

The Patriot: Remembering US District Judge William C. O'Kelley

Judge O'Kelley displayed artistic interpretations of the Constitutional Convention in his Atlanta chambers, and he regularly quizzed his law clerks on the names of the Georgia patriots who signed the Constitution and the Declaration of Independence.

By Former clerks of Judge William O'Kelley | January 22, 2018 at 11: 54 AM

Fulton County Daily Report

For the more than 40 individuals who had the wonderful privilege of serving as law clerks to U.S. District Judge William C. O'Kelley of the Northern District of Georgia over his nearly 47 years on the federal bench, his passing on July 5, 2017, was sudden and unexpected, depriving us of any chance to say goodbye. (The judge had a total of 54 law clerks, five of whom predeceased him.) Following what would have been his 88th birthday this past January 2, we write to remember and honor our former boss, mentor, and friend.

Judge O'Kelley was the real deal, a lawyer who dedicated nearly his entire career to public service. He spent 60 of his 65 years as a lawyer serving his country as a Judge Advocate General with the U.S. Air Force from 1953 to 1957; as a reservist with the U.S. Air Force from 1957 to 1966; as an assistant U.S. attorney from 1959 to 1961; as a special hearing officer with the U.S. Department of Justice from 1962 to 1968; and as a U.S. District Judge from 1970 until his passing in July 2017.

Judge O'Kelley was a devoted husband, father, grandfather, and great-grandfather. But Judge O'Kelley also loved our country and the Constitution. He especially enjoyed reminding lawyers and litigants who appeared before him about the limits of federal power and the delicate balance between our state and federal systems. He displayed artistic interpretations of the Constitutional Convention in his Atlanta chambers, and he regularly quizzed his law clerks on the names of the Georgia patriots who signed the Constitution and the Declaration of Independence. (William Few and Abraham Baldwin signed the Constitution, and Button Gwinnett, George Walton and Lyman Hall signed the Declaration.) Judge O'Kelley's deep respect for the Constitution and the rule of law were no doubt informed by his own heritage as the descendant of Virginia patriots who fought in the American Revolutionary War and who were rewarded for their service with land grants in Georgia and North Carolina.

For those of us who had the privilege not only of clerking for Judge O'Kelley but also of practicing before him, we can attest that the judge was firm but fair in the courtroom. He was demanding of the lawyers who appeared before him and expected them to be prepared and on time. But he also appreciated that trials are unpredictable and complex. He flexibly addressed issues as they arose in the courtroom and earned the respect of those who practiced before him

by acting in a manner becoming of the office that he held. Whether the parties were major corporations, family businesses, drug traffickers, or pro se prisoners, he dispensed equal justice under the law as the Constitution requires.

Judge O'Kelley was repeatedly called upon to take difficult assignments and collateral duties over the course of his career. Three different chief justices of the United States —Warren Burger, William Rehnquist, and John Roberts—asked him to handle highly sensitive matters, including serving as a member of the Foreign Intelligence Surveillance Court and the Alien Terrorist Removal Court. In 1983, Judge O'Kelley was appointed to a five-judge committee of circuit and district judges tasked with investigating another U.S. district judge on behalf of the Judicial Council of the United States. In the years prior to the abolition of the U.S. District Court for the Panama Canal Zone in 1982, when there was a shortage of judges in that district, Judge O'Kelley agreed to hear cases in that district in addition to his own, including traveling to the Canal Zone to do so. And over the 21 years that he served as a Senior U.S. District Judge, his circuit judge colleagues asked him on many occasions to sit by designation on numerous U.S. Courts of Appeal, most often the Eleventh and Third Circuits.

It was during one such sitting, a three-judge panel of the Eleventh Circuit in Miami, Florida, that the September 11, 2001, terrorist attacks in New York and Washington interrupted oral arguments and caused the proceedings to be postponed to a later date. Recognizing that all U.S. air traffic had been halted indefinitely, and eager to get back to work so that he could carry on the nation's business, Judge O'Kelley and his law clerk drove nearly 500 miles from Miami back to Georgia that day (stopping for the night a few hours south of Atlanta) to ensure that they could be at work first thing in the morning on September 12. Otherwise, Judge O'Kelley noted, "the terrorists win."

Judge O'Kelley made each clerk feel like his favorite and was equally proud of all of them, regardless of whether they practiced law, taught, entered the clergy, raised children, or became judges themselves. Judge O'Kelley treated his law clerks as his extended family, and we know that to some



extent his legacy will live on through all of us.

We hope that we are able to honor that legacy by following the example that he set and continuing to advance, in our own lives and careers, the ideals that he held dear.

There is an inscription carved into the National World War II Memorial in Washington, attributed to President Harry S. Truman: "Our debt to the heroic men and valiant women in the service of our country can never be repaid. They have earned our undying gratitude. America will never forget their sacrifices."

We cannot imagine a more fitting tribute to the service and sacrifice of The Honorable William C. O'Kelley, U.S. District Judge for the Northern District of Georgia, October 1970 to July 2017.

Ansley B. Barton, Ansley B. Barton LLC, 1976-1978

Jay Basham, Parker, Hudson, Rainer & Dobbs LLP, 1979-1981

Christopher C. Bly, U.S. Attorney's Office for the Northern District of Georgia, 2002-2004

Prof. Lonnie T. Brown, Jr., University of Georgia School of Law, 1989-1991

David M. Chaiken, Troutman Sanders LLP, 2001-2002

Drake E. Chandler, McManamy McLeod Heller, 1973-1975

Elizabeth L. Clack-Freeman, Andersen, Tate & Carr, P.C., 1999-2001

Robert M. Cooper, Boies Schiller Flexner LLP, Washington, D.C., 1994-1996

Susan Coppedge, Ambassador (Ret.), 1993-1995

Louisa Glenn D'Antignac, Wilbur & Hilda Glenn Family Foundation, 2001-2003

Curtis L. Doster, HD Supply, 1993-1995

Kathleen V. Duffield, U.S. Department of Health & Human Services, 1988-1989

John E. Floyd, Bondurant Mixson & Elmore LLP, 1983-1985

Alison Holm Eaton, 1996-1998

Elliott A. Foote, U.S. Court of Appeals for the Eleventh Circuit, 2015-2017

Peter A. Fozzard, Eversheds Sutherland, 1985-1987

Rev. P. Richard Game, St. Patrick's Episcopal Church, 1987-1989

Rachel A. Geist, Jones Day, 2012-2013

Lawrence E. Gill, Bellsouth Business (Ret.), 1977-1979

Esther Graff-Radford, 2009-2010

Rebekah Herman, Hunton & Williams LLP, 1999-2001

Robin M. Hutchinson, Staff Attorney, Georgia Court of Appeals, 1988-1990

David M. Ivey, BakerHostetler, 1975-1977

Janice K. Jenkins, (Ret.), 1990-1991

Joann E. Johnston, Georgia Heirs Property Law Center, 2004-2006

Leslie R. Jones, Children's Healthcare of Atlanta, 1980-1982

Amy Killoran, Georgetown University Law Center, 2003-2005

Rev. M. Kathryn Knight, First United Methodist Church of Milton, FL, 1982-1984

Elizabeth J. Kohn, Haynes and Boone LLP (Ret.), 1981-1983

Lynn Ayers LeClaire, Allegheny Intermediate Unit, Pittsburgh, PA, 1984-1986

Frederick E. Link, University of North Georgia, 1974-1976

Dustin R. Marlowe, Johnson Marlowe LLP, 2006-2008

Judge Carla Wong McMillian, Court of Appeals of Georgia, 1998-1999

Alex Meier, Seyfarth Shaw LLP, 2013-2015

Jennifer M. Morgan, King & Spalding LLP, 1995-1996

Claire C. Oates, Boys & Girls Clubs of America, 2007-2009

Seunhee K. Pike, U.S. District Court, N.D. Ga. (Ret.), 2010-2017

C. Thea Pitzen, Goodman Allen Donnelly, PLLC, 2009-2010

Julia H. Powell, U.S. District Court, N.D. Ga. (Ret.), 1992-1994

F. Taylor Putney, MARTA, 1981-1983

Rev. Elizabeth Rees, St. Aidan's Episcopal Church, Alexandria, VA, 1987-1989

Carolyn Peterson Richter, Dentons US LLP, 1989-1990

Amelia Toy Rudolph, Eversheds Sutherland, 1991-1993

Eric P. Schroeder, Bryan Cave LLP, 1996-1997

Angie Fowler Sheldon, People's Financial Corp., 1991-1993

Elizabeth Skola, U.S. Securities and Exchange Commission, 2005-2007

Gordon A. Smith, United States Tennis Association, 1978-1980

Eric R. Swibel, Latham & Watkins LLP, 2008-2009

Sally R. Wagenmaker, Wagenmaker & Oberly, LLC, 1990-1992