

OKLAHOMA CITY UNIVERSITY LAW REVIEW

VOLUME 49

FALL 2024

NUMBER 1

TRIBUTE

TRIBUTE TO JUDGE GARY PURCELL

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When I look back at my time working with Judge Purcell, I think primarily about the early years when I was a new judge. Although 16 years of private practice had shaped me in many ways, I was still something of a work in progress when it came to being a judge. In those early days, I spent a great deal of time observing all the judges around me and actively soaking up information. I saw right away that the internal culture of our federal court was collegial, and the standards of conduct were high. In at least one way, however, a great range of philosophies and approaches emerged—a judge’s level of engagement with the broader community. And that’s where Gary Purcell became intriguing to me.

Gary Purcell had been a state court judge for many years before becoming a federal magistrate judge. He had spent most of his career in a court environment, including a federal clerkship after graduating from Oklahoma City University School of Law. Over his long career as a judge, he had developed a reputation for independence and efficiency. He was an experienced and no-nonsense settlement judge who began all settlement conferences in his courtroom, black robe and gavel included. He emphasized to all participants that a judicial settlement conference was

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as formal a proceeding as a trial or sentencing, and his judicial independence and neutrality were to be expected. A corollary to that expectation, as I learned, was Judge Purcell's relatively low level of engagement in the community. Of all the judges on the court at that time, Judge Purcell was perhaps the least engaged with the legal community outside the courthouse. In all proceedings and in all circumstances, Judge Purcell maintained a strict clarity of roles. He was the judge.

Over time, I came to appreciate that Judge Purcell's adherence to his formal role was a way of signaling independence. And not only signaling, but also figuratively and literally maintaining independence. My own personality and instincts did not lead me to the exact same stance. I came from the legal community, and I stayed connected to the legal community. My involvement in our community's professional organizations, universities, and non-profits remained intense during my years as a judge. But consequently, I had to find other ways of expressing and maintaining judicial independence. I learned from observing Judge Purcell, though, that there was a practical value in remaining aloof to some of the world's opportunities, and I saw the value—and indeed necessity—to signal judicial independence in every way possible.

With all of us who were colleagues of Judge Purcell, he was not at all formal or aloof. He was, in fact, a garrulous, go-to source for the inside scoop on all things relating to OU athletics. He was the champion of our scramble golf tournaments, patiently encouraging all of us non-golfers. And he was a generous source of consultation whenever someone sought him out for his advice—replete with wicked humor when the occasion was right.

He was a scratch golfer and an avid real estate investor in properties outside of Oklahoma. He seemed to be known by everyone in Norman, Oklahoma, which had something to do with the fact that his accomplished wife, Dr. Chris Purcell, was the Executive Secretary of the OU Board of Regents. We learned all about his children whom he adored. And, although he rarely mentioned it, he was a survivor of childhood polio. I admired him for both the way he conducted himself as a judge, and how he maintained open and generous relationships with all of his colleagues at the courthouse.

I am grateful I was able to observe Judge Purcell during my early days at the court. He contributed greatly to my understanding of the obligations of a judge—and to the culture and reputation of our federal court. He played a significant part in why the United States District Court for the

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Tribute to Judge Gary Purcell

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Western District of Oklahoma is known throughout the country as one of the very best.

