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Morton J. Hanlon

Able, Affable and Agonistic

1925-1993



Able, Affable and Agonistic. No, that's not the name of a new law firm in town. It's a fair alliterative description, it seems to me, of my friend, a real man, Honorable Morton J. Hanlon.

Thomas J. and Blanche Hanlon, "Lace Curtain Irish" Catholics had five children, all born in St. Louis, Missouri. Mrs. Hanlon liked to return to her former family home for the birth of her children. She made but four such trips, however, and the last one resulted in a bravura performance. She gave birth to George, then for an encore she delivered Mort, his identical twin.

The nature of the senior Hanlon's work as an electrical engineer made it necessary for his large family to move around the country with sojourns in New York, Florida and Texas. Several years were spent in Tampa where he served as president and General Manager of Tampa Electric (he was succeeded by Frank Gannon). The Hanlons lived on Davis Island and also on South Delaware in Hyde Park just across the street from Dick Griffin, the well-known banker.

Mort Hanlon enlisted in the Navy V 12 program and served on active duty for about two years during World War II. Years later his wife discovered an honorable discharge certificate indicating that he also served in the Air Force Reserve.

Before deciding to go to law school, a career path chosen by his older brothers, Thomas J. (now deceased) and David G. (still active as a senior partner in the Shackleford, Farrior law firm), he dipped into the academic pool, so to speak, at a number of universities (about ten altogether according to his wife). His academic grades were always top notch. His LLB degree was earned at Southern Methodist in Dallas; that feat was followed by a Masters in Taxation at NYU.

Mort's scholastic history reminds me of a comment attributed to Yogi Berra who, when asked if a certain rookie's play had exceeded Yogi's expectations, said, "He's done more than that."

Upon taking root back in Florida, he married Lesley Wood, a demure, refined British lady. The marriage produced a daughter, Heidi, who now lives in the Atlanta area, and Mort, Jr. of Tampa.

Hanlon's professional experience and job connections were varied and substantial. For about 3 years he did corporate law work for the Winter Haven firm of Summerlin and Connor; served as an Asst. Attorney General in Lakeland and later as Asst. State Attorney in Tampa. Like his father, he worked for Stone & Webster Service Corp. in New York and Tampa Electric Co. in

Tampa. Interspersed with his other activities, business and professional, were: affiliation with the law firm of Dixon, Flynn & Trigg, and partnership with the Gibbons firm, in Tampa.

Thomas J. Hanlon, Sr. was a Republican, and son, Mort, was, at least before becoming a judge, an active GOP member and an outspoken critic of the opposition party's philosophy. For instance, in 1963 he wrote a letter to President Kennedy castigating the administration for "foisting upon the American people the present racial revolution." He was not bashful about taking a position on political issues and principles. After he became a judge, even as a magistrate (justice of the peace), he seemed to be a lightning rod for difficult cases.

Mort's judicial career was launched in 1970 when Governor Claude Kirk appointed him JP to succeed W. Marion Hendry. On adoption of revised Article V of the state constitution, Hanlon became a County Judge. The *Tampa Times* editorially endorsed the appointment, finding Judge Hanlon to be well qualified in terms of experience and temperament for the bench. The addition of another Republican in the courthouse, the editorial went on to say, would help bolster the two-party system. Later, judges were stripped of partisan labels, but in 1970 they were still known by the political company they kept.

While serving as County Judge with misdemeanor jurisdiction, Judge Hanlon was assigned a case that originated in Volusia County (Daytona Beach). It was *State v. Marion Ryan*, and the case became a cause celebre not only in local newspapers but in a conservative tabloid called *National Spotlight*. Some groups started an "Emergency Committee to Insure Justice for Marion Ryan" out of Belle Glade, Florida. The Ryan case, which went to trial here in 1975, produced an outburst of passion from supporters of the defendant. Mrs. Ryan was charged with keeping her children out of school, giving them instruction at home; her justification was that public school textbooks were offensive and detrimental to her children. Hanlon excluded defendant's evidence of the books and their expert witnesses, finding as a matter of law that defendant's motives were irrelevant. After a jury verdict of guilty, there came a torrent of criticism of the judge. The American Party, with a Belle Glade, Fla. Address sought assistance and contributions from those outraged by the decision. Letters were received by judge Hanlon from such far-flung places as Washington State, North Dakota, and Minnesota, from about 15 states in all. One of the angry letter-writers said, "We can be thankful that you were not a twin." Justus W Reid, a lawyer still in practice in West Palm Beach, represented defendant, Ryan. When contacted by the writer for his comments regarding the case and Judge Hanlon, replied, in part, as follows: "When it became apparent that we were going to win the case, the judge in Volusia Co. succumbed to the prosecutor's plea for a change of venue, removing it from Daytona. Once Hillsborough County was selected, Judge Hanlon made short work of any defense that we wished to put forth by ruling that the Marion Ryan's reasons for not sending her children to school were irrelevant. While I found judge Hanlon to be somewhat short sighted on these issues, he was always courteous and maintained excellent courtroom decorum. It was clear that he wasn't about to allow the average citizen to fight the school establishment. It is a pity that he didn't look past the issue of whether the children attended or didn't attend school."

The year of Judge Hanlon's birth, a trial more notorious than *State v. Ryan* took place. It was the 1925 Dayton, Tennessee encounter between the fundamentalist, William Jennings Bryan, for the prosecution, and redoubtable Clarence Darrow, for defense. Scopes, a 24-year-old high school teacher, who was charged with teaching the doctrine of evolution in his school, was almost forgotten in the glare of attention focused on the principal advocates. Just as Judge Hanlon later excluded defendant's exculpatory evidence, Judge Ralston in Scopes refused to admit defense experts' scientific testimony, ruling that the only issue to be decided was whether

or not defendant had taught evolution contrary to Tennessee law. Time magazine reported an interesting colloquy between Darrow and the Judge. Darrow asked why every request of the prosecution was granted, and every defense request was overruled. Said the Court, "I hope you do not mean to reflect on the court," to which Darrow responded, "Well, Your Honor has the right to hope." Judge Ralston later cited Darrow for contempt and set bond at \$5000. Subsequently, that same day, after Darrow apologized, the judge forgave him with a Biblical quotation, "Come unto Me and receive eternal Life."

Judge Hanlon took on the Supreme Court of Florida when he spoke out against its program of allowing cameras in the courtroom. He took unofficial straw polls of prospective jurors in the central jury pool, and also a poll of those selected to try a felony criminal case, to inquire about how such persons felt about cameras. Even though a great majority of those polled were in agreement with Judge Hanlon's stated views, the Supreme Court, as it usually does, prevailed. There were other criminal cases coming before Hanlon which received public attention, with newspaper clippings and related articles in scrapbooks meticulously kept by the judge himself, but space does not permit their inclusion in this piece.

Mort served at one time as law clerk for Federal District Judge Joseph P. Lieb, and they had a close relationship until the latter's death in 1971. Hanlon's name was mentioned in the local press as a possible successor. The appointment ultimately went to Wm. Terrell Hodges, a Senior Judge now in Jacksonville.

In 1976, Judge Hanlon was elected Circuit Judge without opposition. He never drew an opponent in any future election, and retired after 20 years of scandal-free, exemplary judicial service.

The judge's interest in athletics dated from his youth. He and George were all-star linesmen in their high school football league; he was on the golf team there. While in Dartmouth he was a member of the cross-country running team, and he was a longtime hockey fan. He told me once after retirement that he planned to serve periodically as a senior judge so he could shell out the cost of season tickets for the new hockey team in Tampa. Sadly, his failing health did not allow that to happen. He and this scribe had many enjoyable rounds of golf at the nearby country club.

Reminiscences from Some of Those Who Knew Him Longest and Best

Frank Fallon (retired lawyer now living in Burnsville, N. C.) knew Mort since elementary school in Scarsdale, NY "I always remember Mori laughing and the interest he took in people; he was voted "Best Sport" in class. One night Mort & I went to the trotting races at Yonkers Raceway. Mori came over to me after viewing the horses in the upcoming race. He rather excitedly told me that a horse named "Irish" had looked at him. We bet rather heavily on Irish and he came in last. "

Dr. Henry A. Azar (one of the founders of UST Medical School, now residing Chapel Hill, N. C.) had great jinn and friendship in years of tennis competition. Mort never discussed what went on in court but once. He appeared both outraged and befuddled by a couple who were suing for divorce in his court. 'the reason? What reason do you have for divorcing?' answered Judge Hanlon. 'I dig rock, she digs disco answered the man while the woman appeared equally disgusted about their irreconcilable differences. He was a magnificent role model during his last year as he was about to meet his Maker. Never did I witness such love o f family, such dignity and fortitude. "

Michael Kavouklis, friend and former judge) worked with Mort in the Attorney General's

office in Lakeland. They commuted in separate cars because Mort drove over and back without air conditioning in his car. He was less conservative gastronomically, the way he constructed oversize "Dagwood" sandwiches at lunch.

Sister, Bebe Hodge has many fond memories of family gatherings where humor abounded. At Mort and Lesley's wedding, twin brother George came from Oklahoma with his two year old son who constantly chased Mort around grabbing his legs crying, "Daddy, Daddy. "

Son, Mort, Jr. recollects with fondness his father's example on how to live, but also their pleasure in athletics together, especially golf His dad had some official business at the jail one Saturday morning, and one of the jail personnel apologized to his father because someone had parked in his space, not realizing that someone of my father's position would drive an old Pontiac Ventura, which he called "The Mudder. "

Brother, David G. Hanlon never forgot an occasion in Texas, on the lighter side, when he and Mort were working at a roadhouse (Woody Herman's band was appearing) parking cars. Dave was in one area busily getting cars into place when he needed to find his brother. There was no sign of him at first but when David did find him he was sitting in a new Cadillac convertible sipping champagne with the driver, a young, attractive woman.

Brother, George Hanlon, and Mort were frequently mistaken for one another. In his chambers one time he told George that his next case was in chambers and told him to go into the courtroom and sit in the jury box. As he entered the courtroom, the bailiff came running over to George very alarmed and said, Judge, you've forgotten your robe. "Once again, Mort trailing behind, burst out laughing and began reassuring the bailiff.

Wife, Lesley Hanlon relates that Mort was enthusiastic with everything in life, even dancing. Only trouble, she says, was that no matter what music was being played or what tempo, he did the waltz. "He made me laugh, and that is what convinced me to marry him. "

Mort had an infectious laugh which would erupt from deep inside him, and then explode with his face wreathed in a huge grin. Something seen recently from an old Edna Ferber story somehow made me think of my gong buddy before his final illness: 'A handsome old boy he was, ruddy, hale, with the zest of a juicy old apple, slightly withered, but still sappy. "

Paraphrasing a borrowed line written as a tribute to the late Red Smith, the celebrated sports writer: Character was something Mort Hanlon had no trouble recognizing. He saw it every morning when he shaved.

- Morison Buck

Afterword:

Time is the coin of your life. It is the only coin you have and only you can determine how it will be spent. Be careful lest you let other people spend it for you.

-Ralph McGill, Journalist and Editor