

## THE VIRTUOUS JURIST

William J. Holloway, Jr., was a kind, compassionate man and a learned jurist—a person ahead of his time on many fronts. I was fortunate to serve as his clerk in 1972–73, his first woman clerk. I was married the year after I clerked and one of my favorite photographs is that of the Judge dancing with me at my wedding.

Our friendship continued over the years; as the decades passed, I became even more grateful for the opportunity that I was given to clerk for him. His father had served as the Governor of Oklahoma after Governor Johnston was impeached and removed from office. Judge Holloway, having lived through that experience as a young man, was acutely aware of the fact that perception sometimes constitutes reality. For that reason, he was always careful to avoid the remotest appearance of a conflict of interest. His reputation, and that of his family, was sacred to him and he was scrupulous to ensure that no personal benefit derived to him or his staff from his decisions or other actions as a judge. That was a valuable lesson which has stayed with me and which I have hopefully imparted to my family.

The Judge was a kind-hearted man who cared for everyone, no matter their stature. During my tenure, he routinely served on the writs panel which included *habeas corpus* petitions from prisoners. (These are handled differently today.) He took that responsibility seriously. He stood resolute that if someone's liberty was at stake, he needed to opine on that case ahead of commercial cases, an opinion not always shared by commercial litigants.

Judge Holloway was responsible for the opinion in one case that involved a conscientious objector during the Vietnam War. This particular young man, one of more than 200,000 prosecuted for evading the draft, had represented himself in the trial court. Judge Holloway was very concerned about his wellbeing and about whether or not he was truly afforded due process. We scoured the record relentlessly, and it did appear from all angles that the trial judge had been careful that this *pro se* defendant received due process. The Judge followed the law and did

not reverse the trial court, but his empathy for the young man ran deep. From his example of integrity and professionalism, I learned an important life lesson for a young lawyer: sometimes we have to make professional decisions that are difficult for us personally. Although I never spoke to the Judge about it, I was relieved when all conscientious objectors were unconditionally pardoned by President Carter in 1977.

The precision of Judge Holloway's writing impressed me then, and I have attempted to emulate it. The same attention to detail was present when he was looking for precedent—he wanted the exact language. This was before the days of Internet searches, and at times legal volumes would be piled high on the tables in the library as we searched for the exact words that the Judge was seeking for his citations. We were always grateful that Alonzo, the librarian, helped us re-shelve the books when our search had ended.

On Saturdays, the Judge would often spend the early morning making pancakes for his family, and he would arrive a little later at the office than his usual 8 a.m. on weekdays. On a few occasions, Bill and Gentry, his children, would accompany him to the office and I always enjoyed interacting with them. On most Saturdays, we would break for lunch at Delores Restaurant and visit about the events of the day. His intellect was keen, and although the law was his life, he could chat knowledgeably about innumerable topics. He had a mischievous sense of humor which cropped up during conversation, but never in opinions. My co-clerk was an astute observer of the Supreme Court, and the three of us would discuss and debate decisions the day after they were rendered. Several noteworthy cases were handed down around this time—*United States v. Clay*, *Roe v. Wade*. It made for stimulating conversation. The Judge seemed to know everyone in Oklahoma City by name, and he usually knew the names of their spouses and children, their aunts, uncles, and cousins. He was always kind and gracious to well-wishers, but he was careful to avoid any kind of private conversation with practicing attorneys at lunch or on the street, lest it should appear that he was showing favor. We often ate in chambers, particularly if there was a birthday to celebrate. The Judge would buy a cake for our little group.

He went out of his way to make sure that people were not frightened by the judicial process, and he was always respectful of others when they disagreed with him. I recently read a case in which he dissented from the majority opinion, but he was unfailingly polite. Would that the world had

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more judges, politicians, and people who exhibited his virtues. Judge Holloway will be missed.

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