

1-1-2006

# Thomas Alonzo Clark: Lawyer of the first rank (1920-2005) and papa judge

Morison Buck

Follow this and additional works at: [http://scholarcommons.usf.edu/flstud\\_pub](http://scholarcommons.usf.edu/flstud_pub)

 Part of the [American Studies Commons](#), and the [Community-based Research Commons](#)

---

## Scholar Commons Citation

Buck, Morison, "Thomas Alonzo Clark: Lawyer of the first rank (1920-2005) and papa judge" (2006). *Digital Collection - Florida Studies Center Publications*. Paper 2475.

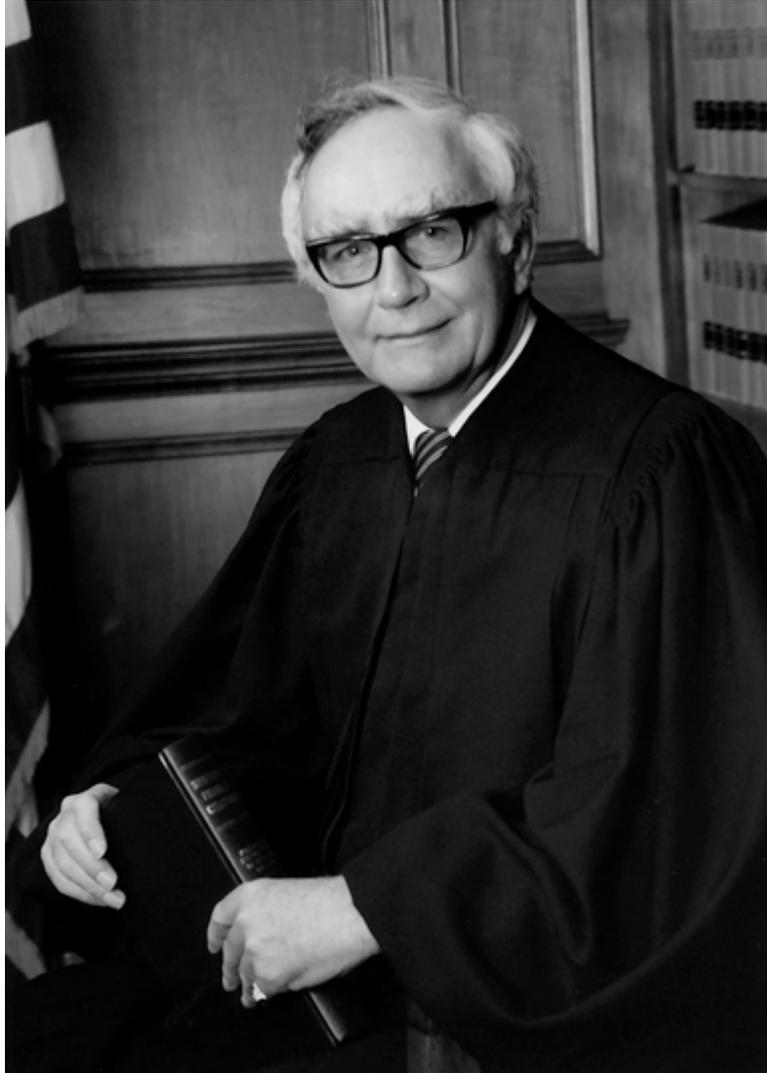
[http://scholarcommons.usf.edu/flstud\\_pub/2475](http://scholarcommons.usf.edu/flstud_pub/2475)

This Article is brought to you for free and open access by the Digital Collection - Florida Studies Center at Scholar Commons. It has been accepted for inclusion in Digital Collection - Florida Studies Center Publications by an authorized administrator of Scholar Commons. For more information, please contact [scholarcommons@usf.edu](mailto:scholarcommons@usf.edu).

Thomas Alonzo Clark:

LAWYER OF THE  
FIRST RANK  
(1920-2005)  
AND PAPA JUDGE

Photograph Courtesy of  
Gayle M. Sumner,  
Dillard, GA



It all began in the state of Georgia at a place called Hapeville, a sparsely developed community (current population: 6,000) just south of the Greater Atlanta area and hard by Fort McPherson, Georgia. Georgia is known as the Empire State of the South. Hapeville, incorporated in 1891, covers an area of 2.4 square miles and is probably most famous as the home of the original Chick-Fil-A restaurant.

The state's motto is especially fitting when writing about the life and career of Judge Clark: Wisdom, Justice, and Moderation.

Hapeville's population increased by one on December 20, 1920 when an only son, Thomas Alonzo Clark, was born to Fred and Prudence Clark. Tom had one sibling, an older sister Prudence, named, of course, after his mother. Judge Clark was the last surviving member of the family and from the little that can be learned, his parents were not people of affluence. One of Tom's collateral kin confides that Fred Clark had a weakness for strong drink and was not at home during his son's growing-up years. Others confirm that Tom never talked about his father. In sharp contrast to his daddy's lifestyle, Tom, thrice married, was a thoroughly responsible parent to his children and stepchildren.

"Who cares how a writer got his first bicycle?" Such was the response of Raymond Chandler, hard-boiled detective fiction writer and creator of private-eye Philip

Marlowe, to the suggestion of his British publisher that he write his own life story. A proud but modest man, Tom Clark would most likely have dismissed as unimportant any attempt to compose his biography.

He was separated from the United States Navy following the Second World War in the rank of Lt. Commander after service in the Southwest Pacific. Before having to put his plans for greater education on hold due to military service, Tom was awarded a B.S. degree from Washington & Lee University. To help with the costs of his college training, Tom worked in a grocery store.

Post-war, his next major step in the fulfillment of his destiny as a lawyer and later as a federal judge was enrollment at the University of Georgia law school where he graduated in 1949 with an LLB. For several years after achieving what could be called lawyerhood, he practiced law in his adopted state of Georgia, first at Bainbridge from 1949 until 1955; then as a partner in Dykes, Marshall & Clark in Americus, 1955-1957.

A real affinity for public service was revealed when he served a term in the Georgia House of Representatives. He also served briefly but effectively as Decatur County Solicitor.

In 1957, he made a career-changing decision to relocation to Tampa upon being recruited by senior partner, Morris E. White, to join the prestigious law firm of Fowler White to do insurance defense. There he became friends with Paul Saad, a specialist in labor law. It was but a few short years until both Clark and Saad chose to move down the street from the Fowler White headquarters in the Citizen's Building to become associated with Mabry Reaves Carlton, another old firm in Tampa of great reputation (now Carlton Fields). Tom Clark's talents as a trial lawyer quickly became evident and it was not long before he became senior attorney in the firm's litigation department. In that capacity he became closely identified with a virtual galaxy of professionals who were also leaders in Bar activities, local, state and national; people like Reece Smith, Leonard H. Gilbert, Sylvia Walbolt, Broadus Livingston, Tom Icard and others including Edward I. Cutler. The latter later moved to Miami and his obituary appeared in *The Tampa Tribune* on October 9, 2006 during the preparation of this story. Carlton Fields has extended its influence by opening offices in Orlando, Miami, St. Petersburg, Tallahassee, West Palm Beach and Atlanta. It is just coincidence no doubt but Messrs. Clark and Cutler came with the firm in the year 1961. Moreover, Leonard Gilbert also became associated that year. Tom Clark's diligent work in the firm was in large measure a major factor in the firm's growth and success during the 18 years of his connection with it.

Tom Clark was not only a gifted lawyer but a mentor to others in his law firm and later those who assisted him in some significant way during his tenure on the federal appeals court. One of the former group who is still with Carlton Fields – a formidable attorney as well as being a fine lady is Sylvia Walbolt. About her association with Tom Clark, she relates:

*I could write a novel on Tom Clark, I have so many memories of him! One of my earliest memories is, as a young lawyer, being told by Tom Clark that our firm's letter was always the last letter in the file. I still follow that rule in my practice over 40 years later.*

*Something of the type of person Tom Clark was is demonstrated by a gift he received from an individual client he represented on a pro bono basis. When he won the case for her, she crafted a painted porcelain tiger that was quite large and quite ugly. He nonetheless kept it in a place of honor in his office, rather than simply toss it as many people would have done.*

*I worked with Tom Clark on the first airport inverse condemnation case in Florida, which he took on a contingency basis and we won it, making some law in Florida.*

*Tom worked with me as a woman lawyer back in the day when other big firms were not interested in having a woman lawyer. In fact, he was instrumental in assuring that I was hired, despite my sex. Thereafter, he mentored me, long before anyone talked about mentoring young lawyers. He truly was a consummate professional, and I learned much at his feet. As an appellate judge on the Eleventh Circuit, he agonized over death penalty cases. I know he was happy to go on senior status and cease agonizing over those decisions.*

*Thank you for doing this article and hope these reminiscences are of some help to you.*

*With very best wishes.*

*Very truly yours,*

*Sylvia H. Walbolt*

Before adopting the abbreviated name of Carlton Fields in 2001, the firm's name was Carlton, Fields, Ward, Emmanuel, Smith and Cutler. Wm. Reese Smith - the Smith in the title- went with the firm in 1953. Reece, as he is known to friends and colleagues, is now its oldest living partner. Reece, once described by a lady member of the local Bar Association as a "renaissance man," teaches law from time to time in addition to practicing it. He has been surfeited with honors by the profession, having served as President of the local, Florida and American Bar Associations. His law firm, by the way, has a combined membership of 290 lawyers, as of Sept. 30, 2006, just in the Tampa office.

Reece presented a beautifully evocative tribute to his friend, Judge Thos. A. Clark at a memorial service in Decatur, Georgia on Sept. 25, 2005. It is reprinted in full as follows:

*Tom Clark embodied the cardinal principles of professionalism in the law. He stood tall for the 3 C's – Character, Competence and Commitment. And he enjoyed*

*success in each of his professional endeavors- practicing lawyer, legislator, prosecutor and judge of one of the highest courts in the land.*

*I knew Tom best as a lawyer. When we first met in Tampa, Florida he had already practiced in Bainbridge and Americus and served as well as a prosecutor and legislator. I knew him initially as opposing counsel when we commenced trying cases against one another. Tom was an able trial lawyer- prepared, aggressive but always courteous and reliable; his word was as good as gold. He was resourceful too. That resourcefulness was never more apparent than when he got his first Tampa job – he came to Tampa to be an Admiralty lawyer even though both Bainbridge and Americus were, and still are, a bit short of ships and water to float them in.*

*Several years later he left his admiralty job to join the firm of which I was and still am a member. We became partners and friends and worked closely together thereafter for over 15 years until he left to become a federal judge. (I had the high honor of speaking at his investiture in November, 1979).*

*Tom and I were the firm's senior litigators and we were very busy as the firm grew. Tom tried valiantly to get himself and all of us better organized and he soon had the firm's trial work divided into a Trial Department and a Litigation Department. That subtle distinction tended to perplex those who preferred organizational charts to be something less than ambiguous but Tom felt there was a clear line of demarcation. Tom's group tried the shorter, high volume jury trials. Mine became increasingly involved in protracted matters. Tom's organization prowess was also reflected in the system he devised for his Trial Department mail – it was to be received and logged by one person before being distributed to the appropriate lawyer. I am told the system was so elaborate it was impossible to comply with in full detail. But nevertheless, somehow it worked.*

*Tom soon became enormously popular in our firm as he was already at the bar in Tampa. The firm was growing and Tom participated fully in its activities. When he joined us, we had just commenced getting together for an annual dove shoot. Tom was from Georgia and had a shotgun. He joined in as did another new partner Cutler who was from Philadelphia, apparently had never seen a shotgun and came to the hunt wearing yellow slacks, brown and white shoes and a white polo shirt. Returning to our cars after the hunt – believing all guns to be unloaded – Tom was walking ahead of Cutler when the group accidentally flushed a covey of quail. Ka Boom. Cutler started shooting from his hip very close to Tom's rear end. Thereafter Tom didn't go on the hunt again although he generously offered to lend his gun to others.*

*This is not to say, however, that Tom wasn't a sportsman. Tom tried sailing and liked it. About that time a young associate inherited some money and bought a sailboat which he was to pick up on the Atlantic coast and sail to Tampa. Tom was invited to go along together with a young partner named McGowan, who was an experienced sailor. The weather was good as they sailed forth and they decided to go into open water, outside the inland waterway. Taking shifts, someone woke McGowan late at night to take*

*the helm from Tom. Using a sextant, McGowan promptly discovered they were miles off course and well on the way to Africa. Tom, I think, was then persuaded to give up deep water cruising.*

*But if Tom encountered a few complications in his outdoors endeavors, he enjoyed the affection and respect of every member of the firm – lawyer and staff alike. He was the ideal partner not only because of his very considerable legal ability but because he put others first. He was a splendid mentor who was always willing to help the young lawyers with personal as well as legal problems. He was the perfect Role Model for what a “real lawyer” should be and he was the “Father Confessor” of the firm, always available to help you with your problem or, if you didn’t know you had one, he helped you find it.*

*Tom Clark worked hard both in the practice of law and in furtherance of the principles in which he believed. He was instrumental in our initial employment of female lawyers and lawyers of color. And, when we hired a brilliant young man with long hair, a pony tail and some out-of-the box ideas, Tom promptly took him to a bar association meeting where somebody observed in a loud whisper, “Hot Damn, Tom’s got himself a hippy now.”*

*Tom Clark stood for tolerance, fairness and justice. He had an abiding concern for the underdog. He had the courage of his convictions and quietly sought to advance them. He had the 3 C’s.*

*Character – great moral courage, unbending integrity and an all-round nice guy.*

*Competence – a first-rate trial lawyer and a sound legal scholar.*

*Commitment – in practice and in the activities of the organized bar, always sustaining and advancing the public good.*

*We have lost a fine lawyer and a fine man. We have lost a shining example of the 3 C’s of Professionalism.*

*We have lost a friend who gave true meaning to the term Gentle Man.*

Leonard H. Gilbert, a distinguished lawyer in his own right, now associated with Holland and Knight in Tampa, expresses some wide-ranging thoughts about Tom Clark’s character and legal ability as follows:

*I am happy to share some thoughts about Tom Clark. He was a great person and very thoughtful of the needs and concerns of others, and at the same time a very excellent trial lawyer.*

*I joined Mabry Reaves Carlton Fields & Ward in May of 1961. Tom was not there, but I think he was at Fowler White at that time. In the Fall of that year I took off*

*six months active duty, and when I returned in February in 1962, I still do not think Tom was there. Ed Cutler and Paul Saad came in that year and I think Paul, having been at Fowler White, was the instigator of bringing Tom Clark over- probably the first part of 1963.*

*The story I remember was that Tom was a very good trial lawyer and that Morris White had sought him to come to Tampa to do the work for the Seaboard Coast Line Railway, which was a big client of Fowler White. As the story went, Tom did not get along with Morris (they were probably two very strong characters), and so Tom was persuaded to join Mabry Reaves. At some point the trial lawyers and trial work was divided into two groups, shortly after Mabry Reaves changed its name to Carlton Fields. Tom headed up one group and Reece headed up the other. Most of the personal injury and insurance defense work was in Tom's group, although he did a lot of other litigation as well.*

*I specifically recall Tom helping me with my first large civil jury trial in federal court, which took place before Judge George C. Young in Orlando. It was in the mid-60's and I had prepared the case for trial and asked Tom to come over and help me pick the jury. The case lasted about ten days, and Tom was very helpful and instructive to me.*

*Tom had an old blue Chevrolet station wagon and on many days when he was not in trial, he would gather up a group in the office; we would all pile into the station wagon and head off to Ybor City or some other restaurant away from the downtown area for a good meal and lots of laughs. Of course, we took our lives in our hands riding with Tom since it was nothing for him to be driving and facing the back seat, engaged in a very lively conversation with the people seated there!*

*Before coming to Tampa, Tom had done a lot of things. He had attended Washington & Lee, served in the U.S. Navy, and then obtained his law degree from the University of Georgia. My recollection is that before coming to Tampa, he was practicing law in Bainbridge, Georgia; served in the Georgia State House of Representatives, and had done a lot of other political things in South Georgia.*

*There was no kind of legal work that Tom would not undertake if he could help someone. At some point it was suggested to him that perhaps he should not be drawing wills but he rejected that idea out of hand. After all, he was a lawyer.*

*Tom liked sailing and acquired a day sailor (small sail boat) and when he found the time, he loved to be out on his boat. He was most collegial and was always worried about the younger lawyers in the firm and that people should be treated fairly. He often had people over to his home where he would cook a meal. I remember sitting around his kitchen in their home in Hyde Park where Tom was roasting oysters in the oven and where we were eating them as fast as they came out of the oven.*

*We all thought Tom had a fine legal mind and sought him out on difficult cases.*

*Tom was also a person who went out of his way to undertake representation of unpopular causes or unpopular persons. When an African American lawyer from Hillsborough County was charged with misconduct in a county north of Tampa, Tom undertook his representation ( and successfully as I recall), but also took him to dinner in a popular restaurant in that city where the presence of African Americans was not the usual. Likewise, when the firm hired its first African American lawyer; Tom took him to lunch at the University Club on the first day.*

*Tom was always a counselor at the firm. Anybody and everybody who had problems shared them with Tom and relied on his good advice.*

*At the end of the term of office of President Carter there were several appointments available to the Fifth Circuit Court of Appeals (the Eleventh Circuit had yet to be created). My recollections is that Judge Joe Hatchett received one of those appointments and Judge Phyllis Kravitch, a State Court Judge in South Georgia, received the second one. There remained one more and there was an open competition between Tom and Judge Larry King of the U.S. District Court in Miami. It was a "close race". Both Judge King and Tom had strong supporters from Georgia in their respective corners. In the end, of course, Tom was successful. He maintained his office here in the Federal Building in Tampa but subsequently (perhaps after the Eleventh Circuit was created); he moved his office to Atlanta. Jean and I would see Tom and Betty at the various Eleventh Circuit gatherings and when we visited in Atlanta. I think they were both happy there, although Tom missed his many friends in Tampa.*

Leonard is a Past President of the Hillsborough County Bar Association in which he served with pride and distinction. Precisely ten years before his leaving Tampa to take appointment as a Circuit Court of Appeals Judge in Atlanta, Tom Clark sought the presidency of the Bar Association. In 1969, he and later Judge Harry Ryder contended for the position and the latter was elected in what Dot Vines, then Executive Secretary of the Association, told this writer was hair-raisingly close.

A fine lawyer, Tom Icard, who now heads up the stellar firm of Icard, Merrill, Cullis, Timm, Furen & Ginsburg of Sarasota, worked closely with Clark beginning in 1973, and he recounts some of his reflections about that association:

*Tom Clark was head of the trial department at Carlton Fields when I joined the firm in September of 1973. During the six years that followed before his elevation to the United States Court of Appeals for the old Fifth Circuit in 1979. I had the extraordinary experience of working for and with Tom. The focus of our practice at that time was insurance defense work. Tom convened weekly trial department meetings and he collaborated regularly with each of us with respect to case analyses, discovery, procedural and a myriad of other practice issues. We were also afforded the opportunity to observe Tom "in action" in hearings and trials. The result was that I and other of the "young lawyers" in our department received direction and mentoring of the very highest order. Tom expected and required each of us to master the facts and the law, but he also*

*placed equal emphasis on professionalism and integrity in all of our dealings with clients, opposing counsel and judges.*

*Tom was an exceptional lawyer who always put the interests of clients before his own. He was also an exceptional and caring person. Through gatherings for dinner at his home, excursions on Tampa Bay on Tom's sailboat and in countless other ways, Tom allowed all of us to know him outside the work place. Always accessible, self deprecating and possessed of a great sense of humor, he was also a man of deep convictions, broad interests and unfailing courtesy and thoughtfulness for everyone with whom he came in contact. As a result, he was both a boss and a friend. After he became a judge, my wife and I were married in Tom and Betty's home in Decatur, Georgia. Tom officiated.*

One of the first things a lawyer fresh out of law school learns is the value of acquiring the highest possible rating in the Martindale-Hubbell Directory. In other words, he quickly learns his (or her) A, B, Cs. Speaking from some experience, one seeks to attain an "A" (Very high to pre-eminent), or failing that, a "B" (High to Very High) or if necessary, settling for a "C" (Good to High). "AV" following the letter signifies Very High ethical standards. In the Martindale directory, Tom Clark was with Fowler White in the years 1959 through 1961, but was not rated. Beginning in 1964 and every year afterwards, Tom got the highest rating of "AV". From the outset of his legal career in Tampa, he was always busy. The year he left practice to become a federal Circuit Judge, Martindale listed him as Chairman, Trial Lawyers Section, 1971-1972; Committee on the Mentally Disabled, 1977 et seq. Member, International Association of Insurance Counsel, and Fellow, American College of Trial Lawyers. As indicated previously, his duties at Mabry Reaves (Carlton Fields) were as trial counsel in insurance defense in all courts.

John F. Germany, eminent Tampa attorney and former Circuit Judge now associated with Holland & Knight, speaks of his first encounter with Tom Clark:

*Tom Clark came to Tampa in the early 1960's to practice when I was a Circuit Judge. He came from Georgia where he had been involved as a prosecutor. It is my recollection that he was initially with the Fowler White firm.*

*During this time I had the first degree murder trial assigned to me which involved some prominent residents of the county. The defendant, who was an itinerant piano player, had no funds to hire a lawyer for his defense.*

*I first assigned John Parkhill to represent him and to assist, I chose this new lawyer from Georgia, Tom Clark. At the trial the burden of the defense was carried by Clark, and the jury brought in a verdict of second degree murder, rather than first degree.*

*Clark, being delighted with the verdict, rushed to the defendant and asked him what he thought of the defense. The defendant replied that it was pristine.*

*Clark said that he had to rush to the dictionary to find out what kind of defense he had presented.*

One of his closest associates at Carlton Fields was A. Broaddus Livingston of Tampa. They formed a smooth-working team as trial lawyers and worked together over many years in numerous cases. Broaddus remembers that Tom Clark thoroughly enjoyed his frequent trips to the courthouse whether it was for arguments on pleadings or trials. Clark, was always ready, willing and eager to hear other person's problems and to help if he could. Broaddus is a storehouse of knowledge about Judge Clark's personal life, his marriages and families. Livingston was an experienced and skilled advocate who is now retired and living in Tampa with his wife, Ann.

Alice K. Nelson is an outstanding lawyer with a highly developed social conscience and real sensitivity to the civil rights of the lower strata of society. She maintains a home in Tampa but is an attorney with Southern Legal Counsel, Inc. of Gainesville, Florida. She has substantial memories regarding her history of professional experiences with Judge Clark, but space limitations allow only a few of them, as follows:

*I had the honor of serving as one of Judge Clark's first three law clerks beginning upon his elevation to the bench in November 1979. I also had the honor of speaking at his funeral in September 2005.*

*He emphasized to all the necessity of actually thinking. He frequently reminded us that one should take time to look out the window and think. Who could forget his warm smile and his gleaming eyes behind his wide black frame glasses with his prominent bushy eyebrows? Indeed, at one clerk reunion some gagster presented us all with boxes from one of Atlanta's favorite fast food type restaurants (also a favorite of the Judge's) filled with gag gifts including pairs of fake glasses pasted over with cotton eyebrows. The Judge took it all in good stride. He was the same man after his elevation to the bench as before – a man completely lacking in pretension. Indeed, I was gently rebuked once when he took me to dinner along with his wife Betty and his sister (whose name I now forget because her name in the southern tradition was "Sister") and I had made the reservation in his name. While working in Tampa one of his favorite lunch places remained the cafeteria in the old Flagship Bank building and small hole-in-wall restaurants scattered around downtown.*

This scribe is indebted to all those who provided helpful pertinent information about the life and career of Tom Clark. One of that number is Gayle M. Sumner of Dillard, Georgia. Gayle was Judge Clark's judicial assistant from 1981-1999 (year he retired from judicial service).

Judge Clark's initial appointment was to the Fifth U.S. Court of Appeals in New Orleans in 1979. When the 5<sup>th</sup> Circuit Court was split, so to speak, he was appointed to the newly-created 11<sup>th</sup> Circuit Court based in Atlanta in 1981. Then, he served actively until 1991, and thereafter as a senior judge until his retirement.

Hon. Victor Wehle, the late, well-known Pinellas Circuit Judge (who not infrequently came to Tampa to preside as and when needed) was quoted many years ago as saying: “Trial judges sign orders; appellate judges write opinions.” Over the years, Judge Tom Clark was probably one of the most prolific writers of opinions in the 11<sup>th</sup> Circuit. Following his death, an article appeared in the Atlanta Journal-Constitution calling him, the “Great Dissenter.” As often as not, he wrote for the majority of the Court. For example, in 1993 he authored a 28-page decision as senior judge in which he overturned a formula for school desegregation approved by the District Court in Tampa. The lower court was criticized for considering communications from individuals and community groups in reaching his decision to approve the plan proposed by the school board in Polk County. Judge Clark, ever on the alert to follow the law, sent the case back to the lower court to draw up a new plan that would bring all of the schools into closer racial balance.

William Maxwell, editor-writer of the New Yorker, said, “Either you retire from life or you advance to meet it.” Tom Clark never retired from life but continued to advance as a dedicated servant of the law until, after an extended illness, his death at 84 on Sept. 5, 2005. He was predeceased by his wife, Betty Medlock Clark and his only sibling, Prudence Clark Shadburn. Survivors include: a daughter, Julia M. Clark, a son, Christopher Clark, son, Thomas A. Clark, Jr. a stepson, Allen L. Carter, stepdaughter Rosalyn Lackey Corder, and six grandchildren, one of whom referred to him as “Papa Judge.”

One of his contemporaries on the 11<sup>th</sup> Circuit, Judge Phyllis A. Kravitch, said of him after the news of his death: “Judge Clark was not only one intellectually gifted but was one of the kindest, most caring and compassionate people I have ever known.”

His step-daughter, Rosalyn Corder disclosed some personal attributes about Judge Clark that simply must be included in this attempt to do justice to this good man’s life:

- *He loved dogs and owned several of them. I believe his favorites were Springer Spaniels and he owned several of them over the years when I knew him.*
- *He loved birds and knew quite a bit about the different species.*
- *He loved the beach and the water and owned a 30-ft. sailboat while he was living in Tampa.*
- *He also loved the solitude of the mountains and he and my mother had a very simple mountain cottage in Dillard, GA, near Highlands, NC, where they loved to escape.*
- *He was always a “southern gentleman”, but never in the “good old boy” way.*
- *He was very charming and witty and a pretty darn good flirt when he wanted to be!*
- *He jokingly referred to my mother as “the Queen” and himself as “the Knave.”*
- *He was always humble and always open-minded. Though he obviously wrote many “opinions”, he was never an opinionated person. There’s a difference.*

- *As a judge should be, he was extremely fair- no matter what the circumstance.*
- *Though he was quick to give “loving” advice, I never once heard him criticize anyone.*
- *He prayed every day and spent at least 30 minutes a day meditating – a true “Transcendental Meditation.”*
- *He was intentional about trying to be a better Christian and a better person. He thought about it, prayed about it, talked about it, and worked at it every day. It was a conscious effort and, in the minds of those who knew him, it paid off.*

This statement by James Grippando was sent as an e-mail to his co-clerks and co-workers on the Eleventh Circuit Court of Appeals following notice of Judge Clark’s death.

*I, like so many others, hold Judge’s memory very close to my heart. You might be interested to know that my tenth novel (Got the Look) is due out January, and it actually includes a scene in which my lead character (Jack Swyteck, a lawyer who used to represent death row inmates) is talking with another lawyer at the federal courthouse in Atlanta. As I wrote the scene, the lawyers are standing “beneath an impressive oil-on-canvas portrait of the Honorable Thomas A. Clark, a true gentleman of a judge whom Jack remembered from his early days with the Freedom Institute. Back then, Jack would routinely file eleventh-hour requests for stays of execution, most of which were speedily ( and quite correctly) denied, but there was always a glimmer of hope if Clark was on the appellate panel.” It’s a small gesture, but it makes me smile to think of Judge, somewhere, groaning with humility but nonetheless grinning at the thought of making a Hitchcock-like cameo appearance in the world of pulp fiction.*

*I also plan to include a more fitting tribute in a novel that I wrote for children called Leapholes, which will be the first novel for children ever to be published by the American Bar Association. It’s about an eccentric old lawyer (with bushy white eyebrows, of course) who does his legal research by magically entering the law books, traveling through time, and coming face to face with some of the actual people who were involved in our nation’s most famous cases, such as Dred Scott, Rosa Parks, and others. That novel will contain the following tribute to Judge Clark:*

*“I would be remiss if I did not acknowledge the influence of the late Thomas A. Clark, who gave me my first job out of law school and who served on the U.S. Court of Appeals for the Eleventh Circuit until his retirement in 1999. Upon Judge Clark’s passing in 2005, the circuit’s chief judge J.L. Edmonson remarked, “Never have I known a judge who was more humane than Tom Clark. Never did he lose sight of the fact that these cases with which we deal actually involve human beings.” Judge Clark’s vision captures the true spirit of this novel, and in my mind’s eye I can see him speeding*

*through leapholes, traveling through time, and teaching young people that each of the countless cases reported in those dusty law books up on the shelves is about a real person who had a very real problem – and that for some, it was literally a matter of life or death.”*

Morison Buck

Afterward:

*When you associate with enthusiasm long enough, it grabs you and takes over within you.*

Norman Vincent Peale