

INSIGHTS

Tales From the Bench: A Conversation With Joe Cox

April 7, 2022

By: [Vincent E. Morgan](#)

On this episode of Bracewell Covered, Bracewell partner Joe Cox shares stories from his time on the bench with host [Vince Morgan](#). Joe is a former judge in the 160th Judicial District Court of the State of Texas. Joe is known for combining his skills of representing clients in a variety of industries with his straightforward approach, outgoing personality and deft courtroom demeanor. Clients appreciate the tactics he brings to jury and bench trials and appellate matters, representing them in complex financial and commercial disputes as well as class actions.

Tell us how long you were on the bench, how your career started and what have you done since.

I was on the bench back in the early 2000s and served a term. As most people here in Dallas who know me know, prior to joining the bench, I was at a firm called Hughes & Luce. I followed in the footsteps of one of my former colleagues, now a federal judge, named David Godbey. I followed his footsteps to his bench, served a term. I had two kids born while I was on the bench, one right before I took the bench. With the amount of kids coming, I decided it was best to leave the bench and go back into private practice, and that's what I did.

When you were a judge listening to lawyers, what approaches worked well and which ones didn't?

Being a state district judge and a judge in Texas, you'll see levels of counsel from almost incompetence all the way up to what's the finest in any type of case. It's not typical of insurance cases. The volume defense lawyers, car crash lawyers, over time they get better and better because they're in the court so often. I saw lawyers change and get a little bit better each time they tried a case or each time they argued something. I find that lawyers who know the pleadings, know the documents, know their case are the lawyers that do best in front of any judge.

Did you see any particular techniques concerning coverage cases? Is it early summary judge motions? Anything that helped resolve these types of matters sooner?

I think that lawyers should use the courts to get answers that will help them become more efficient and also help move cases along. One old judge told me one time, "Listen, you can file a motion for anything. It doesn't have to be in the rules. It doesn't have to be called anything, but just bring it down to the court if you think the court can help you."

I would see lawyers use motions every time you're down there. I take this mantra. Every time I go to court, I want to tell the judge something about what's going on in the case so that the judge knows why we're having this argument or why this case is still going forward. Give the court the information to understand what's going on in the background outside of the case that the judge never sees.

Do you have a memory from a case that you handled as a judge or as a private litigant? Anything that jumps out as the craziest insurance claim you had to handle?

I had a case in my court involving an outbreak of some disease that hit a chicken farm. A lot of the chickens died at this one facility. They filed suit and were seeking \$25 million, which was a policy limit. They were arguing over that.

We had several hearings. It went on and on, and eventually the case settled. We didn't get to the trial of it. It eventually settled after various rulings that I made in order to let the insurance company know that this was going to be a covered event based upon what the policy says and what had been pled. Very interesting. Lots of money. People don't realize how much money's involved with business interruption and insurance cases. They get good lawyers on both sides, big names, not people that are going to make the court mad, but people who know how to address a court and how to argue and try cases. They're good lawyers. It was an interesting and fascinating case because I learned about chickens and how they got diseases.

Want to learn more? Contact [Vince Morgan](#) or [Joe Cox](#).

The opinions expressed in this podcast are those of the speakers and do not necessarily reflect the viewpoint of their institutions or clients.