

**MEMORIAL FOR JAMES B. MORAN**  
**Seventh Circuit Judicial Conference, Indianapolis, Indiana**  
**May 18, 2009**

Remarks by Judge Robert W. Gettleman

Judicial heroes. With luck, all of us have had judicial heroes in our lives. Certainly, those who were law clerks had as their first judicial hero the judge they clerked for. In Jim Moran's case, he clerked for Judge Lombard of the Second Circuit, and I know that Jim regarded Judge Lombard as a judicial hero.

For me, my first judicial hero was Luther Swygert, for whom I clerked in the late 1960s. Luther was warm, highly intelligent, funny, and curious about all things in life, including his role on the court. He loved the law and the written word. I think we spent as much time arguing about commas and semicolons as about substance. Judge Swygert was passionate about the art of judging, and he was well loved by everyone who knew him. Importantly, he was a loyal friend to me throughout his life.

My next judicial hero was Hu Will, who many of you here will remember. Hu was brilliant and prolific. He literally invented the art of case management, which many of us still practice in one form or another. He loved mixing it up with the lawyers in the courtroom, and generally loved the courtroom itself. He was a judge's judge and a wonderful friend.

My other judicial hero is someone who is still with us, and who I was hoping would be here today: Milt Shadur. Like Hu Will, Milt is brilliant, a prolific writer, and intensely curious. Most importantly to me, he has been fully accessible as a mentor. If anyone has a problem, he or she can call Milt Shadur at 6:00 a.m. and Milt will be at his desk, more than willing to help. And if he doesn't know the answer he'll be back to you in 15 minutes with it. He is a wonderful colleague, a great judge and a close friend.

You might ask why, at this memorial for Jim Moran, am I talking about these other judges. The answer, I think is obvious. If you could take the best qualities of these three judges and add an extraordinary measure of humility and genuine kindness, we would have described our friend Jim Moran. Jim was wise without being pretentious. He was brilliant without ever being demeaning. He was clear and concise without being curt. He loved the courtroom without lording over it. I can honestly say that I never heard Jim Moran raise his voice, either on the bench or off. He genuinely loved his being a trial judge.

In fact, I recently sat on the Federal Circuit and mentioned my experience to Jim while visiting him earlier this year. There had been some frustration in that experience. Jim said to me, “Welllll, I like sitting on circuit courts every once in a while.” I asked him why that was. He replied, “It reminds me of what a great job I have.”

Last month I had the honor of giving a eulogy at Jim’s funeral. I ended then as I would like to end today, with a quote from Learned Hand’s eulogy to his dear friend, Benjamin Cardozo. By the way, when Judge Moran clerked for Judge Lombard on the Second Circuit, Judge Lombard’s chambers was directly across the hall from Learned Hand’s, who was still sitting at that time. Judge Hand became familiar with Jim’s writing, and when Jim left his clerkship gave him a photograph of himself with a very personal inscription, as well as a copy of the book that Judge Hand had recently written on the bill of rights, also with a very personal inscription noting how much he admired Jim’s writing ability. Jim Moran had this photograph on his wall along with a photograph of Judge Lombard, but it was behind a door and no one ever saw it. It was Jeff Cole who brought this to our attention in his interview with Judge Moran in the Circuit Rider. That speaks volumes about how humble a person Jim Moran was.

For those of you who were at Jim's funeral, please forgive me for repeating what I said at that time; but these words bear repetition because they so aptly describe our dear friend, Jim

Moran:

He was wise because his spirit was uncontaminated because he knew no violence or hatred or jealousy or ill will. . . . [I]t was this purity that chiefly made him the judge we so much revere; more than his learning, his acuteness and his fabulous industry... it was a rare good fortune that brought to such eminence a man so reserved, so unassuming, so retiring, so gracious to high and low, and so serene. He is gone, and while the west is still lighted with his radiance it is well for us to pause and take count of our own courser selves. He has a lesson to teach us if we stop and learn; a lesson quite at variance with most that we practice, and much that we profess.