

Chapter 8 Humor

By J. SCOTT BOVITZ

Amusements Off the Bench: The Hobbies of Judge Clarkson

I have been interviewing bankruptcy judges about their hobbies. Don't laugh. I know what you are thinking. "Bovitz, you could interview every one of the 352 authorized bankruptcy judges about their hobbies ... and not find enough material for one Chapter 8 Humor column." However, you would be mistaken.

For example, take Hon. **Scott C. Clarkson** of the U.S. Bankruptcy Court for the Central District of California. He is a serious ocean-boating enthusiast. While waiting for the sea levels of the Pacific Ocean to rise a few miles inland to Judge Clarkson's front yard, he rides around the California coast in his 42-foot Grand Banks twin diesel trawler christened the "Stary Decisis."

With a smile, Judge Clarkson gifts baseball caps to his guests with "Stary Decisis" embroidered across the front, and with the U.S. Supreme Court citation to *Stern v. Marshall* embroidered on the side. He tells the story of how Supreme Court Justice Anthony Kennedy became the proud wearer (and owner) of one of these hats during his 2015 visit to the Ninth Circuit Judicial Conference in San Diego.

But isn't boating dangerous? In 1675, Chaplain Henry Teonge of Britain's Royal Navy recorded how two "fryers and an attendant ... prayed halfe an houre ... and sprinkled [his ship] all over with holy water" to protect the boat and crew.¹

Earlier this year, the modern "Captain Clarkson" took six Buddhist monks (visiting from Thailand) on a Los Angeles harbor cruise. After introducing the monks to the Clarkson family guacamole recipe, the monks blessed the boat with Buddhist chants. As Judge Clarkson quips, "I have this all on iPhone video, so I'm covered for any future potential boating disasters."

But boating is not Judge Clarkson's only hobby. In his bankruptcy courtroom, a lawyer stands the risk of sanctions for mispronouncing "Hasselblad" (the name of the Swedish camera manufacturer).²

Judge Clarkson, who has been an ABI member since 1999 and has previously served as the judicial chair for ABI's Bankruptcy Battleground West conference, graciously agreed to answer a few questions from Chapter 8 Humor about his

serious photography hobby/alternative career. Here is that interview.

Chapter 8 Humor: You began in photography as a 14-year-old boy in Missouri. Your avocation as a documentary photographer continues to take you around the world. Tell us the story behind your 2007 book, *Windows to Vietnam: A Journey in Pictures & Verse*, co-authored with Veita Jo Hampton.³



Hon. Scott C. Clarkson

Judge Clarkson: In 2005, I traveled to Vietnam, from the south to the north and back, documenting my travels throughout that country. At the time, Vietnam was the fastest-growing economy in Asia. It still has one of the highest literacy rates in the world — the English language is required to be taught in their schools from third grade through high school — and frankly, the coffee is the best.

Upon my return, my travel journals and photographs were sent to my colleague, author and poet Veita Jo Hampton from Tennessee, where she constructed a detailed photo array and transformed my journals into free-verse poetry as descriptions for the photos. I wanted to explore and describe Vietnam and its people as they are today, and not as the distant memory of a war in my youth.⁴

In late 2006, a friend arranged a meeting between me and the executive director of the Smithsonian Institution in Washington, D.C., which had expressed interest in publishing a book on modern Vietnam. The Smithsonian Institution agreed to publish the book; however, they were backed up three years from contract to publication, which was unacceptable to me. Thus, another company published it in early 2007.

Chapter 8 Humor: Please tell us about your photo work in Afghanistan.

Judge Clarkson: In July [and] August 2009, I documented the last month of the Afghanistan presidential election campaign and the ultimate reelection of Hamid Karzai. Traveling to Kabul through the [United Arab Emirates], I visited Kabul and Kandahar, witnessing the election campaigns of



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1 See "Ceremonial Ship Launching," Wikipedia, available at en.wikipedia.org/wiki/Ceremonial_ship_launching (unless otherwise indicated, all links in this article were last visited on Oct. 17, 2016).

2 See "How to Pronounce Hasselblad," YouTube, available at youtube.com/watch?v=1WHB02Enbe0.

3 The book is rated 4.67 out of 5 on "Goodreads," available at goodreads.com/book/show/2398352.Windows_to_Vietnam.

4 Bovitz vividly remembers receiving a lottery number of 317 from the Selective Service System. That meant he would not be called up in the draft and could devote his life to bankruptcy law. Judge Clarkson reports that his 1971 number was 141.

the incumbent president and several opponents. I also joined election observers of the United Nations to several voter-education projects, as well as refugee camps, where they were encouraging voting and fair elections. Several of my U.N. friends were later murdered or injured in October 2009 by a terrorist attack on their Kabul guest house.⁵ Later, in December 2009, my hotel was destroyed by a terrorist attack.⁶

Afghanistan was a war zone, and I was fortunate in securing the assistance of several professional assistants (in the photography world, [these are] known as “fixers”) who provided direction, transportation, interpretive services and access to many areas typically unavailable to the public. My biggest concern was roadside [improvised explosive devices], and I was fortunate in only witnessing one explode during my entire trip, and that was a half mile away from me. I also discovered and enjoyed the best restaurant in Kabul while there, Le Jardin. But that restaurant was attacked by the Taliban ... in July 2016, [so] I don’t think I’ll be going back soon.⁷

Chapter 8 Humor: Wow! Tell us about your photography adventures in Pakistan and Kashmir.

Judge Clarkson: I was fortunate ... to join the Pakistan Army’s Frontier Corp of the North West Frontier Province for several days in 2009, documenting their activity in the Swat Valley and the Pakistan-Afghanistan border. These military troops are Pakistan’s front lines against insurgents from Afghanistan, particularly Al-Qaeda at the time. I witnessed and photographed several “actions” in those areas. I also was able to photograph within the cities of Islamabad, Lahore, Karachi and Peshawar, visiting historical sites, universities and colleges, religious sites and at least one riot in Peshawar.

On Kashmir: It’s not just a territory, it’s an ongoing territorial conflict primarily between India and Pakistan, and sometimes China, having started just after the partition of India in 1947. India and Pakistan have fought three wars over Kashmir, including the Indo-Pakistani Wars of 1947 and 1965, as well as the 1999 Kargil War. I visited Kargil and saw many remnants of that war. The two countries continually have skirmishes over control of the Siachen Glacier to this day. All of Indian Kashmir is “occupied” by the Indian army, which is ever-present in all of the territory. The western part of Indian Kashmir is fully secured by an armed police and army presence, and unless you have been in such an occupied area before, it’s something that is very foreign and strange to you. Body armor-protected soldiers and police with automatic weapons are everywhere. Riots often break out in the city of Srinagar, in western Kashmir, and I found myself in one. Several photos of both the police and rioters are on my webpage.⁸

But Kashmir is beautiful, resting between the Great Himalayas and the Pir Panjal mountain range. It is a photographer’s dream location!

Chapter 8 Humor: Did you enjoy your photo trip to Delhi?

Judge Clarkson: Delhi is an historical and photographic delight, and yet it represents one of my biggest concerns about the world today. The biggest problem looming

for India ... is overpopulation, which brings with it largely insurmountable situations of so many dimensions and levels. Hunger, health and environmental problems, extreme poverty and political instability are the biggest threats to the world’s largest democracy. I worry greatly about India’s future, and am only provided certain calm because of the investments the U.S. continues to make in India.

Since my appointment, I have stayed mainly in the U.S. for photography... I still spend significant time doing marine/ocean photography ... and always enjoy photo-editing....

Chapter 8 Humor: Tell us a story about your photo adventures in the Middle East.

Judge Clarkson: In 2014, I privately traveled to a Syrian refugee camp, which is located in Northeast Jordan on the Syrian border and is currently home to more than 75,000 Syrian refugees. The Zaatari Camp is operated by the United Nations High Commission for Refugees, which provided me with complete access to the camp and its residents. These people have escaped from the Syrian civil war, and they seem to have little hope of returning home anytime soon.

While in Jordan, I was required to conduct an emergency telephonic court hearing and was provided facilities by the American Embassy. I was escorted into the “code room” at the embassy in Amman, all the while assuring the local FBI agents (yes, they are assigned to the U.S. embassies around the world!) that my hearing was a public one, and that I did not need a “secure line.” Nevertheless, they insisted I use the room and phone line. The room had a portrait of J. Edgar Hoover on the wall. I didn’t ask.

On Dec. 24, 2014, I spent Christmas Eve in Bethlehem, West Bank, Palestine, attending and photographing both the afternoon and midnight services at the Church of the Nativity.

Chapter 8 Humor: At the 2016 Insolvency Conference of the California Bankruptcy Forum, you introduced us to the keynote speaker, Pulitzer Prize-winning photographer Rick Loomis. How did you meet Mr. Loomis? Does Mr. Loomis have any advice for budding photographers?⁹

Judge Clarkson: Rick Loomis has been a friend for several years, [and I met] him through his wife, Liz Baylin, who is also a terrific *Los Angeles Times* photographer. We share interests in clean oceans and high-conflict-zone photography. His best advice: “The best wide-angle lens is three steps back.” Also (and he stole this from Robert Capa),¹⁰ “If your photos aren’t good, you’re not close enough.”

Chapter 8 Humor: You use high-quality Hasselblad, Leica and Nikon products. Do I need to upgrade my camera if I want to take great photos?

5 See “2009 UN Guest House Attack in Kabul,” Wikipedia, available at en.wikipedia.org/wiki/2009_UN_guest_house_attack_in_Kabul.

6 Richard A. O’Connell Jr. and Sangar Rahimi, “Bomber Strikes Near Hotel in Kabul,” *New York Times* (Dec. 15, 2009), available at nytimes.com/2009/12/16/world/asia/16afghan.html?_r=0.

7 Ali M. Latifi and Mohammed Harun Arsalai, “Taliban Target Was a Pricy French Restaurant, but Their Victims Were Afghans,” *Los Angeles Times* (Jan. 2, 2016), available at latimes.com/world/la-tg-afghanistan-bombing-le-jardin-20160102-story.html.

8 See scottclarksonphotography.com.

9 The California Bankruptcy Forum (calbf.org) puts on a huge bankruptcy conference every year, and you are invited. Rick Loomis is a rock star-quality photojournalist (learn more at [en.wikipedia.org/wiki/Rick_Loomis_\(photojournalist\)](http://en.wikipedia.org/wiki/Rick_Loomis_(photojournalist))).

10 Robert Capa was “arguably the greatest combat and adventure photographer in history ... he risked his life numerous times, most dramatically as the only photographer landing with the first wave on Omaha Beach on D-Day.” See en.wikipedia.org/wiki/Robert_Capa.

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Judge Clarkson: When you've decided your iPhone no longer cuts it and you want to get a real camera, you need to upgrade to a mid-range SLR (film) and DSLR (digital) camera. You need a full-frame camera in order to really produce good photography. This will allow you to take much higher-quality photos, while giving you more control over the process. Canons, Nikons, etc. are all perfect for the job.

My Leica cameras (I have three) are called "rangefinder" cameras because they focus using a dual-image rangefinding device. You turn a ring, and when two superimposed images line up, you're in perfect focus. With a rangefinder camera, you never look through the lens, unlike SLR or DSLR cameras. You focus and compose through a window on the top right. There is no "autofocus" on my cameras; I believe that I can focus faster manually than with most DSLRs or SLRs. Manual focus is more accurate and specific. If you are lucky enough to use a rangefinder for a year, you'll know and understand more about lighting and focusing than 97 percent of all other photographers.

When you reach a certain level of quality, it is often the lens that matters more than the camera itself. SLR and DSLR are both single lens, allowing you change the lenses as you wish. In my view, the lens always makes the difference.

Chapter 8 Humor: How has the iPhone changed modern photography?

Judge Clarkson: In 2013, the *Chicago Sun-Times* (which filed for bankruptcy in 2009) fired all of its photographers and bought iPhones for its reporters to use.¹¹

Chapter 8 Humor: In 2011, you were appointed as a bankruptcy judge. Are you still able to devote as much time to photography as you like?

Judge Clarkson: Since my appointment, I have stayed mainly in the U.S. for photography; however, I was in the Middle East in 2014, including Jordan, the West Bank, Gaza and Israel. I still spend significant time doing marine/ocean photography off the coast of California, and always enjoy photo-editing using Adobe Lightroom and Photoshop.

But last year, the U.S. Marshals in my building (the Ronald Reagan Federal Building and Courthouse in Santa Ana, Calif.) asked me to do their group photo for the Central District's U.S. Marshal Profile. It was reported that my U.S. Marshals were the talk of the town for their exquisite photo!

Chapter 8 Humor: Do you have a killer recipe for guacamole?

Judge Clarkson: I do, but it's a secret. **abi**

¹¹ Robert Channick, "Chicago Sun-Times Lays Off All Photographers," *Chicago Tribune* (May 31, 2013), available at articles.chicagotribune.com/2013-05-31/business/ct-biz-0531-sun-times-photographer-layoffs-20130531_1_sun-times-media-group-chicago-sun-times-timothy-knight.