

Hon. Richard Sheppard Arnold

“A Light in the Law”
1936 - 2004



Childhood/Early Years



Richard Sheppard Arnold was literally “born into the law” on March 26, 1936, in Texarkana, Texas. His paternal grandfather was an Arkansas circuit judge and Arkansas Bar Association president, and his maternal grandfather was a U.S. senator. His father was a leading expert in public utilities and his mother was a scholar and schoolteacher. He grew up on the Arkansas side of Texarkana and graduated from Phillips Exeter Academy in New Hampshire in 1953 with a diploma in classical studies.

He then attended Yale University, graduating summa cum laude in 1957 with a major in Latin and Greek. During the summers, he honed his writing skills by working at the *Texarkana Gazette*. Following Yale, he attended Harvard Law School where he received the Sears Prize for best grades in the first-year class, and the Fay Diploma, awarded each year to the highest ranking graduate in the class. He also served as a case editor of the *Harvard Law Review*. He graduated magna cum laude in 1960.

Early Career

Richard Arnold began his legal career as a law clerk for Mr. Justice William J. Brennan of the United States Supreme Court. Of his clerkship, he said, “it may be the best job I ever had.” After completing his clerkship he joined the law firm of Covington & Burling, in Washington, D.C., as an associate. There he focused on antitrust cases and did pro bono work for the American Civil Liberties Union.

In 1964 he became a partner in Arnold & Arnold in Texarkana, Arkansas, where he engaged in the general practice of law until 1974. He established a reputation as a “hard-working gentlemanly adversary, combining unwavering integrity and impeccable demeanor with great skill in the law.”

During this period he also twice ran unsuccessfully for Congress, in 1966 and 1972. Despite his lack of success, Arnold found it to be a very valuable experience. He later said, “You don’t have any idea, or at least I had no idea, no sense of the public and what their feelings are, unless you get out and meet them and listen to the people.”

In 1973 he became legislative secretary to Governor Dale Bumpers of Arkansas. After the governor was elected to the U.S. Senate in 1975, he served as Senator Bumpers’ legislative assistant until 1978. His experience on Capitol Hill would serve him well later as chair of the judiciary’s budget committee.



Judicial Career

In 1978 President Jimmy Carter appointed Richard Sheppard Arnold a United States District Judge for the Eastern and Western Districts of Arkansas. In 1980, Judge Arnold was elevated to the U.S. Court of Appeals for the Eighth Circuit, where he served as chief judge from 1992 until 1998. He served as Chair of the Budget Committee of the Judicial Conference of the U.S., 1987-1996, and was a member of the Judicial Conference Executive Committee from 1992-1998.

Judge Arnold is particularly noted for his work on the Budget Committee, ably presenting the financial needs of the federal judiciary to Congress. President Clinton considered appointing Judge Arnold to the U.S. Supreme Court in 1994. While there was widespread support for his appointment, ultimately the President chose Stephen Breyer. Judge Arnold took senior status on April 1, 2001.

Judge Arnold was highly respected for his intellect, legal scholarship, and integrity. According to his brother, Judge Morris Sheppard Arnold, "He was so careful and fair in his judgments that other judges frequently looked to him for guidance. That's extremely rare given the independence of most judges." Both on and off the bench, Judge Arnold was also well known for his wit and his quiet, gentlemanly demeanor. He was unfailingly polite to everyone who came into contact with him.

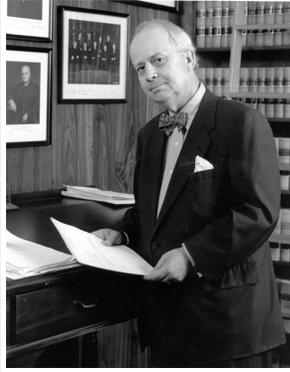
His judicial philosophy was hard to classify as liberal or conservative. When asked about his judicial philosophy, he said, in a 1994 interview, "Whatever power we have is the power to decide cases. And the litigants are real people. It's not just an abstract exercise." He also noted that "judges need to be completely fearless of public opinion, of the personal positions of the parties, of the consequences for themselves, if any, of what they decide."

Judge Arnold was renowned for the clarity of his opinions, which the *Arkansas Democrat Gazette* said "cut through the dross and went to the heart, and sometimes, the soul, of the law with rare and sometimes wry precision." He developed this reputation over the course of a career that produced more than 700 opinions.

Awards and Honors

Judge Arnold was the recipient of numerous honors which recognized his lifetime of contributions to law and the administration of justice. They include, in part:

- Honorary Doctor of Laws Degrees:
 - University of Arkansas, Fayetteville (1992)
 - University of Richmond (1998)
 - University of Arkansas, Little Rock (1999)
 - Environmental Law Institute Award (1996)
 - Award for Leadership in support of Women in the Law (Women Lawyers Association of Greater St. Louis, 1996)
 - Edward J. Devitt Distinguished Service to Justice Award (American Judicature Society, 1999)
 - Meador-Rosenberg Award (Standing Committee on Federal Judicial Improvements, American Bar Association, 1999)
 - Richard Sheppard Arnold United States Courthouse, Little Rock (U.S. Congress, 2003)
 - Morton A. Brody Distinguished Judicial Service Award (Colby College, 2004)
 - Scribes Lifetime Achievement Award (American Society of Writers on Legal Subjects, 2004)
 - Lewis F. Powell, Jr. Award for Professionalism and Ethics (American Inns of Court, 2004)
 - Arnold Lecture Series (University of Arkansas Little Rock, 2004)
- Honors both Judge Richard Arnold and Judge Morris Arnold and their family.



Remembrances

Richard will be remembered for his unequalled brilliance, character, common sense, deep religious faith, and devotion to the law. America has lost one of its greatest jurists and we have lost a cherished friend.

President Bill Clinton

Our country lost of one its greatest jurists, and Arkansas lost one of its greatest native sons.

Senator Hillary Clinton

He performed exemplary service for the judiciary through his work on the Budget Committee of the Judicial Conference.

Chief Justice William H. Rehnquist

Richard Arnold was a great judge, a true scholar, a wonderful human being, and an excellent golfer.

Justice John Paul Stevens

Judge Arnold was a fine judge. He always contributed his time and effort to improve the judiciary and to support efforts to help other judges around the world improve their own systems.

Justice Sandra Day O'Connor

Richard Arnold was one of the great federal judges of our time. His carefully reasoned and beautifully written opinions were models of the art of judging. He has been a friend of mine since the days when he finished ahead of me (and first in the class) at Harvard Law School.

Justice Antonin Scalia

His intellectual interests were vast, his character upright, and his search for truth and justice unyielding.

Justice Anthony M. Kennedy

A brilliant, brilliant man, Judge Arnold was a model of humility and self-deprecation. He worked tirelessly on behalf of the federal judiciary and as a federal judge.

Justice Clarence Thomas

My generation knew no finer federal judge.

Justice Ruth Bader Ginsburg

He was a great judge and a marvelous human being.

Justice Stephen G. Breyer

Judge Arnold is undoubtedly among the most gifted members of the federal judiciary.

*Justice William Brennan
(Minnesota Law Review, 1993)*

Recognized throughout the judiciary for his gifted intellect, integrity, and statesmanlike demeanor, Judge Arnold has contributed immeasurably to the administration of the federal court system.

*Resolution of Judicial Conference of the United States, 1998
Upon Judge Arnold's departure from the Conference)*

He is an individual of unquestioned integrity and fairness; he is a brilliant legal scholar whose opinions for the court are authoritative, incisive and elegantly written. In addition, he may be the most courteous and civil individual with whom I have ever had the pleasure to work.

*Judge Theodore McMillian
(Letter on behalf of the 8th Circuit supporting Judge Arnold
for nomination to the Supreme Court, 1994)*

Judge Arnold exemplifies the very best in the judiciary.

*Chief Judge Susan Webber Wright
(At groundbreaking for Richard Sheppard Arnold Courthouse, 2004)*

He was one of the finest men as well as judges that you'll find.

*Chief Judge John F. Stroud, Jr.,
Arkansas Court of Appeals*

One of the foremost jurists of our generation in America.

*Phillip S. Anderson, Attorney
Former President of the American Bar Association*

He was passionately committed to fairness and to the dignity and rights of litigants and defendants; he knew that the law should be just, yet knew also that judges cannot right every wrong.

*Professor Richard Garnett
Former law clerk*

As a judge, he followed the law where it led him, but in life he always pulled for the underdog and the friendless....He was thoughtful and dignified and there was a certain presence about him that was awe inspiring, but at the same time he had a rich sense of humor.

*Trey Schroeder, Attorney
Former Law Clerk*