

REFLECTIONS REGARDING JUDGE WILLIAM J. HOLLOWAY, JR.

With the death of William J. Holloway, Jr., on April 25, 2014, the nation lost a thoughtful, dedicated, and compassionate jurist, and an even better man. Judge Holloway served as a Circuit Judge on the United States Court of Appeals for the Tenth Circuit for more than forty-five years. I had the honor and great privilege of serving as a law clerk for Judge Holloway for a one-year period, spanning 1990–1991. Further, after I was fortunate enough to be appointed to the Tenth Circuit as a Circuit Judge in August of 2006, I had the pleasure of being Judge Holloway’s judicial colleague for more than seven years. I had the utmost respect for Judge Holloway and, on a personal level, cherished the friendship that we enjoyed during our shared time on the federal bench. Judge Holloway exhibited all of the traits that one would hope to find in a judge: a sharp legal mind, uncompromising integrity, a strong work ethic, an open-minded and impartial disposition, great compassion, and a sense of empathy. And Judge Holloway was undoubtedly one of the most courteous and kind individuals—perhaps *the* most—that I have ever met. I offer below a few brief reflections regarding my experiences with Judge Holloway.

I had my first face-to-face meeting with Judge Holloway when I interviewed with him for a clerkship around the early spring of 1989. As I later came to understand, it was unusual for Judge Holloway to interview prospective law clerks. Federal appellate clerkships are, of course, coveted positions for graduating law students, many of whom travel around the country at considerable personal expense to interview with judges in the hope of securing one of these positions. Entirely consistent with Judge Holloway’s extremely kind and considerate nature, however, he had apparently made the decision that he would not require law clerks to incur the expense of traveling to interview with him.

As I learned from brief comments made by Judge Holloway and his staff, Judge Holloway would occasionally interview law students regarding clerkship positions when he was visiting his alma mater,

Harvard Law School, but he frequently relied on referrals from his large contingent of former law clerks. In my case, however, Judge Holloway decided to interview me prior to making his hiring decision apparently because the interview would only impose a very modest inconvenience on me (if one can really call it that); I simply would have to walk up two flights of stairs in the federal courthouse in Oklahoma City to get to his office because I was clerking at that time for U.S. District Judge Wayne E. Alley of the Western District of Oklahoma. Suffice to say that Judge Holloway was very kind in our brief interview—complimenting me on what he had learned about my service with Judge Alley. Shortly thereafter, he offered me one of his clerkship positions opening up in the summer of 1990.

My clerkship experience with Judge Holloway was certainly educational and made me a better lawyer. But far more important for me, that clerkship left me with a vivid picture of the truly special human being Judge Holloway was and inspired me to want to emulate many of his practices in dealing with others. Furthermore, the clerkship indelibly instilled in me a great respect for the federal judiciary that led me—with no small amount of awe—to seek to follow in Judge Holloway's footsteps and to secure a place for myself on the federal bench.

Despite his many accomplishments, Judge Holloway displayed a remarkable humility in his dealings with others. This humility was not fake or a pretense; it was very real. His focus was never on himself, but rather on serving his nation and the public through his work. Judge Holloway's humility was on full display during the legendary Saturday lunches that he would host for his law clerks. Judge Holloway had a well-deserved reputation as a very hard worker; until the last several years of his life, he routinely worked on Saturdays. And, during the period that I clerked for him, there were very few places open in downtown Oklahoma City on the weekends. So Judge Holloway would travel to the deli and bring in fresh cold cuts for lunch for himself and the clerks who were working on a given Saturday. And then he would play host for the lunch. In this regard, try to develop a mental picture of this very accomplished man—then-Chief Judge of the Tenth Circuit—in blue jeans, fretting over whether his law clerks had enough turkey or ham. In his distinctive strong but kind voice, Judge Holloway would inquire of me, “Jerome . . . you sure you don't want any more turkey, or a cookie? Have some more . . .” After lunch, he would personally see to it that the dishes were appropriately washed.

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Judge Holloway was an amazingly kind and considerate man. He treated all people—no matter their station in life—with courtesy and respect. He was a true gentleman. During my clerkship with him, I initially observed his pattern of interacting with people and formed the aspiration to be like him. Although I have undoubtedly fallen short of the mark, I am surely a better man for that quest. Judge Holloway always inquired about the welfare of his clerks and their families with great sincerity. Many years after law clerks had left his service, Judge Holloway remembered the names of their spouses and children and would ask about them. Relatedly, Judge Holloway was legendary for telephoning, on a near-daily basis, judicial colleagues who were ill or otherwise infirm to inquire about their welfare. Indeed, he extended this telephonic practice to at least one spouse of a deceased judicial colleague.

Moreover, I also saw firsthand during my clerkship Judge Holloway's unflagging dedication to serving his nation and the public through his work. For example, during my clerkship year, Judge Holloway had major hip-replacement surgery. Perhaps as a testament to the larger-than-life pedestal that I put Judge Holloway on, my recollection was that Judge Holloway was back to work within a few days. It was only several years ago that I learned from Judge Holloway that he actually was away from the office for two weeks. However, what cannot be denied is that Judge Holloway was determined to get into the office as soon as he could. Rather than wait until he could walk with a cane, Judge Holloway arranged to get a station wagon in which he could lie down full-length in the back compartment. The law clerks (including me) would then go down to the basement of the courthouse with a wheelchair to get Judge Holloway each morning. Judge Holloway would pull himself out of the back of the vehicle and into the wheelchair and would be taken into the office. Who would have thought that I would have had an opportunity to master the art of navigating a wheelchair during my clerkship year? I was honored to be able to do it for Judge Holloway. And Judge Holloway never stopped joking that he might call me back into service if he needed further hip work.

Paraphrasing a comment that I once read from an anonymous lawyer, Judge Holloway acted as a judge should. No words could be truer. What I first observed during my clerkship year and everything that I had an opportunity to see thereafter—especially during my years on the Tenth Circuit as Judge Holloway's colleague—validated and underscored this

comment. During the years that I knew Judge Holloway, I never questioned for one moment that his only concern was trying to rule correctly and fairly, and with the fullest measure of compassion that the law would permit. Personal agendas—political, ideological, or otherwise—had no place in Judge Holloway’s jurisprudence. It is largely because of Judge Holloway that I have held the federal judiciary in such high esteem and dared to dream that I might join its ranks someday. Judge Holloway was a dear friend who will be greatly missed by me. And his legacy of service to our nation and to the Tenth Circuit, which he loved, is immeasurable. I am grateful for the opportunity to offer these few brief reflections about a great judge and man.

The Honorable Jerome A. Holmes
Tenth Circuit Court of Appeals
Clerk for the Honorable William J. Holloway, Jr., 1990–1991