where I set a goal, a good lofty goal, and I put it into place. And I know that it's going to take a while to do that. It doesn't happen overnight. So I would tell myself, continue doing that and stick to the plan.

Matt: Any advice that you would give to litigants people that might be coming into your courtroom, or it might be getting ready to embark on a unfortunate family law.

Judge: Yes. Listen to your attorney. They have gone through three years of specialized education. They have taken a very difficult bar. They have many years of experience trying these cases they know better than anybody. What it is the judge is looking for, rely on their experience in front of the particular judge, listen to them, follow their advice.

Craig: Judge, what is worse? lying or admitting to doing something stupid?

Judge: Lying

Craig: Is it obvious when somebody's lying?

Judge: It's not always obvious, but sometimes it is and the judge will always find out. I give people credit when they admit and make themselves vulnerable and admit to bad acts.

Matt: I tell people, your honor, that if you're breaking down, what happens in the courtroom that about 90% of the information that the judge hears or takes in comes from the testimony of the parties. Another maybe 5% goes to other witnesses. And then 5% is from the act documents, things that go into evidence that helps support parts of the testimony. So whether those percentages are exactly right or not, it makes a big difference whether the court can trust what's coming out of your mouth because if you lie and the court cannot trust anything that you've said, it's going to be difficult to have any type of positive results.

Judge: Yeah. That's funny that you mentioned the percentages like that because I kind of look at it is similar. Take a plate of spaghetti, right? The noodles and the meat are the main ingredients.

Noodles can be the documentary evidence and the meat can be the testimony on the witness stand, but it's still not spaghetti. You still got to have a lot of other ingredients. And those other ingredients are the demeanor of the witness on the witness stand, how trustworthy the, the judge believes them to be how prepared they are, how passionate they are about their positions. There's just so much more that goes into it than just, you know, the noodles and the meat, the testimony, and the documentary evidence. There's so much more that the change the judge has to take into account when making a decision

Craig: and judge, I think that's a great message for all of our listeners when they're coming to court and, and thinking about that is I tell, I tell my people that look from the moment you step out of your car, to the moment that you step back into your car, you are under that microscope and how you treat the folks at the courthouse matters, how you treat the bailiff matters, how you treat the court reporter matters, how you interact with your witnesses, how you interact with the lawyers, all of that doesn't make it onto the record, but it certainly is part of the perception that is received by a judge as yourself,

Judge: At least in the courtroom, what happens in the courtroom. It so many minute details go into how many times do they sit back, cross their arms and silently and roll their eyes. How, how much respect they give to the father or mother of their child. That's a big thing for me, that is the mother of your child, treat her with respect and vice versa. I want to see somebody that does treat that person with respect. I want somebody that knows that a healthy relationship with the child means having a good relationship with both parents. I want somebody that desires that.

Matt: I'm glad that you brought that up, your honor. Cause I tell people all the time that I feel like there is this misconception, not only with parties, but even with some attorneys, that the way that you have to win a custody case is by tearing the other side down. And it just doesn't have to be that way. I mean, you're going to put whatever the facts are in, but making a determination that a child is going to live with one parent over the other, doesn't have to be an indictment on the noncustodial parents, you know, ability to be a good parent. It just might be that that's the way that this situation works best. You know, their schedule is not conducive to actually, you know, having a child within them the majority of the time you can do positive things in a courtroom by complementing your spouse's ability, you know? Yes, he's a good dad, right. You know, she's a good mother. I think that that can be meaningful to the court. Cause like you said, it can, I would imagine that it would let the court feel better about the idea of if this child is with this influence, the majority of the time that, you know, both sides are going to be able to stay

involved. Whereas when you have somebody up there that just won't do anything, but say the other side is the worst. It just, it doesn't feel good. It doesn't feel like any way that you slice it, that that, that child is going to have a healthy environment.

Judge: Well, y'all understand that the court has to look at, uh, the Albright factors as well of all Albright factors when making a determination on custody. And one of those factors is not how effectively you tore down the other side, it's just like you said, Mr. Easterling about the positives and which parent would be the better. Who has the continuity of care who has the employment that allows for effective childcare, et cetera, et cetera.

Craig: Absolutely. And judge, we've run out of time today, but I just really want to thank you for taking the time to talking to us today, to talking to our listeners. And we really appreciate the hard work that you do. You often go without a thank you. So, so thank you, Judge.

Judge: Well, I appreciate you saying that, and there's just so much, we are so limited in what we can say. I think this is a great way to get information out there from the bench to people who would be in the court proceeding in a way that's still ethical and informative.

Matt: Yeah. Thank you so much, your honor, for being with us. And we hope that we can have you back in the future.

Judge: Always a pleasure.