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WHAT I LEARNED AFTER LAW SCHOOL by L. "Milton" Cancienne Jr.

I knew that I wanted more education than a B.S. degree with a major in accounting, and law school was a logical continuation. I entered L.S.U. Law School in the fall of 1960, having just graduated from L.S.U. undergraduate school in three years. I knew that 50 percent of the freshman law school class flunked out, so I was running scared.

When I was in college and law school, exams for the fall semester were after the Christmas holidays so that allowed me extra time to study while others played around. My freshman law school class was approximately 100 students. I studied night and day for 15 days during the Christmas holidays of my first semester. I finished eleventh or twelfth in the freshman class that semester. Of course, I accomplished this by studying while others were enjoying the Christmas holidays.

John Kennedy was assassinated on November 22, 1963. I joined the Air Force Reserve on November 23, 1963, while still in law school; however, my basic training did not begin until February of 1964.

The year 1964 was very busy for me. I graduated from law school in January, studied night and day for the bar exam for a month, began Air Force basic training phase one in February, completed basic training phase one (Lackland AFB, TX), completed basic training phase two and tech school for administrative assistant (Amarillo AFB, TX), (where I learned something very useful – typing which is a very helpful skill when using a computer as much as I do), did on-the-job training (Alvin Callendar Field, Belle Chase, LA) in June, studied night and day for the bar exam for three weeks, took the bar exam in July, and most importantly, I passed. I also took my first job as an attorney in September.

I wanted to do an internship with another attorney such as a doctor does a medical internship. I was unable to find an attorney job in Houma but knew of an L.S.U. law school student who had worked for an attorney in Colfax during the summers he was in law school. I surmised that if the attorney in Colfax would hire someone during the summer, he might hire someone full time. I wrote the attorney a letter, and he invited me for an interview at which time he told me that I could work for him when I passed the bar exam.

The man I went to work for in Colfax was a good attorney, but he was not around much. A semi-retired attorney down the street was also a good attorney. When my boss was not around (and sometimes when he was) and I did not know how to carry out an assignment,

I would walk down the street to the older gentleman's office, he'd tell me what to do, and I'd walk back to my office and do it. That was my internship, and I learned a lot. I made \$500.00 per month, and I do not believe that anyone in my law school graduating class made more.

I stayed in Colfax 14 months, and in November of 1965 moved back to Houma to open my first law office on the second floor of the People's Drug Store building at the corner of Goode and Main Streets. I made friends with a couple that had a bookkeeping business and insurance agency in the building. After about seven years, these friends and I rented and remodeled the building (mostly with our own hands) at the corner of School and Church Streets for offices for both of us. I was there seven or eight years when the employees who purchased Houma Auto Parts from my father and rented the building at 515 Barrow Street (where I had worked as a janitor and stock boy) decided to build their own building. I then remodeled the property for a law office and two rental units. I now practice law in the same building in which I once worked as the janitor and stock boy.

I learned very early in my legal career that I did not care for trial work. It was unpredictable, confrontational, and a lot of sitting around and waiting. I did all kinds of legal work when I got started: income tax returns, real estate transactions, collection work, estate planning (Wills, etc.) and successions. I had to decide what I could do to support my wife and myself with my legal education. The law practice that I really liked was estate planning (Wills, etc.) and succession work. It fit perfectly with the undergraduate degree I had in accounting.

In 1971, Morris Lottinger Jr. suggested that I call his father, Judge Morris Lottinger Sr., a longtime judge on the First Circuit Court of Appeals – that his dad had something in which I may be interested. Judge Lottinger Sr. offered me half of a clerkship. By a half of a clerkship I mean that the Judge was splitting the work of one clerk between two people. I accepted the job because it was extra money and also because it provided medical insurance for my family and me, a luxury which we did not have. This job entailed writing drafts of the opinions for four or five court of appeal cases each month. I was able to write the drafts on weekends and continue my law practice. When Judge Morris Lottinger Sr. retired, Judge Morris Lottinger Jr. was elected in place of his father, and I clerked for him two more years working on weekends.

In 1982, I was asked to teach a paralegal course, Wills and Estates, at Nicholls State University. I accepted the challenge and usually spent eight hours on Saturdays preparing to teach three hours on Wednesday nights. It is said that to learn something, teach it to others. I agree with that.

In 1996, the Louisiana Bar Association began offering board certification in different areas of law practice, one of which was Estate Planning and Administration. I thought I knew what I was doing writing Wills and handling successions, but I had no way of judging my own work. I decided to take the board certification exam to see if I knew as much as I thought I did. I was in the first group of attorneys to take the test. It was an open book exam, and there were 13 questions. Those being tested were to answer 10 of the 13

questions. We had two or three months to complete the exam, so I worked on a question each weekend until I had answered 10. I passed, and I am a board certified Estate Planning and Administration Specialist.

In 1998, I read that the American Bar Association would present a boot camp for attorneys at Emory University in Atlanta on the subject of estate planning and taxation. I applied and was accepted, one out of a class of 100 attorneys from all over the U.S. I recently spoke to a Baton Rouge attorney who told me he had applied and was not accepted, so I felt fortunate to have been accepted to receive this top notch educational opportunity. It was a week of lectures from morning until night, a three week break back in my office, and then another week from morning until night. The facilitator of the boot camp was the professor of estate planning and tax law at Emory, and in addition to the lectures he gave, he flew experts in from all over the country to lecture. I learned a lot that is useful even today.

As an estate planning and succession attorney, I have written many Wills and handled many successions, large and small. However, I think I also function as a social worker that untangles the messes my clients have made of their family relationships (sometimes successful) and their lack of a filing system. As a matter of fact, one of the things that we teach our estate planning clients at our first meeting is a filing system that, if done by the client, allows the handling of an estate to be more of a legal matter and less of a scavenger hunt for information about the assets of the decedent that is needed to handle the estate.

In 1985, I handled an estate that involved 137 heirs. The whereabouts of two heirs were unknown, but I was able to locate them using a series of newspaper ads (no internet then). The other major problem was that I would have to prepare a Louisiana Inheritance Tax Return for 137 heirs. This forced me to learn how to use a computer spreadsheet program and that has been a huge benefit to me in my succession practice.

In 1986, I received a telephone call from the secretary of a personal injury attorney in Houma whose father had died recently leaving an estate larger than any I had ever handled. She told me that though her boss and his brother were both attorneys, her boss would like for me to handle his father's succession because neither he nor his brother handled estates and that she would be back in touch. I did not know this attorney very well, but I asked around and decided to handle the succession. I learned upon completion of the succession that a couple of the local judges had told the attorney who became my client that, if he wanted the work done locally, I was the best one to do it. Learning that the judges who had observed my legal work for about 20 years approved of it gave me confidence.

Beginning in 1993, I assisted three families or groups of people collect millions of dollars from the Louisiana Lottery. Having three clients win the lottery may be a record for one attorney. I know that one of my partnership agreements that I prepared in connection with the lottery was provided by the Louisiana Lottery to other lottery winners as an example. I believe that one of the great successes of my law practice is that one of the

lottery winners I assisted has passed away and paid no federal estate tax, and it was all done honestly.

In 2010, I was contacted by a representative of an oil company who was searching for an estate attorney in Terrebonne Parish. The oil company held money in escrow for an Englishman's only heir, his daughter who lived in England, and it was necessary for his succession to be opened in Terrebonne Parish. The daughter in England and I never spoke. We communicated by email, and this forced me to become comfortable with email. After one of the hurricanes that tore through South Louisiana, my English client contacted me by email because she had seen news of the storm on television and wanted to know that I was okay.

I cannot remember the time this took place, but a client came to me to do his estate planning for his rather large estate, and at the end of the first meeting, I asked the client who referred him to me. He told me that his C.P.A. had, and his C.P.A. also told him that he had two choices; he could make an appointment with me or he could go to one of the big law firms in New Orleans.

At one of the many legal seminars I attended, the president of the Louisiana Law Institute (the official advisory board that suggests law-revisions to the Louisiana Legislature) asked anyone who had recommendations for the improvement of succession laws to write to him and that he would see that the suggestions were presented to the Louisiana Law Institute. Without getting into the details, I made a suggestion to simplify the method for a curator (guardian) of an interdict (legally incompetent person) to agree to a simplified method of succession administration on behalf of the interdict. My letter with the suggestion was dated August 25, 2008, and it became law August 1, 2016, as Louisiana Code of Civil Procedure Article 3396.9. This is a minor thing, but I still have the satisfaction that my suggestion became law.

I have been recognized as an outstanding attorney in my area of expertise by *Super Lawyers Magazine*, *New Orleans Magazine*, and *Acadiana Profile Magazine* and was featured in the February-March 2013 issue of *Acadiana Profile* in an article that explains my handling of the estate that involved 137 heirs.

A company, Martindale Hubbell, has rated attorneys for many years based on responses from other attorneys and from judges. For over 25 years, I have been rated AV Preeminent, the highest possible rating in both legal ability and ethical standards.

I have had the pleasure of practicing law with my son Troy since 2000. He is knowledgeable, thorough, and attentive to detail, all qualities necessary to write Wills and handle successions properly. We teach each other something new almost every day.

My legal education is ongoing and will never end.