

Legal Legends: A Century of Texas Law and Lawyering



Henry Giessel

When Henry P. Giessel defended corporate clients, image was important. He is known for going to trial with only a notebook – a "Big Chief" tablet at that – and a pencil. He would wear an old suit as well.

"If you wanted to avoid communicating to the jury that there was big money in the case, you didn't carry a fancy briefcase – you dressed down instead of up," Giessel says. He has participated in more than 500 jury trials, representing corporate defendants in earlier days and plaintiffs now.

Giessel graduated from the University of Texas School of Law at the top of his class in 1950. He founded Houston's Giessel, Stone, Barker and Lyman in 1952. He became a counsel to the Marks Firm in 1998.

Born in Germany, Giessel's parents were both physicians. But he says that does not explain why he came to be known as an expert in the area of medical malpractice, although it did help him better understand medical issues and how doctors think and do their jobs.

Giessel says he fell into corporate defense work by accident. An early client of his was Allstate Insurance, which had a one-man office in Houston at the time. Allstate grew in Texas and so did his firm.

In the courtroom, Giessel is soft-spoken, gracious and fond of quoting literature. A co-worker points out that Giessel is chivalrous and often greets women by kissing their hands, even when the woman is opposing counsel.

His style is evident in a recent case where the Marks Firm had Giessel step in to do the arguments for damages in a wrongful-death suit. He began with formal greeting to "this most honorable and learned court, distinguished and respected counsel at both tables, ladies and gentlemen of the jury." Next came quotes from literature and then a brief, pointed explanation of how a man lost his wife and two children lost the only mother they'll ever have.

"There's not enough zeros on a typewriter to spell out those damages" Giessel said. He ended by quoting literature, from "For Whom the Bell Tolls," telling the jury: "It tolls for thee." The jury awarded in excess of \$12 million, even though Giessel suggested damages of no less than \$1 million.

"The best lawyer in the family is my wife," Giessel insists. "She was the first white student to graduate from the Texas Southern University law school and is a lot smarter than I am. And I've got two daughters who are smarter than I am, but they don't work as hard."