

Refusing to rest on his laurels

Melbourne attorney James H. Nance keeps his ways simple, Southern



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Step into attorney James H. Nance's Melbourne office off U.S. 1, and you get a good glimpse of his life.

In one corner is a nearly 7-foot, 490-pound black bear, standing on its hind legs and revealing its claws. Nance acquired the beast on one of his many hunting expeditions. The glass coffee table in the sitting area holds numerous leather-bound albums, one for each decade since the 1960s, with newspaper articles documenting Nance's career.

There are black-and-white photos of his maternal grandfather, who fought in the Civil War, and colorful photos of Nance enjoying good times with friends and family, including his wife of 45 years and his two sons.

The walls are plastered with framed articles on Nance's long and successful career, which began when he was admitted to the Florida Bar in 1957. He started his own Melbourne law firm, known today as Nance Cacciatore & Hamilton, in 1963.

One office wall is dedicated to his most famous case. He teamed up with 11 other attorneys in 1997 to negotiate a landmark \$13 billion settlement between major tobacco companies and the state of Florida to pay for extra health care needs for smoking-related illnesses.

After that historic case, Nance says he went into semiretirement. Although semiretirement for the 81-year-old means going into the office every day, usually from about 11 a.m. to 5 p.m.

"I don't plan to retire unless I physically have to," Nance says in a prominent drawl left over from his Alabama childhood. "This is what my life has been about. I enjoy being here."

National spotlight

Nance was thrust into the national spotlight with the tobacco case, which allowed the involved law firms to split \$3.4 billion in fees. Although the case was covered by tons of media outlets, Nance was able to keep a personal struggle he was going through private.

While jury selection was going on in West Palm Beach, Nance would travel back to Brevard County every few days to undergo chemotherapy for a total of four months. His family and fellow attorneys knew, but the public did not.

Nance, a “big time” smoker for many years, was diagnosed with lymphoma in 1981. At the time, he didn’t need treatment. Unfazed, he continued to smoke until 1983 when it hit him that he probably was killing himself.

“I don’t like to use the word ‘quit,’” Nance says. “Do you ever really quit? I use the word ‘stop.’”

Despite stopping in 1983, the lymphoma flared up in 1995, when the biggest case of his career was about to get going.

“It didn’t really affect me,” Nance says. “I lost my hair, but I kept a positive attitude. A positive attitude is everything.”

Today, he’s in relatively good health with the exception of some nerve damage in his right leg. He uses a walker to help get around, but still makes it to the gym every day.

His 48-year-old son, Jamie Nance, marvels at his dad’s memory.

“He can recall with clarity so many stories,” says Jamie, a lawyer at his father’s firm. “He’s so observant.”

It was his father, Jamie says, who had the most influence on him becoming a lawyer.

Jamie’s parents met in South Florida while Nance was working in Miami. They divorced shortly after Jamie was born. He was raised in Ft. Lauderdale while his dad started the law firm in Melbourne.

“He was always this bigger-than-life character who I would see once a month, at Christmas and summers,” Jamie said. “He’s a character. They don’t make them like him anymore.”

Humble beginnings

One of Brevard’s most successful attorneys, Nance had a few incidents that almost prevented him from practicing law.

Homer Neville Nance was the only son born in rural Alabama to a mother who received a college degree, but a father who wasn’t educated past the eighth grade. When he was 12-year-old, he walked into a grocery store to get his first job and told them his name was James.

“Everyone else in town was named James,” he recalls.

When he was 16, his parents legally changed his name from Homer Neville to James Homer although most people called him by his nickname – Booty.

“My older sister looked at me in a crib and said ‘booty.’ But she allegedly was trying to say beauty,” Nance says. “Everyone thought that was so cute. The next thing you know, I was Booty. I kind of lost (the nickname) when I came here. It’s fine with me, just as long as people call me.”

“Booty” lived in a small town where hunting was a way of life and education wasn’t. When he started seventh grade, he had more than 100 classmates. Of those, five boys and 13 girls graduated high school.

If it wasn’t for Nance’s father, he wouldn’t have been in that group.

“When I was 17, I told my father I wasn’t going to go to college,” Nance says. “He said, ‘I worked very hard to get you and your sisters educated. If you don’t go, I’m going to call the chairman of the county draft board, and you will go into the Army.’”

That fall, Nance enrolled at the University of Alabama where he played football. He transferred to Auburn, but ended up transferring again to Stetson in Florida “because it was 21 miles from the beach.”

After Graduating there with a bachelor’s degree and playing on the football team, Nance started Stetson Law School, but was hit with another obstacle.

Someone told school officials he was drinking at an off-campus fraternity dance. He went through the student judicial process and was exonerated, but still was asked to leave the school.

“That was panic time for me,” Nance said. “I had the attitude I wasn’t going to finish, but it was probably a blessing.”

Nance transferred to Miami where he earned his law degree.

A friend from his Alabama hometown of Collinsville, the late Dr. Charles Roberts, convinced Nance to move to Brevard to start his law practice.

Nance rented a small house in the Eau Gallie area from Roberts. Half the house was his office. The other half was his residence.

“When you don’t have any money, you do what you have to,” Nance says. “When I came here, I knew it was time to fish or cut bait.”

Roberts passed away in 1982 of congestive heart failure. When his son went to pay the funeral bill, he was told it was already taken care of.

“They said, ‘It’s been handled, Jim Nance has already paid it,’” says Roberts’ son, Brevard County Circuit Court Judge Charles Roberts. “He never said a word to me. That’s how I found out about it.”

Roberts, who credits Nance with inspiring him to go to law school, says it’s invaluable having someone who can tell him stories about his father’s childhood.

“It’s a wonderful blessing that I almost can’t describe,” Roberts says. “He loves to tell me stories about my dad, and Jim’s mind is still very sharp. He still possesses that wicked sense of humor.”

Giving generously

Nance is well-known for his generosity to the community.

Since 1997, he has donated more than \$1 million to organizations and charities.

He’s given money to everything from local law enforcement agencies to hospitals to youth sports leagues.

Despite the incident at Stetson, Nance wasn't left bitter and gives a scholarship to the school every year. He plans to be heavily involved when the school starts its football program again in the next few years.

In 1999, he started the Jim Nance Nursing Scholarship at Brevard Community College. The funds provide tuition and books to a student in the associate degree nursing program. Since its creation, the scholarship has been awarded to 13 students, most recently for the spring 2012 term.

"Mr. Nance's generous contributions to BCC and his strong support for our students continues making an important difference in their lives and the betterment of our community," said BCC President Jim Richey.

Nance said one of the causes he's invested in the most is The Haven for Children, which helps neglected, abused and abandoned children.

"Mr. Nance has been a tremendous supporter of The Haven since we opened in 1986," executive director Kimberly Straehla said. "Mr. Nance is an incredibly generous gentleman who cares about the children of The Haven and recognizes that they are the most vulnerable victims of our society. And, he believes in making their lives better through his ongoing support.:"

There's also a park in Indian Shores that bears Nance's name because he purchased the land for it.

Living simply

Despite his success, Nance fancies himself as a simple, Southern man.

He's lived in a modest Indian Harbour Beach home for 35 years. He and his wife Betty and building a simple three-bedroom, one-level home next door that's more modern than the 60-year-old house.

He has an iPhone, but prefers to keep his life somewhat electronic-free. He keeps track of his daily schedule with a large, red book.

"This way, I don't have to worry about a computer going down," says Nance, who prides himself on being a prankster, enjoys good conversations and golf, although he says he's terrible at it.

Ask why he's so generous, why he doesn't just retire after years of hard work, and he gives a simple answer: "It's a way of respecting other people, having decent manners and a warm heart."