

# Interview with Family Court Judge Charlene Charlet Day

BY JENNIFER M. MOISANT

## VITAL STATISTICS

**Full Name:** Charlene "Tootie" Charlet Day

**Age:** 59

**Title:** Judge, The Family Court of East Baton Rouge Parish

**Education:** 1971, Silliman Institute; 1974, B.S. in Education, Louisiana State University;

1980, M.Ed. in Supervision and Administration, Louisiana State University;

1994, J.D., LSU Law Center

**Married to:** Archie T. "Scooter" Day Jr.

**Children:** Brooke and Michele

**Grandchildren:** One beautiful grandchild, Kristian; and another expected in February

*ATB: Where are you from originally?*

JCCD: I was born in Baton Rouge at Our Lady of the Lake Hospital approximately two weeks before Christmas. At a few days old, my parents moved the family to East Feliciana Parish, where they opened Charlet Funeral Home in the town of Clinton. My brother, Chuck Charlet, and I were raised in an apartment attached to the funeral home.

*ATB: How did you get the nickname "Tootie"?*

JCCD: I don't know what to tell you except what my dad told me. He said that Charlene was too long for a little baby. The name stuck and everyone called me Tootie until my senior year of high school. One of my teachers, Ms. Lorraine Caulfield, refused to call me Tootie, and of course at LSU, they called me Charlene. I wasn't used to responding to that name.

*ATB: Tell me something about you that not everybody knows.*

JCCD: I graduated from high school on a stretcher. On May 6, 1971, I skipped my afternoon classes with friends to shop for graduation dance dresses. As we were crossing the railroad tracks in Slaughter, La., our car was hit by a train. Fortunately, we all survived, but my pelvis was fractured and I was confined to bed for six weeks. Since my family owned the local funeral home, I was transported to my graduation ceremony in the rear of a hearse on an ambulance cot. I graduated on a stretcher in a pink dress instead of cap and gown. Needless to say, I did not attend the graduation dance.

*ATB: So does that send a message to young people out there thinking of skipping school?*

JCCD: It should.

*ATB: What did you want to do for a living when you were younger?*

JCCD: My mother always wanted me to become a teacher so that I could be home with my children during summers. When I looked at the hours of science required to get a degree in elementary education, I figured it would be an easy degree to earn. (Science was not my forte.) I was only 17 when I made that decision. I married my first husband after completing my first year of college, so I hurried through my undergraduate degree to get out and start working. I couldn't wait to begin working. I took the maximum amount of hours every semester so I could graduate early, and I was expecting my oldest daughter when I graduated in December 1974.

*ATB: You started teaching soon after?*

JCCD: Yes, I started teaching fourth grade at Silliman, which is where I had graduated from high school. I taught there for three years. After that, I was divorced and moved to Baton Rouge, and for the next 13 years I taught at Northwestern Middle School in Zachary. During that time I was honored by being named Teacher of the Year at my school. I was also a finalist for East Baton Rouge Parish Teacher of the Year.

*ATB: What made you decide to switch careers? Did you have an interest in the law?*

JCCD: I did always have an interest in the law. I'm an avid reader, and I remember reading a book called *Rage of Angels* by Sidney Sheldon, one of my favorite authors. The main character was an attorney, and after reading it, I decided that I wanted to become a prosecutor. The main

character may have been a criminal defense attorney—I can't really remember anymore, but that's what sparked my interest in the law.

*ATB: Where did you go to work out of law school?*

JCCD: After law school, I clerked at the 20th Judicial District Court for Judges William F. Kline and Wilson R. Ramshur. I spent Monday, Tuesday and Wednesday in East Feliciana and Thursday and Friday in West Feliciana. I was in court every single day of the week. My judges were very different in their styles, but I considered them both to be extremely knowledgeable on the law. I try to emulate the best qualities of both. Judge Ramshur is deceased now, but I see Judge Kline occasionally, and he never fails to tell me how proud he is of my accomplishments. Being a judicial law clerk was an invaluable experience that I would not trade.

*ATB: How did you come to practice family law?*

JCCD: Upon entering law school, I discovered that I was more interested in family law than criminal law. I realized I wanted to work with people, and help them out directly, rather than doing prosecutorial work. I felt I would be able to use my knowledge of the law to help families. You know, as a teacher, I observed many families going through the divorce process, and I saw firsthand the impact of divorce on the children. Also, Professor Lucy McGough influenced me. She had a help session for my section the semester I studied family law. She encouraged me to go into the family law arena.

*ATB: Do you miss being a teacher?*

JCCD: When I first started practicing law, I missed teaching during June and July, and around Christmas when I didn't have enough time to do all the cooking and shopping. But seriously, I did miss having contact with children once I became an attorney. As a family law attorney, I always tried to avoid involving the children in the court proceedings.

*ATB: What made you decide to run for Judge Higginbotham's seat?*

JCCD: That's easy! The seat became available. At the time Judge Higginbotham decided to run for the open seat on the First Circuit, I was very satisfied with my practice, and I liked the judges who were sitting on the Family Court. After clerking

for judges, though, I knew I wanted the opportunity to sit as a judge, but I didn't know if that opportunity would ever arise. I have always felt that I would never run against a sitting judge. Once the seat on the Family Court became available, I decided to run. I thought that I was qualified for the job because of my work history. Throughout my work life I worked with children and families. Running for this seat was the next step in my career. Also, Toni's district was the district I had lived and worked in for more than 32 years, 16 as a teacher and 16 as a family law attorney.

*ATB: Has it been difficult to transition from attorney to judge?*

JCCD: It certainly gives you a different perspective of cases. From an attorney's perspective, the job appeared to be much easier. It's not as simple as it seems. I thought it would be easier to make decisions. It's not! I also have to remind myself to get over the feeling that I should advise attorneys on how they should handle the case. I still think like an attorney. I'm adjusting to this new perspective. It's an awesome responsibility.

*ATB: Do you have any advice for attorneys with little experience in your court?*

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JCCD: Proofread your pleadings. As a former teacher, I'm always surprised at how many attorneys don't proofread the documents they submit. I would advise attorneys to make their arguments to the court, not to each other. It's a pet peeve of mine when attorneys start arguing with one another in the courtroom. I would also encourage attorneys to be better prepared for both status conferences and for court. Finally, I think that especially in family law, attorneys have a duty to counsel their clients to act in the best interest of the child. The best gift divorcing parents can give their child is to treat one another with respect. They should treat one another as they would like to be treated.

*ATB: What do you consider your most important duty as a judge?*

JCCD: Being available to resolve as many issues as possible. I consider myself a public servant, and my most important duty is to be available to help. I have to give credit to my fellow judges on the Family Court. They've been very helpful, and I find it very satisfying to work with other judges who have the same attitude about being public servants.

Our family court judges have such innovative ideas and solutions to problems. For example, Judge Woodruff-

White was the point person for starting our Self-Help Center to help self-represented litigants in filing the appropriate pleadings.

*ATB: What do you like to do in your free time?*

JCCD: I enjoy reading. I am constantly reading a book. I also like to cook when I have time. I like to watch movies. I like to visit and talk. My husband and I are huge NASCAR fans. We actually love anything involving racing, from boats to cars to motorcycles. We have gone to Talladega every year since 1990! I also love the beach. I wouldn't say I'm a world traveler, though. I'm still simply a country girl at heart.

*ATB: Is there anywhere in particular you'd like to travel?*

JCCD: The original Charlets were expelled from France and sent to Nova Scotia; they ended up in Louisiana. I would love to visit both Nova Scotia and France.

*ATB: Tell me more about your family.*

JCCD: My daughters are both school teachers, and they both teach at the school where I taught before I became an attorney. My oldest daughter was elected teacher of the

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year. I'm so proud of both of them. It was nice to learn, while I was campaigning, that their students seem to love them too.

I have one granddaughter, Kristian, and we're expecting a second granddaughter in February. I have a granddog and a grandcat, too.

My husband is an avid outdoorsman who hunts and fishes every opportunity he gets. I always joke that is probably why we've been married for almost 32 years. We spend quality time apart as well as together.

*ATB: He's your bedrock?*

CCD: What?! I'm his. No, all kidding aside, he was the best "sign man" any candidate could ever want. He has certainly supported me every step along the way in my career.

*ATB: Are you active in any organizations?*

JCCD: Well, first and foremost, I am trying to be the best judge I can be. I'm involved with Capital City Republican Women, Zachary Rotary Club, Republican Women of Central, and I am a member of both the Zachary and Central Chambers of Commerce. I attend church and am a member of St. John the Baptist Catholic Church

in Zachary, and its mission church, Our Lady of the Assumption in Clinton.

*ATB: Which three people—historical, fictional, real or whatever—would like to have dinner with?*

CCD: I would choose Atticus Finch (he was a good man); Andrew Jackson (my favorite president); and my paternal grandfather, who I never had a chance to meet (he died when my father was only 19).

*ATB: Do you have any role models?*

JCCD: Judge Kline and Judge Ramshur were certainly role models to follow as a judge. Lonny Myles, who first hired me as a family law attorney, also taught me a great deal about the work ethic necessary to practice law.

And of course, my parents were my greatest role models. My father was the kindest and most patient man I have ever known. I did not realize until I was quite old that not all fathers were loving and kind. My mother was an amazing woman whose footsteps I could never follow. She was a homemaker and very active in my childhood as my Brownie and Girl Scout leader. In high school, she was a chaperone for almost every activity in which I was involved. She was also a great seamstress who designed

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and sewed my clothes for school and my dresses for dances.

*ATB: If you could make one change in the system, what would it be?*

JCCD: One easy change is that I would like to see all litigants educated by their attorneys regarding the matters that are coming before the court so that they know what to expect. Some litigants are totally unprepared for their court appearance. I would also like to see them educated as to how they should act and dress in court.

A more difficult change would be to educate people about the long-lasting, detrimental effects of domestic violence on families. I've observed, at least since I've been on the bench, an increasing number of families affected by domestic violence.

I would also fix the fact that so many fathers are not active in the lives of their children. Many appear to feel it is not their obligation to support their children, financially or emotionally. And finally, the number of children attempting to raise children is a disturbing problem that has increased in recent years. I wish I knew a remedy for that situation. ■

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