

DEATH OF MR. JUSTICE CLARK

SUPREME COURT OF THE UNITED STATES

THURSDAY, JUNE 16, 1977

Present: MR. CHIEF JUSTICE BURGER, MR. JUSTICE BRENNAN, MR. JUSTICE STEWART, MR. JUSTICE WHITE, MR. JUSTICE MARSHALL, MR. JUSTICE BLACKMUN, MR. JUSTICE POWELL, MR. JUSTICE REHNQUIST, and MR. JUSTICE STEVENS.

THE CHIEF JUSTICE said:

Before we proceed today with the regular business of the Court, it is my sad duty to take note for the record and the Journal of the Court of the death of our beloved colleague and friend Mr. Justice Tom Clark, who served as a Justice of this Court from 1949 to 1967, after serving as Attorney General of the United States from 1945 to 1949.

His death came almost exactly 10 years after retiring from this Court. But retirement for Mr. Justice Clark was not the end but the beginning of a new career in which he was a leading spokesman for judicial improvement and which, at the same time, took him on special assignments into every one of the 11 Federal Circuits. So far as we are aware, no Judge or Justice in history sat on every Court of Appeals after his technical retirement from active service.

Even while sitting on this Court Mr. Justice Clark was a literal missionary for improvement of judicial administration, and it was logical that, when the Federal Judicial Center began operations in 1968, he was appointed its first Director. In that position, he gave standing and credibility to this important new institution created by Congress to improve the administration of justice.

When he retired as Director, he resumed regular sittings on Courts of Appeals and District Courts all over the United States. And for the past 15 years he has had a part in every major program to improve the work of the courts. He played a leading role in launching the National College of the State Judiciary at Reno, Nev., where more than 1,000 state judges have received special training in the past decade.

Last Saturday he was in his Chambers here at the Supreme Court, completing his preparation for cases he was to hear argued in the United States Court of Appeals for the Second Circuit in New York. When he did not arrive at the Court of Appeals on Monday morning, it was discovered that his death occurred during the night.

He died as he lived, deeply committed and involved in the judicial work he loved—and literally, in the tradition of the West—"with his boots on."

No one in the past 30 years has done more than Tom Clark to improve justice in our country and no one had such universal respect and affection of the lawyers and judges of this country.

I speak for all the present and former Members of the Court today in expressing our deep sorrow, and our profound sympathy, for Mrs. Clark and her family.

On an appropriate occasion after the opening of the next Term of the Court in October, the official memorial service of the Court will be conducted for Mr. Justice Clark in this Chamber.