

United States District Court
for the District of Columbia

Presentation of the Portrait

of the

HONORABLE
AUBREY E. ROBINSON, JR.

Friday, March 20, 1992

4:04 P.M.

Washington, D.C.

Ceremonial Courtroom

Presiding:

CHIEF JUDGE JOHN GARRETT PENN

Special Guests:

HONORABLE KENNETH STARR, SOLICITOR GENERAL OF THE UNITED STATES

HONORABLE WILLIAM SESSIONS, DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION

MEMBERS OF JUDGE ROBINSON'S FAMILY

PRESENT AND FORMER LAW CLERKS OF JUDGE ROBINSON

MEMBERS OF JUDGE ROBINSON'S STAFF

ARTIST MR. SIMMIE KNOX

SENIOR AND ACTIVE JUDGES OF THE UNITED STATES COURT OF APPEALS, THE UNITED STATES DISTRICT COURT, AND THE DISTRICT OF COLUMBIA SUPERIOR COURT

Speakers:

RETIRED CHIEF JUSTICE WARREN E. BURGER

CHARLES A. HORSKY, ESQ.

SENIOR JUDGE WILLIAM B. BRYANT

FORMER LAW CLERK PAUL L. FRIEDMAN

JUDGE ROBINSON'S DAUGHTER PAULA ELAINE COLLINS

FORMER LAW CLERK GRACE E. SPEIGHTS

Proceedings

CHIEF JUDGE PENN: This court is convened this afternoon for the purpose of receiving the dedication of a portrait of Senior Judge Aubrey Robinson, our colleague and our friend.

I want to welcome you all to the court, and we appreciate that you are able to join us on this very happy occasion.

Judge Robinson, let me say to you before we begin, that Chief Judge Mikva could not be here today; and he has advised me that because of a longstanding out-of-town commitment he could not be here—and I quote from him—he could not be here at your hanging.

But he did ask me to give you his warmest regards.

At this time I would like to recognize the special guests who are present.

I recognize the Honorable Kenneth Starr, solicitor general of the United States; the Honorable William Sessions, director of the Federal Bureau of Investigation.

There are many members of Judge Robinson's family present in court today. Among those members of his family who are present are his wife, Mrs. Doris A. Robinson; his daughters—Paula Collins, Sheryl Robinson, and Jacqueline Washington; his granddaughters, Sara and Julia Collins; his son-in-law, Charles Collins; his brother, Charles Robinson, and his wife, Yolanda, and their daughter, Lisa; his sister, Gloria Lowry, and her husband, John; his uncle, Earl Jackson, and his daughter, Yvonne Malone; his brother-in-law, Daniel Collins, his wife, Dereath, their son, Edward, and grandson, Edward, Jr., and granddaughter, Hilleray; and his sister-in-law, Gertrude Robinson, and her son, Spencer.

And we certainly welcome you all to court.

I would also recognize the presence in the courtroom of members of the Court of Appeals for this circuit and members of the Court of Appeals for the District of Columbia and from the Superior Court and other courts in this area.

I would also recognize in the courtroom the present and former law clerks of Judge Robinson, also the members of his staff.

And, of course, I would recognize the artist, Mr. Simmie Knox.

At this time I would like to recognize retired Chief Justice Warren E. Burger.

Justice Burger.

JUSTICE BURGER: Thank you, Chief, and my colleagues.

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I was thinking as you were talking that ten years before our young friend Aubrey came to this court, I had been among the Court of Appeals; and it's getting to be a long time ago now.

We have seen on this court some extraordinary judges over the years; and as I look around at these portraits, there are three times as many hanging as when I left here.

I think we take for granted, as we seem to take so many things for granted, the importance of this court. Without any question, it is one of the most important courts in the United States and including the one where I sat for a number of years up on the Hill.

Here you clear a lot of the debris away, and I am pleased that you invited me to come down and take part in this ceremony.

I have always regarded Aubrey Robinson as one of the best and ablest judges I have ever observed. When he presides over a courtroom and unless some strange lawyers walk in, everybody knows who is in charge of that courtroom. It's a stainless steel hand inside of a velvet glove.

And he has set an example for a great many judges over the years. We have been warm personal friends over all of these years since 1966; and I am pleased and proud, Aubrey, that you let me sit here today and take part in this process.

Thank you, Chief.

CHIEF JUDGE PENN: Thank you very much, Justice Burger.

At this time the court would recognize Mr. Charles A. Horsky, who is a distinguished member of our bar.

Mr. Horsky.

MR. HORSKY: May it please the court: I have been asked to speak today for Chief Judge Aubrey Robinson.

I do this constrained by diffidence, speaking in the presence of so many here who have known and admired Aubrey as a judge.

I've never appeared in Aubrey's courtroom, never had the first-hand experience of those judicial and administrative capacities which are exemplified by this occasion today.

The Aubrey I know is the other Aubrey, the Aubrey who has been and remains committed to the welfare of his community and the welfare of his country.

I came to know that Aubrey Robinson through the fortunate circumstance, that for more than a dozen years we served together on the Board of Directors of the Agnes and Eugene Meyer Foundation. Then, as now, the Board was charged with the responsibility of allocating limited resources to the most worthy of the multitude of projects designed to improve the quality of life in the District of Columbia.

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I marveled then and I marvel now at the wisdom and the insight that Aubrey brought to our efforts to identify the most worthy of the applicants.

Aubrey knew this community. He knew its strengths, its weaknesses, its troubles. He could distinguish projects which made a difference from those which probably would not, even though well-intentioned.

And more than that, he shared his knowledge and his insight with unfailing good humor, with full appreciation of the views of others on the board with whom he not always agreed; but whatever the result, the discussions which Aubrey participated in were always illuminating and the vote was almost always unanimous.

Perhaps I should not have been surprised by Aubrey's contributions to our discussions for he brought to us a wealth of experience. During his years of private practice before he became a judge, he seems to have spent as much time in helping with the problems of society as with the problems of his clients.

Let me mention a few items: on the national level, he served as general counsel and soon was a director of the American Council for Human Rights; he served as a director of the Family Services Association of America; locally, he was a director of the family and child services in Washington; he was a director of the Washington Action for Youth and a director of the Barney Neighborhood Settlement House.

He also managed to squeeze in a lot of time and work on the budget committee of the Local Health and Welfare Council. He was a trustee of the United Planning Organization. He was a member of the executive committee of Citizens for Better Public Education.

Most of these associations ended, of course, when Aubrey ascended the bench, but his social conscience carried on.

He has been on the executive committee of the Inter-religious Committee on Race Relations; he is a trustee of the Washington Center for Metropolitan Studies; he has been on the consortium of universities in the Washington area; and he is on the American Bar Association committee on courts in the community.

And, of course, for more than a dozen years, he has served on the Meyer Board.

This then is the Aubrey, the non-judicial Aubrey, that I know and admire, a caring man, a human being in the full sense of those words.

To be sure, the same experiences and those same characteristics have made Aubrey, the judicial Aubrey, a great judge; and I'm proud to call both Aubreys my friend. It is a friendship I continue to cherish.

Thank you.

CHIEF JUDGE PENN: Thank you very much, Mr. Horsky.

At this time the court will recognize our colleague and Senior Judge, William Bryant.

JUDGE BRYANT: I had prepared some remarks that I knew were inadequate for the occasion; and then around noontime today, I saw Judge Robinson's daughter Paula. And I have elected to take some liberties which I hope our long association and my advanced years may entitle me to.

The sight of Paula brought a surge of memories to me. I thought about the fact that Judge Robinson and I entered practice at about the same time; our children came along about the same time; at one time our houses were virtually back-to-back; and many comparable experiences we had, not all of which were pleasant.

But, naturally, many changes have taken place over the years; for instance, Aubrey's hair is no longer the same color, but I believe it's still all there. And his weight, although it hasn't changed much, it might not still be in the same places it was.

But, in truth, you have not changed one iota. That strong sense of what ought to be done to create a fair result and your willingness to express it is one of the outstanding characteristics that was noticed in you from the very beginning.

It came through in your day-to-day social relationships; it has come through loud and clear on many occasions during your tenure on the various boards of directors that Mr. Horsky talked about just now. These organizations are about the activities that directly impact on the quality of life for so many thousands of people. They are indebted to you for your contributions in the sense that I've described.

It is that same characteristic that has sparked your brilliant judicial career which is still ongoing thankfully.

I wanted to take this opportunity to publicly express my feelings that I so fortunately have had through long association with Judge Robinson and especially that portion of it which spans over a quarter of a century of service on this court with the wonderful colleagues that we have—this court which I think is the best United States District Court in the country, and this is despite what the Court of Appeals might say about it from time to time.

But, again, I want to publicly express my appreciation for the long association, and I'm very happy that Judge Robinson is still with us.

And I would like to make one closing comment. Someone said to me once, "you know, from time to time, Judge Robinson is kind of gruff"—and I nodded my head in a noncommittal fashion—"but he's not mean."

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And I explained to him the reason for that is that he's not mean; he has no meanness in him at all. And the reason for that is that he has the opportunity from time to time to drain off that meanness by hitting a golfball. He takes out all his meanness on a golfball.

And I look forward to some day during his newly-acquired status that we might share even that experience.

I'm happy to be a part of this program.

CHIEF JUDGE PENN: At this time I would call upon Paul L. Friedman, a former law clerk of Judge Robinson.

MR. FRIEDMAN: Chief Justice Burger, Chief Judge Penn, members of the court, Judge Robinson, Doris, Paula, Sheryl, Jackie, friends and family of Judge Robinson: I'm very honored to speak today on behalf of all of Judge Robinson's former law clerks on the occasion of the presentation of his portrait to this court, the court he loves, the court he has served so well.

Twenty-four years ago—it's hard to believe—but 24 years ago, Judge Robinson decided to take a chance on a young law student from a lesser known law school in upstate New York. He invited me to Washington and opened up a whole new world in the law and in life's opportunities for which I will never really be able to thank him adequately.

And I'm not alone in that experience. There are 28 other former law clerks, many of whom have come here today from all over the country, to whom Judge Robinson gave opportunities that might not otherwise have been available.

He believed in opening doors for people, giving them a chance, a helping hand, a little guidance—and then challenging them in every possible way to assure that they can make it on their own.

As has already been suggested, some who appear in this courtroom have said he is tough, intimidating, firm, difficult to read. I have been there and that is sometimes true.

But those with the privilege to know him outside the courtroom also know that he is personable, engaging, compassionate, funny, kind, and solid as a rock.

In and out of court, he doesn't suffer fools or foolish arguments but tries to treat people equally, fairly, and with justice.

Judge Robinson has always had two simple rules, pretty good rules for a trial judge, I think. First, don't waste the court's time. The lawyer who is well prepared and gets to the point will get Judge Robinson's attention, his respect, and sometimes what the client wants.

Second, as has already been suggested, it must always be remembered there is only one person in charge in Judge Robinson's courtroom. His view of how to run his court comes from the real

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world and some good old-fashioned common sense, neither of which is left behind when Judge Robinson puts on his robe.

And he tried to teach his law clerks some of that. He tried to teach us to be independent, practical thinkers, to carefully analyze the problem and its possible solutions; and then only after thinking it through on our own, to come to him to discuss it.

I remember once during my clerkship—and I know that all the others here today have similar stories—he asked me to look at papers in a complicated civil motion overnight. The next morning as I began to describe the argument and the parties and the holdings of the cases, he interrupted: “Who deserves to win this motion?” he asked. “Who got hurt here—the plaintiff or the defendant?”

I hadn’t thought about that. He told me that was precisely what I should think about and only then, with that in mind, should I look at the case law.

If the cases supported what seemed to be the just result, he said we were on solid ground; but if there was a divergence between the facts and what the law seemed to require, either we were assessing the facts and equities wrong or reading the cases wrong; or just maybe, he said, the law simply did not support what seemed to be the fair result in the circumstances.

And in that case, he added, the trial judge must follow the law, like it or not.

Judge Robinson is decisive; you know where he stands, what he thinks is right, and what he thinks the law and justice require.

As a young lawyer he fought for civil rights, for human rights, for the youth of this city often quietly and without fanfare.

For example, I never knew until hearing about it a month ago that Aubrey Robinson was the named plaintiff in the lawsuit challenging the whites only policy of the library that then served lawyers and was housed on the third floor of this courthouse. The suit was settled with the integration of the library.

In the intervening years Judge Robinson has demonstrated continued commitment to justice and to civil rights and liberty as Mr. Horsky has already described.

As Chief Judge, his leadership in implementing the committee on pro se litigation, in creating a federal public defender’s office, in obtaining conditional approval of inmate grievance procedures—all attest to his commitment.

Judge Robinson is also known for getting to the heart of a matter quickly but always keeping his eye on the practical.

A judge from another district recently told me that Judge Robinson is universally respected for speaking forthrightly and

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with passion for what he believes, yet also is very often the one who successfully mediates and conciliates different points of view, is a member of many U.S. judicial conference committees to which two Chief Justices have appointed him.

He has a reputation for summing up fairly the pro's and the con's of a debate, in leading a group to a reasonable decision even if not precisely the one he himself had advocated.

As Senior Judge Robert Peckham has said, "he has the great virtue of being able to state his mind without sowing the seeds of disunity."

And I suspect that is also one of the many reasons he is so esteemed by his colleagues on this court. He respects their independence but doesn't shy away from providing strong, decisive leadership.

It may take the form of quiet behind-the-scene persuasion or open, vigorous advocacy. He leads through the force of his personality, the logic of his position, and his good common sense.

That is why and how he became one of the truly great chief judges of this or any other court. That is why and how he was able to spearhead so many improvements in this court related to the jury system, alternate dispute resolution, court management, and more.

And he did all of that while still handling an important time-consuming and sometimes controversial case, the Jonathan Pollard case in which the Court of Appeals today spoke again and affirmed Judge Robinson. In addition, he handled the Scientology, the Black Hebrew, the Korean Airlines Disaster, the Constitutionality of the Independent Counsel Statute, Marion Barry Versus Joseph DiGenova, the Northwest Airlines Flight Attendants Sex Discrimination Case, to name only a few.

And then, finally, I should mention Judge Robinson's contribution to our local court. Not only was he an outstanding juvenile court judge before coming to this court; but in recent years he has made more indirect, but equally substantial, contributions to the quality of superior court and the D.C. Court of Appeals.

His role as a member of the D.C. Judicial Nomination Commission and the emphasis he has placed on merit, competence, and experience above everything else will probably never be fully appreciated.

That so many people are here today attests to the fact that Aubrey Robinson is respected and loved as a person who has made and will continue to make a difference. Over and over again he has taught us all by his own example.

And on behalf of his former law clerks who as young lawyers right out of school came to learn and found ourselves learning

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about people and values as well as about the law, I say, "you have taught us well, Judge Robinson, and we thank you."

CHIEF JUDGE PENN: Thank you very much, Mr. Friedman.

At this time the court would recognize Judge Robinson's daughter, Paula Elaine Collins.

MRS. COLLINS: I've been asked to give a tribute to Judge Robinson, alias "Poppy," on behalf of the family.

My first memory of my father, one of my very first, was in nursery school. There we were at mid-day at Mrs. Howard's Garden of Children assembled for lunch when, like a miracle, my father appeared carrying a cake.

It was my birthday but I couldn't imagine why he was there—my parents were off to work in the morning and we saw them again at night—how could someone appear in his business clothes in the middle of the day to celebrate my birthday. It must be a national holiday. That was the only explanation I could think of at the time.

Many years later, I found out that he was, in fact, a struggling attorney who had dared to ask the judge in his trial for a recess so that he might deliver his daughter's birthday cake.

That birthday has been a real lesson to me in the importance of hands-on commitment to parenting. The example that he set is one which I have tried to follow, as have other members of my family.

I think that this example and others that come to mind really herald a number of values that were awfully important and that my father has embodied throughout his life.

The emphasis on family is so great that I can remember my young sister Sheryl being asked what her father did for a living; and after pausing, she replied, "he cuts the grass and he washes the car."

Thankfully Jackie joined the family many years later, the only daughter to become a lawyer, and she is the one, in effect, who can communicate with him on his own level.

When I think of the values that he imparted to us, one of the most important is the foundation of unconditional love and support regardless of mistakes or choices which we were encouraged to make on our own, including boyfriends or politics.

His love and advocacy has been a constant source of security throughout our lives and set the standards which we feel we were told.

Another value which was stressed is the importance of making decisions. The Rockies may crumble, Gibraltar may tumble, but at our house there was never a lack of clarity on the course of action that was preferred.

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It comes as no surprise to me that my younger sister Sheryl has become a maestro in the hospital emergency room as a nurse where split-second decisionmaking is the rule of the day.

Another value that was stressed was not only making decisions but making the best decision possible given the information on hand at the time.

My father's record of legal decisions is noteworthy and is one of which we all are extremely proud.

In his personal life, I think there's no doubt that the best decision he's made in the last 19 years is the one when he asked Doris Washington to marry him; and fortunately for all of us there was no appeal.

Doris is our emotional center, and she leads the way for us, exemplifying spousal support without subservience, friendship without strings, calm motherhood, and honesty always delivered with grace.

I'm sure it comes as no surprise to most of the people in this room that another value stressed and exemplified by my father is the value of hard work and tenacity. A corollary principle is the wisdom of conducting one's professional life in the company of those who value excellence, people who in his words are "the real deal."

Those with whom he has worked during his ten years as Chief Judge exemplify this value. His judicial colleagues are the part of legal legends. He has a series of law clerks whose credentials read like a cavalcade of stars. And staff members—Gloria Johnson's picture floats to mind at the helm of the entire operation.

He is fortunate to have worked among colleagues such as you, and we appreciate the contribution which you all have made to justice in America.

When the words "family values" are mentioned these days, especially in a political context, we can become a little skeptical. I'm never quite sure if they mean real families or the Donna Reed Show.

But I do know what my father has meant and means when he says "commitment to family values." He means caring and doing the right thing. It means laughing as much as possible around the dining room table. It means standing in for the long haul, being willing to self-correct, being available to listen and to forgive.

My father espouses these qualities not because they are things that come easily to him necessarily, but because of his innate integrity and love.

The large numbers of our extended family who are here today who come from far and wide to join us are examples and testimony to the fact.

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~~Let me close by citing the last value that I feel is really so important in my father's personal life and in his professional life. He has embodied and passed on to his grandchildren a true sense of place in history and a condition of entitlement.~~

The pride we feel in reading about a landmark decision in the paper, especially those involving the life of minorities, women, and the poor, is a pride that's very personal. It's also very empowering.

He's increased the generational data base for what we know we can achieve as African-Americans and what we deserve as human beings.

James Baldwin expresses this thought better than I could in describing the work of Alex Haley. He said: "*Roots* is a study in continuity, a study in consequences, of how people perpetuate themselves, how each generation helps to do or helps to liberate the coming one.

"It is the action of love and time; it suggests with great power how each of us, however subconsciously, cannot be but the vehicle of a history which has produced us."

You have given us both roots and wings, Dad, and a legacy which we treasure. We look forward to joining and enjoying the chapters which follow.

CHIEF JUDGE PENN: Mrs. Collins, you have a right to be extremely proud of your father, and I must say that your father has the right to be very proud of all the members of his family.

At this time the court will recognize Grace E. Speights, who is a former law clerk of Judge Robinson, who will present the portrait.

MS. SPEIGHTS: Justice Burger, Chief Judge Penn, Judge Robinson, members of the court, and distinguished guests: it is a great pleasure and an honor for me on behalf of the law clerks, friends, and the family of Judge Robinson to present to the court his portrait.

We present this portrait to the court as a symbol of our respect, admiration, and love for Judge Robinson.

We are all appreciative of his magnificent performance for 25 years as a judge of this court and of his leadership for almost ten years as this court's Chief Judge.

The portrait was painted by Mr. Simmie Knox of Washington, D.C. Mr. Knox is a well-known artist and has painted portraits of many judges in this city, including Judge Spottswood Robinson, Judge Theodore Newman, and the late Chief Judge Carl Moultrie.

Mr. Knox also painted the portrait of Justice Thurgood Marshall.

Chief Judge Penn, as Judge Robinson's portrait is unveiled by his granddaughters, Julia Elizabeth and Sara Dereath Collins, I

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would ask the court to accept the portrait and place it on display in the courthouse in recognition of Judge Robinson's faithful and dedicated service to this court.

We hope that the portrait will continually remind everyone of our respect, our admiration, and love for Judge Robinson and of the shining example that he has set.

Thank you.

CHIEF JUDGE PENN: And now, ladies and gentlemen, we have reached that moment that we have waited for.

Judge Robinson's granddaughters, Sara Dereath Collins and Julia Elizabeth Collins, will now unveil the portrait. [The granddaughters comply and there follows thunderous applause.]

CHIEF JUDGE PENN: May I ask Mr. Simmie Knox to stand so we can all see him. [Mr. Knox complies followed by more applause.]

CHIEF JUDGE PENN: Judge Robinson, from our vantage point, I at this point still cannot see the portrait.

I suspect it shows a man who is firm and decisive yet fair and compassionate. And I suspect it also shows that little twinkle of humor that we all know you have.

I am sure, Mr. Knox, that you have truly captured our colleague.

We want to thank Judge Robinson's law clerks for this splendid gift to the court.

I accept this portrait on behalf of the United States District Court for the District of Columbia. The portrait will be hung in this room; and as you can see, it will join distinguished colleagues.

When we look at this portrait, we will be reminded of the service that Judge Robinson has given to this city, the bar, this court, the judiciary, and his country.

Now we will hear from the honoree, Judge Robinson.

JUDGE ROBINSON: Chief Judge Penn, Chief Justice Burger, my colleagues, family, friends: Chief Judge Penn said that Chief Judge Abner Mikva of the Circuit Court wrote in a note that he was sorry but another commitment prevented him from being here at my hanging.

I am going to tell Chief Judge Mikva the next time that I see him that hanging isn't so bad. It isn't so bad when you're among your colleagues with whom you have served these years; when you can have the kind of warm reception I had at lunch from my staff—and I see some of them here; when you are surrounded by your family and friends—I've looked at the audience and I've seen people that I haven't seen for ages. It's not because we haven't wanted to see each other; it's just because we've all been very busy.

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I have been afforded an unusual opportunity to express my appreciation to my colleagues by the dinner extended to me last week. I had an occasion today to express my thanks to the members of the staff of the court. Now I have the opportunity to extend those thanks beyond the court family to the members of the practicing bar who are here and to my many friends because you have all been a part of this in some fashion.

I have stated that whatever may have been accomplished during my tenure as Chief Judge during the last 10 years could not have been done, not a bit of it, without my colleagues and staff. And much of what we've been able to do and much of what we still have to do would not have been done and will not be done without the active participation of the members of the practicing bar, some of whom are right here in this room today.

I hope that I get a chance to thank each one of you individually; but if not, I will thank you en masse.

And the same is true about family, who can understand what we do and why we do it; and, of course, I have had someone right at my side who has understood better than anybody what it's like to be a spouse of a judge because we worked together for six years and then 19 years as husband and wife. So she, with real empathy, real understanding, real undergirding, has made a difference.

I was told less than an hour ago in my chambers that I was to be brief. It was emphasized by the fact that if I did not shorten my remarks, most of my family would get up and walk out. And at least those on the paternal side are almost as decisive as I am.

I thank you from the bottom of my heart for everything. Thank you. [There follows prolonged applause.]

CHIEF JUDGE PENN: Thank you, Judge Robinson.

I would again like to say to all of the persons in the courtroom we do thank you so much for being here when we honor our friend and our colleague.

Chief Justice Burger, we do very much appreciate your joining us for this happy, happy occasion.

Now, ladies and gentlemen, when we adjourn, we will step off to the left so that the judges of the court may view the portrait, meet with Judge Robinson, and also meet with members of his family.

I also say to you that I invite everyone to attend a reception which will immediately follow this presentation. That reception will be held in the judges' dining room on this floor.

Thank you very very much for being here.

Deputy Marshal Crew.

DEPUTY MARSHAL CREW: All rise.

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This honorable court stands adjourned until return of court.
[Thereupon, proceedings concluded at 4:45 p.m.]

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