

# The Storied Third Branch

*A Rich Tradition of Honorable Service Seen Through the Eyes of Judges*

OCTOBER 2012

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## **Judge Glen M. Williams** **“A Member of the Greatest Generation”**

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In 2010, U.S. District Judge Glen M. Williams, at the age of 91, announced that he would become inactive after 47 years with the federal court system. It's a pleasure for me to recall for others the life of this extraordinary person and judge.

I first met Judge Williams in 1968 when I began the practice of law in the mountains of southwest Virginia and he was then a leading member of the bar. He had served as a part-time U.S. Commissioner for the Western District of Virginia since 1963 and in 1976, when Judge Williams was 56 years old, President Gerald Ford appointed him as a district judge. In 1988, Judge Williams elected senior status, but continued with an active trial docket. In 1996 I joined him on the district court bench and we shared the small courthouse in Abingdon, Virginia, until his retirement 14 years later.

Judge Williams was born in 1920 in Jonesville, Virginia, the county seat of Lee County, the western-most county in Virginia, as far west as Detroit and closer to five state capitals than it is to Richmond, the capital of Virginia. He graduated from Milligan College, in neighboring Tennessee, in 1940. After Pearl Harbor, he enlisted in the Navy, although his life until then had been spent some 500 miles from the ocean. He was assigned to a Navy officer training program at Columbia University in New York City, where he roomed with Herman Wouk, who later won the Pulitzer Prize for *The Caine Mutiny*, a best-selling novel about life aboard a World War II Navy minesweeper. Although they were from different worlds,

Wouk, a native New Yorker and son of Russian Jewish immigrants, and Judge Williams, a product of the Southern Appalachians, became life-long friends.

Like Wouk, Judge Williams served on minesweepers in the Navy, and was decorated for action in the Atlantic, Pacific, and Mediterranean theaters of war. He participated in the 1944 Allied invasion of Southern France and eventually commanded his own ship, a minesweeper, the U.S.S. Seer, in the Pacific.

After the war, Judge Williams decided to attend law school and graduated from the University of Virginia School of Law in 1948, at the top of his class. He returned to Lee County to practice law. In spite of state political domination in Virginia in those years by conservative Democrats, Lee County had a vigorous two-party political system, and Judge Williams immediately threw himself into the political world, running as a Republican and winning election as the local prosecutor. He later served a term as State Senator and was widely viewed as a leading political figure in the region. Judge Williams was one of Virginia's so-called "Mountain-Valley" Republicans, politically moderate and even liberal on social and racial issues.

He loved being a judge and became one of the most beloved members of the bench. His calm demeanor inevitably pleased the lawyers who practiced before him, even when they lost. Because of Judge Williams' quiet and deliberate manner, some out-of-area counsel at first underestimated his ability and intelligence, but they were quickly disabused of that notion once the proceedings began.

A number of Judge Williams' former law clerks have achieved distinction in later careers, including George Allen, a Virginia governor and U.S. Senator, and Cynthia Kinser, now Chief Justice of the Virginia Supreme Court.

Judge Williams drew some difficult cases, which he always directed with sensitivity and intelligence. In 1989, the United Mine Workers struck the coal mines of the Pittston Coal Company, Virginia's largest coal producer. The long and bitter strike, involving thousands of miners, resulted in litigation before Judge

Williams, which he handled in his usual competent manner, enforcing the law, but with considerable regard for the rights of the coal miners.

During his tenure as a senior judge, Judge Williams sat on a number of occasions with the Court of Appeals for the Sixth Circuit. In one case, *General Dynamics Land Systems, Inc. v. Cline*, 540 U.S. 581 (2004), a major case construing the Age Discrimination in Employment Act, the Supreme Court adopted his reasoning and quoted from his dissent. Judge Williams' dissent in the case was typical of his work as an opinion writer – short, direct, and persuasive.

In a press release issued by the Court upon Judge Williams' retirement, I was quoted as saying, "Glen Williams is one of the finest judges ever to serve this court, and his down-to-earth wisdom and sense of justice will be missed. He has been a model judge. The citizens of our country owe him a debt of gratitude for his life of service." Those were true words.