



JUDGE JAMES L. FOREMAN: *in Memoriam*

*By Philip Frazier**



I rarely find myself speechless. It happened earlier this year as I settled into the pulpit before a packed church to deliver the eulogy for Judge Foreman. Even though my carefully prepared and rehearsed remarks were in my head and my notes, my voice was suddenly absent. Things got underway without too much awkward silence, and I was charitably given good marks for what ensued. Looking back, I conclude that I was overcome by the humility which accompanies such tasks. It is very difficult to encapsulate such a significant life in the necessarily short time allotted to a eulogy. So, it is again difficult to summarize and to comment on the life of one who was so important to me personally and to our Court. It is, however, my honor to do so.

Judge James L. Foreman was born May 12, 1927, in Metropolis, IL, and he was raised there. Following high school, he joined the United States Navy from which he was honorably discharged in 1947. He then pursued his education and along the way married his childhood sweetheart, Mabel, with whom he raised three daughters while he practiced law in his home town.

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In 1972, President Richard Nixon nominated him to be a United States District Judge for what was then the Eastern District of Illinois. Confirmation followed shortly thereafter, and he assumed his duties in East St. Louis, IL. He became Chief Judge in 1978, a position he held until June 1, 1992, when he assumed senior status. Judge Foreman officially retired on his 80th birthday, May 12, 2007. He died on June 3, 2012, from injuries received in a fall outside his home.

Judge Foreman's generation, "the greatest generation" as termed by Tom Brokaw, were men and women "of towering achievement and modest demeanor." They were visionaries, builders and tireless workers. Judge Foreman's career was from that mold. He believed that any aspect of government which did not work for its citizens should be changed or simply cease to exist. One of his initial tasks as Chief Judge was to completely re-configure the geography of our district. In 1972, the state of Illinois was home to three judicial districts: the northern, southern and eastern districts. East St. Louis, IL, which sits on the western edge of Illinois across the river from St. Louis, Mo, was the primary courthouse for the eastern district. Almost all of the eastern district was south of the southern district. Judge Foreman sensed that federal courts were going to play an increasing role the lives of litigants and their attorneys and that the existing district designations were impractical. He called upon his friend United States Senator Charles Percy, and the federal courts map in Illinois was restructured to its present configuration. As both the civil and criminal dockets grew, Judge Foreman expanded the court's operation to include Benton as a fully staffed and operating courthouse. The United States Attorney, Federal Defender and Probation soon followed suit. Today, over 80 people, including yours truly, perform their duties in Benton to provide service to citizens and their attorneys in the lower 20 counties of Illinois. Efficient courts must be more than convenient. Their courthouses must be suitable for the task. The East St. Louis courthouse was dedicated in 1909 by President Taft. Not many

improvements followed. The Benton federal building's primary function for many years was as a post office. To address those shortcomings, Judge Foreman enlisted longtime Congressman Ken Gray to obtain the funds for large scale additions and upgrades to both the East St. Louis and Benton courthouses. He was not only the architect of our court's present form, he personally laid its foundation, bricks and mortar.

Judge Foreman was a very hard worker who expected the same from court personnel and attorneys who appeared before him. He ran the courtroom with elegance and precision. His rulings were quick yet thoroughly researched. He created a culture within the southern Illinois legal community which survives him. Those who practiced before Judge Foreman knew either to bring their "A" games or suffer a less than desirable experience. Everyone who regularly practiced before him became a better lawyer.

Being a child of the Great Depression, Judge Foreman could not abide waste. In our business, the two most commonly wasted assets are time and money. To that end, he encouraged and pursued ADR well before the Civil Justice Reform Act dictated it. He never lost sight of our Court's primary mission, to serve the public as efficiently as possible. Judge Foreman's mission has been continued by those who have so conscientiously and capably followed him as Chief Judge.

My thanks to Jeff Cole for asking me to prepare this and share these thoughts of Judge Foreman. Many who read this will have known Judge Foreman for years. If I have overlooked something, please forgive me, but as I mentioned above it is impossible to describe adequately such a significant life in a short space. I have always read with interest similar comments in The Circuit Rider regarding other judges who have passed on. These are not ordinary people accomplishing extraordinary things....they are extraordinary people seeing and doing what ought to be done and accomplishing that with honor. I know that my life is better thanks to all of them, none more so than Judge Foreman