S.J. legal lion James Boccardo, personal-injury pioneer, dies
By Howard Mintz and Mack Lundstrom
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James Boccardo, San Jose's tempestuous king of torts who pioneered innovations in personal-injury trials and became one of the first lawyers in the nation to win million-dollar verdicts, died Monday at his home in Los Gatos. He was 91.

The founder of a powerhouse law firm dedicated to representing people injured and wronged, Boccardo was a South Bay institution since the 1930s, amassing a real estate fortune to go along with his legal empire. Boccardo's renowned law firm survived for decades, despite being embroiled in frequent financial spats with former partners who fought the legal patriarch over clients and money.

Boccardo's son, John, said his father's health was failing in recent weeks and he "died of old age." But Boccardo said his father had remained fairly active since retiring in 1997, going out to breakfast and lunch, occasionally consulting with lawyers and spending time with Lorraine Boccardo, his wife of 65 years.

A tireless worker well into his 80s, Boccardo, experiencing some health troubles, sold his famed Boccardo Law Firm in downtown San Jose to his partners. The name of the firm exists today, the legacy of an often brash and gruff legal trailblazer who changed the way personal-injury lawyers tried cases in courtrooms across the country.

"He's the last lion," said Jack Stein, a Boccardo partner for 30 years who now leads a small remnant of Boccardo's old firm. "I believe his biggest vocation in life was to represent the little guys. He wanted that to be his epitaph."
Ties to elite banker

The son of John and Erminia Boccardo from Genoa, Italy, James Boccardo grew up with San Jose and some of its power elite. A.P. Giannini, a San Jose native and the founder of the Bank of Italy -- which became the Bank of America -- sent Boccardo's father to San Jose when the bank opened its first branch downtown shortly after the turn of the century. Boccardo once said that he "grew up on Giannini's knee."

When Boccardo started practicing law in 1934, his first client was Bank of America. Before that, Boccardo attended San Jose High School and San Jose State Teachers College, where he studied chemistry. Boccardo's mother encouraged him to go into the law, and he did, earning a law degree from Stanford University.

Jack Allen, a legendary San Jose restaurateur who died three years ago, once recalled that Boccardo, a close friend, told him: "Someday, I'm going to be the biggest lawyer in San Jose."

Boccardo did not take long to achieve that status.

He was one of the first personal-injury lawyers to take cases on a contingency basis, getting paid a third of the award if his clients won and making his firm rich. He was among the first lawyers to use mortality tables, basing his high-dollar demands to compensate for a client's injuries on life expectancy and future earning power. And he brought film and later videotapes into courtrooms to dramatize his clients' injuries.

These have all become standard practices today.

Over the years, Boccardo kept rewriting the record books for the largest judgment obtained in the county for personal-injury cases. In 1934, he started with a $12,000 verdict that was then the most in Santa Clara County's courts. The numbers got bigger every decade, as did his law firm. At its zenith in the '60s and '70s, the firm had more than 30 lawyers and offices in San Jose, Los Angeles and San Francisco.

Eventually, Boccardo's firm was dwarfed by larger firms that migrated to the Bay Area, but at one time few rivaled his in prestige. Although quaint by mega-verdicts that now reach the billions, Boccardo essentially discovered the million-dollar verdict. A $3.5 million judgment for a client injured in an industrial accident landed him in the Guinness Book of World Records in 1973.

He co-founded the Inner Circle of Advocates, a group of plaintiff lawyers who had achieved multiple seven-figure judgments for their clients.

Business stood tall
The center of Boccardo's universe was his offices at 111 W. St. John St., housed in the Community Towers, the flagship building he sold in the mid-1990s that was part of his lucrative real estate holdings. The 10-story towers, when built in the 1960s, were the tallest in downtown San Jose.

Hot-tempered and tenacious, Boccardo didn't think much of the defense lawyers who opposed him. In the mid-1960s, when some defense lawyers complained about a bronze bust of Abraham Lincoln he donated to Superior Court, Boccardo called them "miserable jealous bastards."

Boccardo's success did not come without a price. Former partners often accused him of being greedy, and he went through a series of acrimonious breakups with former disciples that, in some instances, landed in court. Those lawyers often had harsh words for Boccardo, although many spun off into some of the most successful practices in the county. Boccardo also fought over clients he claimed his defectors stole.

Robert Bohn, a former partner who calls Boccardo "the greatest trial lawyer there ever was," nevertheless says Boccardo's avarice drove partners away. Former Boccardo partner Heber Teerlink once told a legal newspaper: "Jim was so smart that he skipped the second grade. And in the second grade, they teach you how to divide. Jim never learned how to divide."

Richard Alexander, who broke with Boccardo over money and is now one of San Jose's top personal-injury lawyers, has mixed memories of Boccardo. They healed wounds in recent years, going to lunch and sharing drinks Boccardo fondly called "vodka marties." And Alexander reverently refers to Boccardo as the legal version of George Patton.

"His Achilles' heel was his inability to give up or share control," Alexander said.

Boccardo used to bristle at such criticism, but in recent years mellowed. Shortly after his retirement, Boccardo told the Mercury News: "I've got everything I could want. Everything I've touched turned to gold. I'm the luckiest son of a bitch in the world."

Early in his legal career, Boccardo met his future wife, Lorraine, while she was a legal secretary in his office. Boccardo's son, John, said that one of his father's passions outside the law was golf, and he owned a home in Pebble Beach. And in his later years, Boccardo and his wife donated to a number of causes, including giving $2 million to San Jose State several years ago to refurbish its business college.

At Boccardo's request, there will be no memorial service. Family and friends say that is in part because Boccardo was not a religious man.
But Stein, his former partner, also recalls that Boccardo did not attend the funerals of his old friends in recent years because he considered it unfair to "torture people with the loss of their friends."

``He just didn't like them," Stein said Tuesday, choking back tears.

**James F. Boccardo**

Born: July 1, 1911, San Francisco.

Died: March 17, 2003, Los Gatos.

Survived by: Wife, Lorraine Dimmett Boccardo of Los Gatos; daughter, Leanne Rees, of Bethesda, Md.; son, John, of Sausalito.

Services: None.

Memorial: None.

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