

REFLECTIONS ON MY CHIEF JUSTICE

*William G. Broaddus **

To me, Harry L. Carrico was, is, and always will be the Chief Justice of Virginia, a singular title bestowed on him by Resolution of the General Assembly in 1990 in recognition of his decades of service to the Commonwealth.

Like his hero John Marshall, Chief Justice Carrico was a son of the soil who rose to great heights. His character was forged on a small farm where frugality, discipline, and honest dealing were the guiding principles. “Son, well done!” was the highest reward. His formal education was modest by any account, but he made up for any lack in classical scholarship with persistence and hard work.

Also like his hero, from the moment he was exposed to the law, the Chief was hooked for life. To him the law was not just a job, not a means to an end, nor a path to the good life. It was the bedrock of our society and the cornerstone of our republican form of government. As Chief Justice, he recognized and accepted a personal responsibility to protect and nurture the judiciary as the guardian of the law.

While he believed in the stability of the law, the Chief was no hidebound traditionalist clinging to outmoded procedures or norms of years gone by. He was a visionary. He passionately worked for law reform and instituted changes ranging from uniform sentencing guidelines, rooting out gender bias, establishing judicial standards of performance and evaluation processes, to promoting the use of technology in the courtroom. He campaigned to promote civility and professionalism throughout the Bar, not

* Counsel, McGuireWoods LLP. Former Law Clerk to Chief Justice Harry L. Carrico 1968–1970; Former Attorney General of Virginia. J.D., 1968, University of Virginia School of Law; B.A., 1965, Washington and Lee University.

as landmarks to the past, but because he knew disputes are resolved more easily when lawyers conduct themselves properly and with respect to each other, clients, and the courts.

The Chief relished the intellectual challenge of resolving a difficult issue and enjoyed spirited and honest debate. But when an issue was resolved, he expected both sides to respect the decision and turn to the next task.

The Chief believed in hard work. He was always prepared, whether for oral argument or any other aspect of his life. It was not unusual for him to know more about a case than the attorney arguing it, and the advocate who took liberties with the record risked being brought up sharp by the Chief.

The Chief believed in the rules, whether Rules of Evidence, Rules of Procedure, or Rules of Court. He would cut off any lawyer, even the most senior member of the Bar, who exceeded the allotted time during oral argument.

The Chief looked the role of a Chief Justice and conducted himself with the decorum one expected of a Chief Justice. His public life was the model of propriety, as was his private life. His only excesses were his love of family, his devotion to the law, his love for the Court, and his passion for physical fitness.

The Chief's love of exercise was legendary. He routinely rollerbladed well into his seventies and daily rode his bike after that. One of the few occasions when I saw him angry occurred after he received a call from the Henrico County Manager telling him that he no longer had permission to rollerblade on a county parking lot during weekends. The Chief snorted, "they said it was unsafe. . . ." Once when I was clerking for him, I heard him say that he planned to replace the fence around his pasture the following weekend. I offered to help but he demurred. The last law clerk who tried to help, he said, could not come to work the next Monday because he was too tired. I persevered and got a weekend-long lesson in fence building. I made it in the following Monday, but with mighty tired muscles. The Chief, on the other hand, acted like his exertion over the previous two days had been limited to a leisurely stroll around the yard.

Despite the many banquets, conferences, and formal occasions which his position necessitated he attend, the Chief never seemed

2013]

HARRY L. CARRICO

767

comfortable in the spotlight. He preferred to deflect attention and praise to others.

In person, many lawyers found him intimidating, although that was never his intent. In fact, he was the most approachable of men. He was a wonderful raconteur and loved small private settings where he could regale the company with stories, punctuated by laughter, frequently directed at himself. In his later years he particularly enjoyed his work with the University of Richmond School of Law where he could share with students the insights gleaned from a half century on the bench.

Chief Justice Carrico was unique among jurists of the Twentieth Century, not because of his longevity on our supreme court, but because of the moral and intellectual rigor that he brought to his position each day. The Chief was grounded on the lessons of his youth, and he never forgot them. He was a common man given to uncommon accomplishments. Our Commonwealth is far richer for his service. May his example serve to inspire others for generations to come.