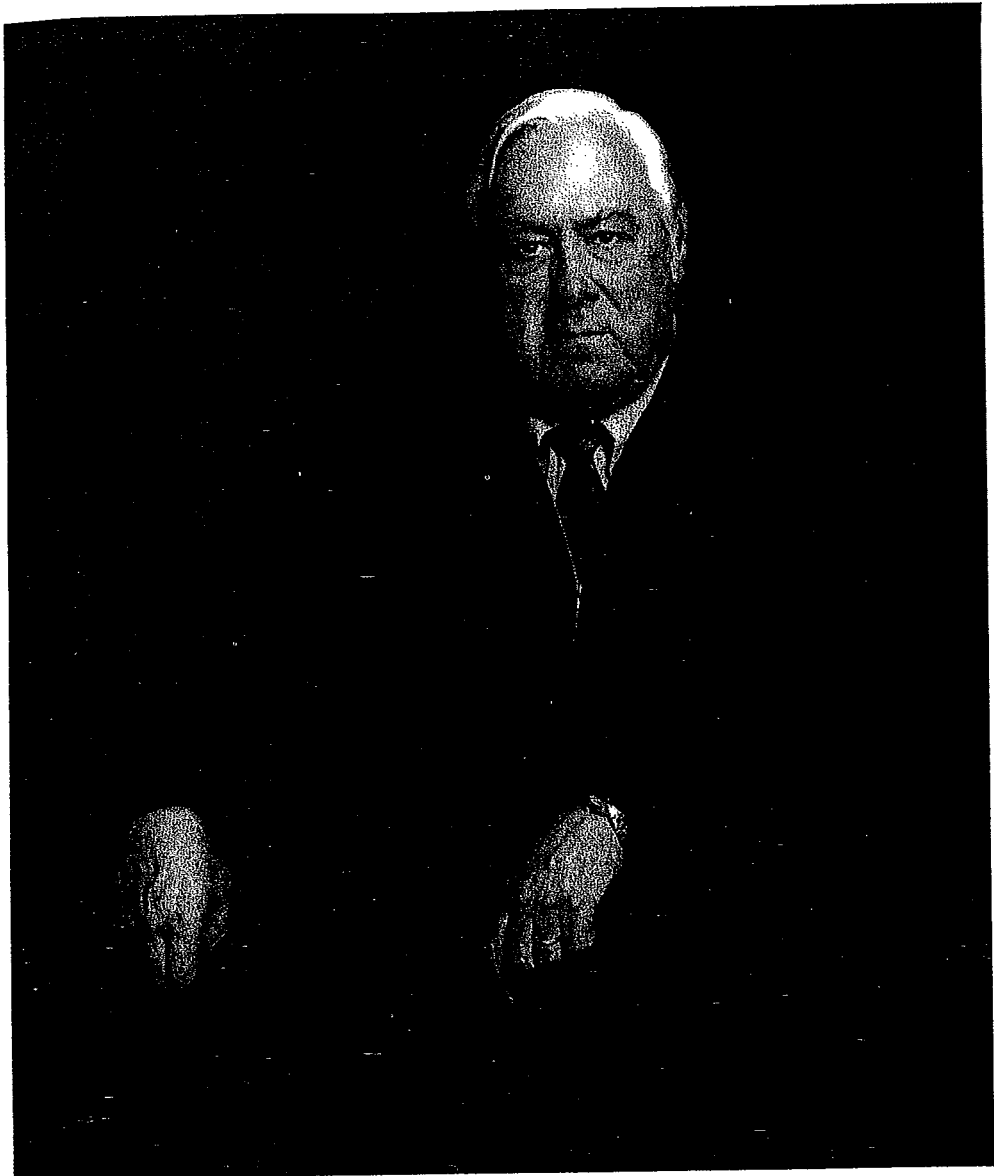


United States District Court
for the District of Columbia

Anveiling of Portrait
HONORABLE
THOMAS PENFIELD JACKSON

Ceremonial Courtroom
United States District Courthouse
Washington, D.C. 20001
Thursday, June 26, 2003
4:00 p.m.



HONORABLE THOMAS PENFIELD JACKSON

Proceedings

CHIEF JUDGE HOGAN: Thank you, Marshal.

Ladies and Gentlemen, I extend a warm welcome to each of you.

We have the pleasure to be convened today for the presentation and receipt of the portrait of our Senior Judge Thomas Penfield Jackson, a treasured colleague and a dear friend.

It is with pleasure now we recognize our judges of the United States Court of Appeals for the District of Columbia Circuit, who are with us; the judges of the District of Columbia Court of Appeals; the judges of the Superior Court of the District of Columbia; our magistrate judges; and Judge Teel, our Bankruptcy Judge.

We have the pleasure today to welcome back two of our retired colleagues, Judge Tom Flannery and Judge Joyce Hens Green. We enjoy them so much and thank them for coming with us.

There are some special guests that will be recognized, I think, by the speakers shortly. I am pleased to recognize now the members of Judge Jackson's family who are here today with us. Among those present are his wife, Patricia King Jackson; his daughter, Sarah Jackson Han; his son-in-law, Edward Han; and his granddaughters, Gillian and Genevieve, I believe, are here. We welcome all of you to our court.

I would like to recognize in the courtroom the present and the former law clerks of Judge Jackson, as well as members of his staff who are here today.

We also have the artist, Mr. Peter E. Egeli. And we thank you again for coming with us.

Now, ladies and gentlemen, I am pleased to recognize at this time Mr. Kenneth Wainstein, a former law clerk and now Chief of Staff to the Director of the F.B.I., who will introduce the guest speakers today and present Judge Jackson's portrait.

Mr. Wainstein.

MR. WAINSTEIN: Thank you, Chief Judge Hogan. Good afternoon, everybody. My name is Ken Wainstein. I am a law clerk of Judge Jackson's. I served with Beth Golden with Judge Jackson and his chambers staff in 1988 and 1989, and it is a true honor to participate in this ceremony honoring Judge Jackson.

I will be introducing three distinguished speakers today who will speak about their friendship and knowledge of Judge Jackson and the time that they have spent with him. I will then make a few remarks on behalf of the law clerks, who are all assembled here today, and then introduce the artist, Mr. Peter Egeli, who painted what you will see is an absolutely stunning portrait. And his family will then unveil the portrait for all to see.

I would like to introduce our first speaker, who is Mr. Nicholas S. McConnell. He is an attorney here in town. He is the director and a former managing partner of the law firm of Jackson & Campbell, P.C., which he joined after a graduating from

UNVEILING OF PORTRAIT

law school at George Washington University back in 1972. He is the current president of the Bar Association of the District of Columbia, of which Judge Jackson was, in fact, president at the time that he was nominated to the bench. And he is also a fellow of the American College of Trial Lawyers.

Mr. McConnell.

MR. McCONNELL: Thank you, Ken, for the kind introduction.

Chief Judge Hogan, honored jurists, Tom, Pat, Mr. Egeli, family members (and I include all of Tom's law clerks in that circle), colleagues, friends and guests: I think I know why I have been asked to speak today. Three ways to take the measure of an individual and come to an appreciation of his or her qualities of personality and traits of character would certainly include, upon completing your professional education and entering into the practice of law, having this person take on the role of your mentor for the first years at the bar; then again, be invited to join with this person as a partner in a small law firm of 18 to 20 lawyers and practice together as partners for five years before the person leaves the firm to accept the honor of a federal judicial appointment; and, third, when the person has left the firm, why, by all means, join with him in yet another partnership, only this time, make it the ownership of a boat. Just to be sure the relationship is an interesting one, make it a partnership of three people, one being the federal judge, and the other two partners in the same law firm, litigators and trial lawyers, both paid to bark at others all day long. Add further interest by assuring there isn't a shred of paper describing the terms and conditions of this partnership or defining the rules of the game. Do it on a handshake. For final good measure, defer to the wishes of the lifetime presidentially appointed judge and name the boat "Nisi Prius." That's Latin for a court of original jurisdiction. That's the very type of court to which this judge had just been appointed. And then dock your boat, not around the upper crusty regions of Annapolis or over on the eastern shore, but take it on down to the southern waterways of the Chesapeake Bay.

Here I digress immediately. On leaving for a sail, the first rule of boating safety is to conduct a radio check of the marine radio. Now, this assures communication with those on shore in the event aid or assistance is needed.

Our boat was docked at Solomon's Island, and the radio check for "Nisi Prius" invariably went something like this:

"Nisi Prius, Nisi Prius, radio check, over."

"Nisi Prius, Nisi Prius, radio check, over."

"That boat. Radio check, Lat. 38-20, longitude, 76-30. Over. Out. That boat."

The Nisi Prius quickly garnered a certain cachet, a *je ne sais quoi*, among the watermen down on the southern Chesapeake Bay.

I suspect these are the circumstances that bring the privilege of being with you this afternoon and speaking at this moment.

Turning back to 1972, having graduated from law school, I more or less wandered into a job at the then firm of Jackson, Gray & Laskey and there met Thomas Penfield Jackson.

It was a small, general-practice firm with an emphasis on litigation. The firm's leading partner, Thomas Searing Jackson, was Tom's father and well-known to

HONORABLE THOMAS PENFIELD JACKSON

many of you here today. An imposing figure and a leader of the bar, "T.S.J.," as he was known to us within the firm, had also been President of the Bar Association of the District of Columbia in 1962. But it was "T.P.J." Thomas Penfield Jackson, who became my mentor—tenacious litigator, drafter of elegant pleadings, and author of briefs with burnished prose. It was Tom who introduced me to the ways of a trial lawyer and indulged my sometimes slower-witted approach to complex matters. It was Tom who would take me to lunch and enjoy telling stories, frequently self-effacing, which seemed to add all the more to the enjoyment of their telling. I remember well, although he has probably long since forgotten, the story of an event during his last year in law school.

Then married and returning to the married-student apartment building after an arduous day, it became apparent, upon entering the building, that some poor soul was about to have fried liver and bacon for dinner that evening. The odor permeating the hallways made that clear. As he ascended the stairway to the second floor, the odor became stronger. The third floor, stronger still. Opening the door to his apartment simply confirmed what had been to that point merely a deepening, dark suspicion. Do not ask for whom the bell tolls. The liver and bacon has been served.

Ours was a small firm with relatively few major clients. It was Tom Jackson who handed me, a young associate with only one or two trials as a "second chair" under my belt, the file in a significant case for an important client to take that matter—not for purposes of settlement, but for trial. For someone who wants to become a trial lawyer, that's an important step and act of faith on the part of his mentor.

In 1976, the firm merged with Douglas, O'Bear & Campbell, bringing Edmund D. Campbell into our midst, another distinguished pillar of the local bar who had been T.S.J.'s immediate predecessor as President of the Bar Association.

The following year, I was made a partner in the firm, and the significant shift from "mentor-mentee" relationship to "partners" in the practice of law was under way. It was a time of continuing professional enrichment and growth. The hallmarks of the firm and the relationships among the partners included respect, an open door, and responsibility to the profession. Tom exemplified that tradition by his own growing reputation as one of the city's premier trial lawyers and his election as President of the Bar Association.

As Ken has already pointed out, in 1982, his year of election to the Bar Association, he was also nominated by President Reagan to the federal bench, received his commission and took his seat.

So we bought Nisi Prius. The highlight of the ownership—leaving aside the crashing of the rudder on the second voyage of its ownership, under circumstances which remain unclear (I was not onboard, but I understand they included bad weather at night and the entrance to a tricky harbor on Coomb's Creek off Breton Bay)—was the annual owners' cruise. Each year, the three owners—Tom, Mike McManus, and I—with spouses or significant others, would put as much food and libations on board as would decently provision a battleship for a month and set sail for a weekend. The sail would last the minimum distance necessary to qualify as a journey. The immediate task was then to find safe anchorage and turn to the simple pleasure of being onboard with long-time friends and colleagues, watching the sun set on what must surely be one of the most beautiful sailing grounds in the world.

UNVEILING OF PORTRAIT

Have you heard of Vera's? Vera in an earlier lifetime was the temptress of the entire southern Chesapeake Bay. Her establishment, safely out of harm's way along the Patuxent River, consists of a huge tiki-like restaurant and bar, with docks extending into the water for the yachtsmen trade. It comes complete with umbrellas in the drinks and plastic leis (if food is ordered). And for the enjoyment of all patrons, portable palm trees festooned with Tivoli lights are wheeled out of a greenhouse into place for the summer season. Vera's was a favorite destination of the owner's cruise.

These were great times with great memories when Tom, with all the pressures of his judgeship miles away, and Pat at his side and his friends nearby, could relax and tell his liver-and-bacon stories.

The partnership in the Nisi Prius has long since been amicably resolved. But Tom and Pat remain consummate hosts for weekends in the country at their beautiful home on what is truly a perfect point of land fronting on Coomb's Creek and looking out over Breton Bay in St. Mary's County.

And so it comes full circle. We're back in Washington on what is a happy occasion, gathered in a building that has housed immense events in the nation's history. We are here to honor Tom's service to our country. He is here as a federal judicial officer, beloved spouse, proud father, beaming grandfather, colleague, mentor and friend.

Without placing an undue burden on the shoulders of Peter Egeli, the distinguished artist who has created this portrait, what I would hope to see captured here, distilled from 30 years of friendship, is Tom's seriousness of purpose, his love for the law and for his country, quick intellect, loyalty to friends, pride in his accomplishments, affection for his family, and the slight hint of a smile that another liver-and-bacon story is about to be told.

Tom, it has been my honor, and I thank you.

(Applause)

MR. WAINSTEIN: Thank you, Nick.

It's now my pleasure to introduce the Honorable Judith E. Retchin as the next speaker. Judge Retchin started her career as a trial attorney with the Civil Aeronautics Board and then after that was a trial attorney at the U.S. Department of Justice, Antitrust Division. She then went from the Antitrust Division to what is, inarguably, the best United States Attorney's Office in the country, which is the U.S. Attorney's Office here in Washington, D.C. She served there for about eight years, prosecuting hundreds of felony prosecutions in federal court and in the D.C. Superior Court and specializing in public corruption prosecutions, one of which was a very celebrated and important case that she tried before Judge Jackson.

In 1992, she was elevated to the bench, and she now is an Associate Judge in the D.C. Superior Court.

Judge Retchin.

JUDGE RETCHIN: Thank you, Ken.

Friends, family, colleagues of Judge Jackson and Judge Jackson: and you will always be Judge Jackson to me inside the Court. I will call you "Tom" outside the Court, but you will always be Judge Jackson to me inside the Court.

HONORABLE THOMAS PENFIELD JACKSON

And my greatest connection with Judge Jackson is that I did spend approximately two months with him trying a very high-profile case, the trial of United States versus Marion Barry. And if memory serves me right, we began the trial on June 26th, 1990. So it's 13 years from today.

And I am very anxious to see what this portrait is going to show of Judge Jackson because during the two months that I appeared in front of him, almost daily I got to see so many expressions on Judge Jackson's face. I saw him look at me disapprovingly when I did not have the case citation or the case authority for the proposition I was relying on immediately at my fingertips. And after I saw that look the first time, I never came unprepared. I think I was more prepared for every objection that did and did not come because of Judge Jackson's look and wanting to make certain that he understood that this is what we believe the law to be, and he would be able to have confidence if we were advancing a particular position.

So although I saw his look of disapproval, I only saw it once. I saw often a look of determination to make sure the case proceeded efficiently and a no-nonsense look to make certain that we got through a witness' testimony on a particular day, trying to make sure that the trial was not unnecessarily long for the participants, the jurors, and the community. So I imagine I am going to see a look of determination when I look at the portrait.

I saw him smile. Nick talks about a little smile. I think I saw Judge Jackson laughing at times during the trial, when it was appropriate. He was always appropriate for the moment. There were times when there were bench conferences. Although it was a highly charged atmosphere outside the court, inside the court it was very cordial, and he was gracious and made all the participants feel comfortable.

I recall the joke that Judge Jackson told at the bench about the difference between being a trial judge and an appellate judge, and I know I have told that story before. So I am not going to tell it again.

And just talking about Judge Jackson always being appropriate, I saw Judge Jackson with a straight face even though jurors and spectators were reacting, and I believe Judge Jackson was acting appropriately in maintaining that straight face.

So I have so many memories of his expressions and so many memories of Judge Jackson. And these memories have morphed for me into genuine feelings of respect, admiration and fondness, and primarily due to the way he conducted such a high-profile, high-intensity trial.

There was such media frenzy surrounding the investigation and trial that by the time the trial came, papers were reporting on what I was eating for lunch and what the judge was wearing under his robe. Cameras filmed us walking to and from the court and driving to and from the court. There were artist renderings of the judge in the paper almost every day, and despite the constant excitement and pressure, and even though there was shouting and demonstrating outside the court, Judge Jackson set the professional tone inside the court.

He maintained decorum and dignity in the courtroom. He demonstrated patience, thoughtfulness and thoroughness, all the characteristics we want our judges to have.

UNVEILING OF PORTRAIT

And as an aside, I had many non-high-profile cases with Judge Jackson, and he conducted himself the same way, even in those cases that were more routine where there were no spotlights and no courtroom artists.

And it was Judge Jackson's ultimate responsibility to assure that the mayor received a fair trial, and I believe he did just that. And I believe the Court of Appeals confirmed the fairness of the trial. And additional confirmation is the fact that the appeal was handled by William Kunsler and Alan Dershowitz, two of the best appellate names in the country, and still the mayor's conviction was affirmed.

So having been through such a high-profile, high-pressure experience with Judge Jackson, I will always feel a special bond for you. I think of you with genuine affection, respect and admiration. And no matter which expression is captured in the portrait, I look forward to seeing your portrait join the ranks of so many legends from this fine bench.

(Applause)

MR. WAINSTEIN: Thank you very much, Judge Retchin.

I would just like to add, as I said, I was a clerk for Judge Jackson between 1988 and 1989. I had the pleasure of watching Judge Retchin try a number of cases before Judge Jackson and handle a number of matters before him. And I just would like to add that that adherence to decorum and professionalism, she showed every bit the same as she just described in the judge.

The next speaker is Mr. Joel Brinkley, who is a reporter, editor and foreign correspondent, or has been one or the other of those three roles for the New York Times since 1983. He has won a Pulitzer Prize and a dozen or so more national journalism and writing awards, and he is the author of three books, including U.S. v. Microsoft, the inside story of the landmark case. He is currently a Washington correspondent for the New York Times.

Mr. Brinkley.

MR. BRINKLEY: Thank you.

Judge Jackson and honored guests: first, I want to tell you how pleased I am to be here speaking on behalf of a man I so admire. My admiration for Judge Jackson results from a variety of experiences, not least of which was his mastery of the highly technical, conflicting and at times wholly illogical arguments in the Microsoft antitrust case.

Those arguments reminded me at times of the way farmers weigh hogs in eastern Kentucky, where I worked early in my career. They place the hog on one end of a balance—a see-saw sort of thing—and then they stack some rocks on the other side of the balance until they're equal, and then they try to guess how much the rocks weigh.

You see, I first met the Judge while covering the trial for the Times, and I sat in his courtroom day in and day out for more than a year. And, from that perspective, the judge up there on the bench grew to be this towering mythological figure in our minds.

"Judge Jackson," I once wrote, "sounded and looked almost as if he was sent from central casting for the part—a big man, white hair, avuncular, and a deep sonorous voice of authority."

HONORABLE THOMAS PENFIELD JACKSON

Listening to him in the courtroom back then, I recall the story Dick Wald, an executive with ABC News, told years ago about a famous veteran broadcaster who spoke at the memorial service for a friend. He was asked to recite the Lord's Prayer, and with that oh-so-familiar, deep voice of authority, just like Jackson's, he began, "Our Father, who art in heaven, hallowed be thy name . . ." When from the back of the church came a hoarse whisper, "I didn't know he wrote that!"

All of us observing the Microsoft trial came to view the legal case as rather one-sided. Put simply, the government was trouncing Microsoft, though, of course, the company tried to spin it another way. The wags walking down the courthouse steps each evening joked day after day, "another good day for Microsoft."

But Tom remained respectful, even deferential to the company and its leaders, even as the case turned against them. He once remarked to me, "Microsoft is a large and important company, innovative and admirable in a lot of ways." And he behaved that way in the courtroom, despite an incredibly poor showing on their part.

As I said, I am pleased and honored to consider Judge Jackson a friend. And I am a bit surprised, I have to say. After all, consider what the judge had to say about journalists in a judicial review article published a short time before the Microsoft trial opened.

"The relationship between a potentially newsworthy case and the press is roughly comparable to the relationship between a healthy organism and an infectious disease."

"The press," he added, "will feed on whatever it can, including the host, if its appetite is not sated."

Well, I'd like to assure all of you that I ate before I came over here.

Back when I was covering the Microsoft trial, I never expected to meet the judge, nor did I expect that I would end up playing what came to be a somewhat unfortunate role in the resolution of the case.

The Times wanted to publish a book on the case to come out shortly after the trial ended. I was one of authors, and I chose the assignment to write a profile of the judge. So in the summer of 1999, when the testimony was over, I wrote Tom a letter asking him if he would talk to me about his life, embargoed, of course, until the trial was over. And to my surprise, he responded. And I credit a bit of serendipity for that. You see, I am a proud graduate of Sidwell Friends School here in Washington. And Tom's lovely wife, Pat, is a senior officer at the school. And so Tom had heard of me.

Through that connection, Tom knew who I was and agreed to meet me. And we talked several times through the fall and found that we had lots in common. We both are Washington natives. We both grew up in Montgomery County. As a kid in my early years, I went to the Landon School, and at one point he attended St. Albans, which are arch rivals. And we both remember being let out of school on the opening day of baseball so we could see the Washington Senators play and, most often, lose.

I don't know how many of you remember the famous press conference at which Clark Griffith, who owned the Senators, remarked: "Our fans like home runs, and so we have assembled a pitching staff to please them."

UNVEILING OF PORTRAIT

Anyway, my agreement with the judge was that I would tell no one about our conversations and write nothing until after the final ruling. And when the final ruling did come in the spring of 2000, right away we published a 6000-word piece in the Times, and a short time later, a 350-page book, both of which quoted liberally from my conversation with the judge, as we had agreed.

All of that, plus an article in the New Yorker, led the Appeals Court to come down hard on Tom—unfairly in my view, which means little. I felt terrible, and I apologized to Tom, but he waived my apology away. He was gracious and magnanimous, offering exactly the generosity of spirit that I had come to admire in him.

And now we are friends, but as I look back over the last several years at the serendipity and unintended consequences of some of my actions in the Microsoft case and others, I chastise myself because, you see, I should have known better. I have been a journalist—a reporter, or an editor, or a foreign correspondent—for 30 years. So I have a fair bit of experience with unintended consequences.

For example, I was the Times' bureau chief in Israel some years ago, and soon after I arrived there, I wrote a profile of the prime minister then, a fellow named Yitzhak Shamir. And I spent a lot of time with the man and found him to be rather unappealing on a personal level, a humorless little man. But you can't say it just like that in the newspaper. But I think I made passing mention of the fact that Mr. Shamir was not tall, and I noted that he is not blessed with a great wit or a soothing public manner, the antithesis, I said, of a successful American politician. And it happened, though, that the Israeli press loved to pick up what we write. And sometimes there were translation problems. And in its front-page headline the next morning, the newspaper Hadashot wrote:

NEW YORK TIMES CALLS SHAMIR A STUPID DWARF.

That caused me a little trouble, as you might imagine, and I have to say in closing that Yitzhak Shamir was not nearly as forgiving as Thomas Penfield Jackson, which is one reason I feel privileged to be here on this day to honor you.

(Applause)

MR. WAINSTEIN: It is now my opportunity to speak on behalf of the 22 or 24 law clerks Judge Jackson has had since he became a judge back in 1982.

The first thing I would like to do, though, is I would like to read a letter from my immediate predecessor clerk, Allen Waxman. Allen couldn't be here today, but he wrote this very fine letter to the judge, and he asked that it be read to you:

"Dear Friends of Judge Jackson:

"I am sorry that I am not able to join in today's festivities, but I am honored to have been asked by the judge to offer a few words in commemoration of the presentation of his portrait today.

"I had the privilege of clerking for Judge Jackson during the early years of his tenure on the bench, and it continues to be one of the highlights of my professional career. As a former trial lawyer, the judge is an aficionado of the art of trial work and shared that appreciation with us as his law clerks. He pointed out to us the nuances of the trade and, through his demeanor on the bench and his interactions with counsel and

HONORABLE THOMAS PENFIELD JACKSON

jurors, he gave us great respect for the sanctity of the courtroom. Moreover, his intellectual curiosity, direct questioning of lawyers, and analytical skills brought meaning and understanding to the laws he was asked to interpret. It is only with the benefit of 15 years of practice across the country and the hindsight that brings that I can now truly appreciate what a unique pleasure it would be to appear before Judge Jackson.

“But the attribute I would most like to recognize on this occasion is the mentoring Judge Jackson gave all of us as his clerks. Both during the clerkship and in the years that have passed since then, either in his chambers, at his house in St. Mary’s, or at restaurants across town, the judge has been a stabilizing influence for all of us as we try to navigate the tumultuous waters of our careers. His compassion and empathy for our personal challenges, his perspectives on our varying jobs and posts, and his integrity in responding to our inquiries have been rewards that far exceed what we could have hoped for as law clerks.

“Early in my clerkship, the judge gave me advice that has served me well. If you look hard enough into any case, you will find something fascinating and compelling to seize upon. The advice could be applied equally well to most of life’s interactions. Sometimes, however, you need not look so hard.

“Thank you, Judge Jackson, for your friendship and for your guidance.

“Sincerely, Allen Waxman.”

I would like to take a moment to expand on what Allen said about Judge Jackson as a mentor and as a teacher to me and to all of my fellow law clerks. Judge Jackson started teaching me the very first day that I met him, which was the day that I interviewed for the clerkship position.

And I remember that interview as though it were yesterday, and it was far from your typical job interview. I remember that I was very excited about the opportunity of coming to meet the judge and maybe getting this job, but I had some trepidation about it.

I had heard a few things through the grapevine about Judge Jackson. I had heard that he was this no-nonsense judge, that he could be a tough interviewer, and I think I probably heard about that legendary withering stare that he sometimes casts down from the bench—I think the one that Judge Retchin alluded to earlier today—which, by the way, you have only seen it once. I think I saw it many times more than that when I was practicing before Judge Jackson. Anyway, it is the type of look that can strike fear into the heart of the most hardened litigator, not to mention a young second-year law student like myself. So I didn’t want to get stumped in this interview and be on the receiving end of one of those stares. So I went out and got my criminal procedure hornbook, and I decided to bone up a little bit before the interview.

On the day of the actual interview, I left the hornbook at home, and I picked up a pleasure-reading book to bring with me to sort of give the illusion of being somewhat literary. And the book I brought with me was Gore Vidal’s fictional biography of Abraham Lincoln during the time of the Civil War. Fortunately for me, the judge happened to notice the book that I was carrying as I walked into the

UNVEILING OF PORTRAIT

room. And even more fortunately for me, Abraham Lincoln and the Civil War just happened to be two of Judge Jackson's favorite things to talk about.

So as soon as the judge saw the title of my book, that grilling about legal issues that I was so worried about went by the boards, and, instead, I was treated to about a two-hour discourse by the judge about Abraham Lincoln and the Civil War period here in Washington, D.C. And as he would do many times in years since, the judge regaled me with fascinating stories and historical anecdotes, drawing on his very perceptive sense of history and using that raconteur's style and that wonderful stage-quality deep voice that we all know so well. I ended up actually having a wonderful time, and I fell for the judge that day. And my admiration and my affection for him has only grown in the years since then.

In thinking about my remarks here today, I thought about what it is that I have learned from the judge over the past 15 years of our friendship. And it is kind of hard to specify or to really quantify, but I think the most important lesson that my fellow clerks and I have received from the judge is the importance of being scrupulously fair in every decision that we make in life. The judge is that way, and he does that across the board. No matter where he is or what he is doing—whether he is working out a settlement with attorneys back in chambers, or whether he is deciding an evidentiary issue from the bench, or whether he is going through the very careful thought process that he goes through leading up to sentencing in which he balances the need for punishment against the defendant's very human side and his potential for redemption—in all these contexts, Judge Jackson is always eminently fair and even-handed, and he approaches every facet of his job with complete honesty and complete candor.

Judge Jackson is never one to cloak himself or to cloak his opinions or views with the authority of his position. He invites differing opinions from others, and he looks for different views of a case, and he never shies away from re-examining his own views if somebody makes the case that he ought to do so. And, most importantly, he always keeps his focus on his sole agenda as a judge—which is to do justice for everybody—and he decides every issue, whether it's a big issue or small issue, based on the single criterion of: what is the right thing to do in this case? That intellectual honesty is the hallmark of a great judge, and it is a trademark of Judge Jackson's, both in his professional career and in his day-to-day life.

Another trademark of Judge Jackson's that I would like to mention is the fact that Judge Jackson is very much a gentleman. He is a true gentleman in every sense of the word. On one level, he is a gentleman in the sense of sort of good, old-fashioned chivalry. In case anybody thinks that chivalry is dead, they just need to spend some time with Judge Jackson and see the courtesy and the consideration he shows every person he comes in contact with. When you watch him, it is really no surprise at all that Judge Jackson—or Lieutenant Junior Grade Jackson—was an officer in the United States Navy before he entered the law. He has all the dignity, all the courtliness and shows all the decorum of the officer and gentleman that he is. And for you Patrick O'Brien aficionados, I'd say that he is very much like Captain Jack Aubrey and the other heroes of the Patrick O'Brien series of novels about the British Navy during the Napoleonic wars—all 28 or 29-odd volumes of which the judge has read, virtually to the point of memorization.

HONORABLE THOMAS PENFIELD JACKSON

On a more fundamental level, the judge is a gentleman—or a gentleperson—in that he is a man of great decency. He makes it a rule to act in a way that shows respect and concern for the dignity of all persons, no matter their position or their station in life. He is this way across the board. From his concern and solicitousness, as Judge Retchin referred to, for the jurors who serve on his trials; to his loyalty and affection for his chambers staff and his courtroom staff; to the firm, but very fair approach he takes with all litigators who appear before him; and to the compassion and sympathy that he shows to all witnesses, all victims and all criminal defendants who appear in his courtroom, he treats everybody with humanity and with respect.

By conducting himself that way and setting that example, Judge Jackson has taught us all that one can be strong and firm and authoritative, yet at the same time be very kind and compassionate. That lesson is a very important one, and it is one that my fellow clerks and I carry with us and we reflect upon as we try to strike that same balance in our personal lives and in our careers.

On behalf of all Judge Jackson's law clerks, we want to take this opportunity to thank him for that lesson, and for everything that he has taught us and everything that he has done for us over the years. His guidance and inspiration have made a big difference in all of our lives.

I think I speak for all of us when I say that it is truly an honor to be your law clerk, to be your protégé, and, most importantly, it is an honor to be your friend.

Thank you, Judge.

(Applause)

It is now my honor to introduce Mr. Peter E. Egeli. If you would come up, Mr. Egeli.

Peter, as I said, is the artist who has given us this wonderful work that you will see in a few minutes. Mr. Egeli was born in 1934 to a family of successful artists. In his teens, he studied painting at the Corcoran Art School in Washington, D.C. After a tour of serving his country in the Marine Corps, Mr. Egeli enrolled at the Maryland Institute of Art in Baltimore, and then upon graduation from there, he attended the art students league in New York, and later the George Washington University in Washington, D.C.

From 1960 to 1967, he taught drawing and painting at St. Mary's College in Maryland, and he is a charter member, former president and a fellow of the American Society of Marine Artists.

Since 1967, he has devoted full-time to his career as a portrait and marine artist. Peter resides with his wife on a small water-front farm in southern Maryland, actually very close to judge and Pat Jackson. And I had the pleasure of visiting the Egelis several months ago back at beginning of this process and saw some of his work, and it is absolutely wonderful.

And, Mr. Egeli, if you would, please, assist us in unveiling the portrait. But before doing so, I just ask for an anticipatory round of applause for Mr. Egeli and his work.

(Applause)

MR. WAINSTEIN: All right. Now, are we ready to unveil the portrait?

UNVEILING OF PORTRAIT

(Judge Jackson's wife, Patricia Jackson; his daughter, Sarah Jackson Han; and his grand-daughters, Gillian and Genevieve Han, unveil the portrait.)

(Applause)

MR. WAINSTEIN: Chief Judge Hogan.

CHIEF JUDGE HOGAN: Thank you, Ken, and all our speakers for the wonderful remarks today.

I can't resist a few words to talk about "Pen" Jackson before he has a chance to say something to us. Listening today about Judge Jackson's career reminds me we have a lot in common. We were both born in this city about a year apart. We both began practice here about the same time. We both came on the bench within a few months of each other. Actually, "Pen's" appointment, I believe, was June 25th, 1982, 21 years ago yesterday.

And over those more than 20 years, he has had many wonderful experiences. We have all had the good fortune of him presiding over very interesting and challenging cases.

Judge Jackson really has drawn some of the most remarkable cases on our calendar. He has had the most complex, challenging and difficult cases we have faced. He has faced momentous issues with equanimity, with fairness, and tried the cases efficiently and competently. His sound judgment is well-known. We have been very fortunate—I, as chief judge particularly—to have him with us.

I have taken great pleasure in our friendship and have great comfort knowing that he is here with us. But I am amazed about not only the sagacity of his judgment and his sense of duty and conscience, but his phenomenal memory. We just heard a little bit about Patrick O'Brien, and Jack Aubrey, and Stephen Maturin, and those novels that he has that he has gotten several of us to read now through his telling of them at lunch to us. But his luncheon conversation is always not only sprinkled with references to his favorite authors, and his great wit, and his knowledge of history, but his sense of humor always enlightens the day for us.

It is wonderful to have him with us, and these qualities that he shows to us all, we give great thanks for.

I think in the coming years when his children and grandchildren and our children and grandchildren look at his portrait, they will be reminded of a truly remarkable man, whose distinguished, dedicated and tireless service to this court sets the standard for all of us.

He continues to sit and try cases constantly. I don't know what "senior status" really means. I am qualified to take it, but I don't think it means that you take it easy, according to Judge Jackson, at least from his view of senior status. I don't see any difference in that and being a full-time judge. I think I will stay where I am for a while.

But I am so pleased today that he allowed us to have this ceremony because he is an unsung hero among our judiciary, I think. And he should be recognized for all that he has done for us, and for the court, and for the public, and his dedication.

We are very delighted to accept this portrait. We thank the law clerks of Judge Jackson for this splendid portrait, and we are pleased to accept it on behalf of all the judges of the United States District Court for the District of Columbia. We will

HONORABLE THOMAS PENFIELD JACKSON

hang this portrait in this room where he will join all of our other distinguished jurists who have had the honor of serving in what I think many of us believe—and many others do—to be one of the most important trial courts in the country.

And now we have an opportunity to hear from Judge Jackson, my good friend and colleague, at this time.

JUDGE JACKSON: Chief Judge Hogan, my esteemed judicial colleagues, my family, and you, my many good friends who honor me with your presence here today: I thank all of the previous speakers for the kind words they have spoken about me. Of one thing I think I can be sure: never before have such complimentary things been said of me in such close proximity to the court that sits on the floor before.

(Applause)

JUDGE JACKSON: Indeed, such things are usually not said of a judge until he retires or they bury him. I have no present plans in either regard, but I did want my portrait done before people thought me long overdue for one or the other.

My principal emotion today is one of a widely diffused sense of gratitude. I am most grateful to have had the opportunity to have served with many of these eminent men and woman, whose portraits you see about you, and to have served with my current colleagues. I am also grateful to have remained healthy and sentient long enough to become eligible for my portrait to be joined with theirs. And I am grateful to my family—especially my wife, Pat—all of whom have remained loyal and loving throughout, even though at times I am sure they thought any portrait of me belonged on a “wanted” handbill in the post office.

I am truly grateful, as well, of course, to all of those people who have contributed to the D.C. Circuit Historical Society by which the portrait has been paid for.

In searching for an artist to do the portrait, one name kept recurring among the many recommendations we received, and that name, of course, was Peter Egeli. When we finally encountered Mr. Egeli, Pat and I were delighted to discover not only that he was a superb artist, justly renowned and, indeed, our first choice, but also that he was our neighbor in St. Mary’s County. And in the months since we have known Peter and his charming and lovely wife, Stu, we have become good friends. And I am confident that friendship will continue long past the artist-and-subject relationship.

I will close simply by saying that when I began life as a novice lawyer 40-odd years ago, it never occurred to me that I would ever achieve such a station in life that a portrait of me would legitimately be on display, not merely in a public place, but in a place of honor in this courthouse. That I have done so is merely the result of a confluence of good fortune, good health and good friends, for all of which I am, as I say, truly and profoundly grateful.

Thank you all.

CHIEF JUDGE HOGAN: Thank you so much, Judge Jackson.

Ladies and gentlemen, at the conclusion of this ceremony now, a reception will be held across the hall in the judge’s dining room. All of you are welcome to join Judge Jackson, his family and friends on this wonderful occasion. But before we

UNVEILING OF PORTRAIT

adjourn, I am going to ask that audience to please refrain from entering the well of the court until the judges have had an opportunity to see the portrait—some of us can't see it from up here—and to greet and congratulate Judge Jackson and his family.

With respect to everyone else, I would ask you to adjourn to the reception. Judge Jackson there can meet you personally. We thank you all for joining us today. We thank the speakers for their lovely talks.

Marshal, at this time would you please adjourn the court.

(Whereupon, the above-entitled matter was adjourned at 5:05 p.m.)

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