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# Luther M. Swygert: A Remembrance and a Tribute

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## LUTHER M. SWYGERT: A REMEMBRANCE AND A TRIBUTE

With the death of Luther M. Swygert on March 16, 1988, the Valparaiso University School of Law lost a loyal supporter and friend. His connections with the law school included his son Michael, one of the founders of the Valparaiso University Law Review and now a professor of law at Stetson University College of Law, a semester as adjunct professor and visiting jurist in residence, and a close friendship with several members of the faculty and staff. Judge Swygert was well known and respected in this area as a federal judge, first in the United States District Court for the Northern District of Indiana, from 1943 to 1961, and then on the Seventh Circuit Court of Appeals from 1961 until his death. He was Chief Judge of the Seventh Circuit from 1970 through 1975, and became a Senior Circuit Judge in July 1981.

A memorial resolution adopted by the Judicial Conference of the United States includes the following: "[t]hroughout his career, Judge Swygert was known for his strong, ably expressed views in support of individual civil rights." It was this commitment of Judge Swygert which caught my attention before I knew him personally. Both through his written opinions, frequently in dissent, and through his questions and comments during oral argument, it quickly became apparent to me that Judge Swygert was an unusually staunch supporter of the rights of individuals in their dealings with government, the rights of minorities and the oppressed, and civil rights in general. His courage and conviction led him to take positions as a judge which were unpopular, but required by his sense of justice and which were in his opinion supported by the law.

After getting to know Judge Swygert personally, I better understood and appreciated his views in these areas of the law important to me. Furthermore, I quickly realized that Judge Swygert was more than a great jurist and student of the law. His genuine concern for people became obvious; his enthusiasm was contagious; his struggles with difficult issues which required him to try to reconcile his personal sense of justice with precedent demonstrated his integrity; his dedication to family, friends, nature, and the arts, as well as the law, demanded a great amount of energy. In short, Judge Swygert was a great jurist and a great man.

It was easy for me to like and respect Judge Swygert because I agreed with his view of the role of the law and judges in protecting individual and civil rights. But, because he was such a warm, caring, enthusiastic, and active person, I am convinced that people who had the opportunity to become personally acquainted with him had the same feelings for him even if they did not agree with his views of the law. This was confirmed by the comments of a number of judges and attorneys made during a special ses-

sion of the Seventh Circuit Court of Appeals in May 1988 to pay tribute to Judge Swygert. Justice Stevens, referring to his first meeting with then Chief Judge Swygert after being appointed to the Seventh Circuit, commented on the "feeling of friendship with a warm and genuine human being that I had experienced the moment I shook hands with Luther that day. That first impression was confirmed—and deepened—time and time again in our later close associations."

Judge Swygert will be missed, but certainly not forgotten. Those who knew him will remember Judge Swygert as a warm and caring person who was also a great judge. Those who did not have the privilege of getting to know Judge Swygert will remember him through his writings, his reputation and his many contributions to the legal profession. Thanks to his family and friends, Judge Swygert's special interest in the Valparaiso University School of Law has been memorialized through the establishment of an endowment to be used to support an appellate advocacy competition. Hopefully the future attorneys who participate in this program at the law school will "inherit" at least a few of the many qualities which we admired in Judge Swygert.

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