

1986

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Recommended Citation

Douglas E. Abrams, *Clearking with Judge Hugh R. Jones*, 14 Fordham Urb. L.J. 521 (1986).

Available at: <https://ir.lawnet.fordham.edu/ulj/vol14/iss3/1>

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Clearking with Judge Hugh R. Jones

Cover Page Footnote

Associate Professor of Law, Fordham University School of Law. B.A. 1973, Wesleyan University; J.D. 1976, Columbia University School of Law. Law Clerk to Judge Hugh R. Jones, 1976-78. My sentiments echo those of Judge Jones' other clerks: William J. Comiskey (Fordham '78), Mary Lou Crowley, Leonard W. Krouner, Stephen D. Linett, Jonathan W. Miller, Thomas Day Thacher II (Fordham '74), and Stephen P. Younger. Our secretaries, Martha Willmot and Carmel Loffredo, also heartily concur.

CLERKING WITH JUDGE HUGH R. JONES

*Douglas E. Abrams**

When Judge Hugh R. Jones retired from the New York State Court of Appeals little more than a year ago, his clerks gamely resisted temptation to add our voices to the chorus of public praise. Silence did not come easily because judicial law clerks, if they are fortunate, quickly mature into some of the profession's most hopelessly partisan members. Service with a gifted judge produces an enduring clerkship bond, born of intimacy and respect and nurtured by the passage of time.

Our urge to speak was tempered in part by a sense that we could not easily outdo the praise Judge Jones received from less partisan voices. *The New York Times*, for example, had called him the "intellectual leader of the court."¹ Herald Price Fahringer lauded his "unbeatable intellectual prowess" and called him "a man of letters" who "provided . . . a new standard of intellect in the art of decision making."² Judge Matthew J. Jasen praised not only his colleague's "creative talent and unusual energy,"³ but also his "comprehensive knowledge of the law, . . . vigorous precision and . . . abiding fidelity to the judicial role."⁴ Speaking about the Court, former Chief Judge Charles D. Breitel was more direct. Judge Jones, he said, was "one of the best minds we've ever had."⁵

When Judge Jones visited Fordham Law School for a week in November, 1985 as the first Sidney C. Norris Scholar-in-Residence, students tapped the mind that had produced this praise. When the Judge delivered the Norris Lecture that follows, and then when he

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1. *New York's Court of Appeals Faces Vast Changes as a New Era Begins*, N.Y. Times, Nov. 7, 1982, at 1, col. 1, 54, col. 3.

2. Fahringer, *Cooke, Jones: Different Styles But Responsive to 'Inequities'*, N.Y.L.J., Jan. 2, 1985, at 1, col. 3, 2, col. 2.

3. Remarks of Matthew J. Jasen at Ceremony Marking Retirement of Associate Judge Hugh R. Jones (Dec. 19, 1984), *reprinted in* 63 N.Y.2d xiii, xv (1984).

4. *Id.* at xiv.

5. Utica Press, Dec. 29, 1984, at 1, col. 3.

participated in classroom seminars, students became his clerks in a real sense, beneficiaries of insight distilled from his nearly half century in law and public service. That insight, however, was only the beginning. Students were so moved by the force of the Judge's personality that when their week-long clerkship ended, they realized that many of the Judge's most enduring lessons were unrelated to doctrine.

Students, after all, had received a Hugh R. Jones clerkship, which above everything else taught that to be a good lawyer, one must first be a good person. Whenever someone walked into the Judge's office while we clerks in the outer chambers were attending to other matters, his greeting gave no hint whether the visitor was the Chief Judge or the janitor who emptied the wastebaskets. Judge Jones gave everyone the same warm welcome. He answered every letter he received, even ones from prisoners whose convictions the Court had affirmed or left undisturbed. On the rare days when clerks outlasted the Judge, he went home only after first making the rounds to say good night to each of us. Even his most routine requests were punctuated with "please" and "thank you." He treated clerks with such unfailing courtesy that we were not surprised when Mrs. Jones reported that she has never heard him raise his voice in the fifty-plus years she has known him.

When Judge Jones reached mandatory retirement age in 1984 after twelve years on the Court, his farewell was marked by the same grace that had marked his tenure. Transcripts of retirement ceremonies, with their final opportunity for public reminiscence and outlook, are published in the New York Reports. True to his character, Judge Jones concluded his remarks by thanking Court personnel by name—not only the other Judges, but also the clerks, secretaries, librarian, and support staff.⁶ Many of these people have devoted their entire adult lives to the Court's service, and now they are immortalized in the Reports because someone in high position thought to pause and remember.

As the *Fordham Urban Law Journal* shares the Norris Lecture with bench and bar, it is fitting that the Law School has commemorated the Judge's visit by creating the Hugh R. Jones Prize in Law and Public Policy. Judge Jones taught his clerks how to perceive law and its place in human experience. He taught us how to think and reason. Most important, he taught us how to live.

6. 63 N.Y.2d at xvi-xviii.