

JUST AN OLD TRIAL LAWYER

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Old trial lawyers—those who have hurdled the 50 years in practice marker, or who are fast closing in on it, are uniquely positioned for the submission of “Tribute” articles on Judges taking senior status—especially when the Judge is himself an old trial lawyer. Both the assessor and the assessed have litigation scars and bruises, courtroom agonies and ecstasies, and a multitude of experiences upon which to base comparison and fair comment.

Old trial lawyers can recall when the federal bench was mainly populated with white males who acted as if their appointment was providential rather than a result of political connection. In those days, young trial lawyers practiced in federal court with apprehension, certain that any mistake or misstep would be announced from the bench and the client held responsible for perceived ineptitude. Imperiousness was the prevailing atmosphere and federal court practice, particularly for those based in medium to small-sized towns, was to be avoided.

Fortunately, “greatest generation” Judges began to be replaced by Boomers and/or those whose trial experience or years on a state court bench ingrained an appreciation for the stress and pressure experienced by courtroom practitioners. This “new” federal judiciary assisted and encouraged aspiring trial lawyers. Never taking their eye off a just result, these post-presumptuous period adjudicators brought empathy, understanding, humanism, and a sense of humor to the proceedings.

Prior to his federal appointment, the Honorable Richard L. Young tried cases and presided over the busiest trial court in the state. He understood from the moment he climbed the bench in the Vanderburgh County Indiana Circuit Court that “luck,” good fortune, ability, and connections all played a critical role in his appointment. And he never forgot his experience as a trial lawyer—that perspective one gains in front of the bench, not behind it.

Judge Young sat second chair in a capital murder case as a young public defender. When courtroom success is measured by a verdict of life without parole versus the electric chair, the unceasing demands and unrelenting and incomparable consequential nature of trial work is seared into the soul. As a former private practitioner and corporate counsel for a municipality, he also never forgot how hard lawyers work to earn a buck—that one’s word and reputation in the practice are the calling card that matters, and that life experiences, political realities, and social consequences are as equally important to a just result as any text in musty Northeastern reporters.

Judge Young brought his small-town Iowa upbringing to the bench as well. Mom and Dad ran the town’s drugstore and sundries shop. He was educated in public schools and played golf with his brother at the City’s municipal course. The loss of his father while still an elementary student brought sorrow and loss into Young’s life. His ability to relate to the vagaries of life and an accelerated

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maturity made him popular among peers and a recognized leader. He was President of his college student body and immersed in the late 60's/early 70's zeitgeist. Neither Judge Young nor the U.S. President who appointed him will answer as to whether they inhaled—but the Judge witnessed and experienced the history that was Vietnam, political assassinations, Selma and segregation, the miracles of science and space exploration, and a culture with a rock & roll soundtrack.

No one survived those times unchanged. And those who embodied and incorporated the positive outcomes of peace, love, compassion, respect for human rights, and a belief in the equality of all persons regardless of race, sex, color, or sexual orientation, went on to work for a fair, just and enjoyable world where happiness could indeed be pursued.

That is Judge Young. An old trial lawyer who appreciates the hard work and burdens carried by the lawyers in his courtroom. A jurist whose decisions reflect lived experiences and compassion along with a respect for precedent. An individual who has earned “His Honor” status by never losing perspective just because everyone stands up when he enters the room. A humanist who separates serious from silly based upon the facts, not the pedigree of the parties. (His 3rd grade report card noted, “Ricky tends towards silliness”).

Judge Young has books by and about Robert Kennedy in his library. He has told me many times that the former Attorney General and Senator was his inspiration while he worked in the political process and decided to attend law school. Evident to anyone who has been in his court, Judge Young's understanding and application of the law is reflected in Kennedy's words from a 1962 Law Day address:

The glory of justice and the majesty of law are created not just by the Constitution—nor by the Courts—nor by the officers of the law—nor by the lawyers—but by the men and women who constitute our society—who are protectors of the law as they are themselves protected by the law.

We are quite fortunate that the Honorable Richard L. Young was chosen to be a Federal Judge. Old trial lawyers make great Judges.



“Cheers to the Old Trial Lawyers!”