

RESOLUTIONS
UNITED STATES COURTS
for the
EIGHTH CIRCUIT



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SENIOR STATUS
of
THE HONORABLE GERALD W. HEANEY
United States Circuit Judge
for the Eighth Circuit

Presented by: The Honorable Myron H. Bright
United States Senior Circuit Judge

We, the bench and bar of the Eighth Circuit, meeting at our annual Judicial Conference on July 19-21, 1989, at Minneapolis, Minnesota, observe that our colleague and friend, the Honorable Gerald W. Heaney of Minnesota, became a senior circuit judge on December 31, 1988. This change of status gives us the opportunity to express our appreciation to him for his prodigious and dedicated service to the federal courts and to the country since his appointment to the Eighth Circuit Bench on November 3, 1966.

Gerald W. Heaney can truly be called a distinguished Minnesotan. Briefly, we relate his very many accomplishments. Born and raised in the rural environment of Goodhue, Minnesota, he there received his early schooling and early training in the work ethic.

Gerald W. Heaney received prelaw training at St. Thomas College, 1935-1936, then enrolled at the University of Minnesota Law School, receiving a B.S.L. degree in 1939, followed by an LL.B. in 1941. After a short stint as a lawyer, he enlisted as a Private in the Army of the United States and later received his commission as an officer. His military career included participation in the important battles in the European theater as the Operations Officer for the 2nd Ranger Battalion. Following hostilities, he served in the Military Government of Bavaria. He left the service as a Captain. In his war service, Judge Heaney earned a Silver Star, Bronze Star, five battle stars, and his battalion received a Presidential Unit Citation.

Service with distinction and ability followed Gerald Heaney on his return to civilian life in law practice in Duluth, Minnesota, with the law firm of Lewis and Sher, later Lewis, Hammer and Heaney, and in service to his local community, the State of Minnesota and the Nation.

In the legal field, Gerald Heaney became a recognized leader in the area of labor law, but he shared his time with many, many nonpaying civic interests.

For his local community and area, Gerald Heaney served as an organizer of the Northeastern Minnesota Development Association, fostering industrial development in Northeastern Minnesota. He worked to bring the University of Minnesota-Duluth branch to his home community; served on a Citizen's Committee before the legislature to create the Seaway Port Authority of Duluth; served as a member of the organizing

committee for a regional educational television station; led, as Chairman, the Interracial Council of Duluth which promoted fair employment and fair housing legislation for Duluth; and aggressively assisted home rehabilitation in blighted areas of Duluth through Town View Improvement Corporation, a nonprofit organization, which he organized and advised.

Gerald Heaney has made outstanding contributions to the political processes of the state and Nation in his service as Democratic National Committeeman from Minnesota from 1955 to 1960. During those years and until Gerald became a judge, state and national political leaders looked to him for advice and counsel. Some of these political leaders included Senators, and later Vice Presidents, Hubert H. Humphrey and Walter F. Mondale, United States Senator Eugene McCarthy, and Governor Orville Freeman (later United States Secretary of Agriculture).

In 1967, in recognition of Gerald Heaney's service on the Minnesota Board of Regents during 1964 and 1965, the Regents presented our friend, Gerald Heaney, the Outstanding Achievement Award.

In the more than twenty-two years on the United States Court of Appeals for the Eighth Circuit, Judge Heaney's contribution to the Eighth Circuit can be described as prodigious. For the court, Judge Heaney has authored over 1,800 opinions, plus more than 200 dissents or concurrences. We believe this total to be a record number of opinions for any judge who has served on the Eighth Circuit. These opinions have been anything but rote. Indeed, leading opinions in every area of the law have been authored by Judge Heaney, but those in the area of civil rights and equal opportunities for employment and education must be deemed especially noteworthy. Those opinions crafted with scholarship and eloquence demonstrate intense devotion to the promotion of equal justice under law for all.

In addition to his prolific output of opinions, this judge has found time to author leading law review articles; to serve on district courts as a visiting district judge and, additionally, perform committee work on behalf of the Judicial Conference of the United States.

Family life, too, is very important to Judge Heaney. He and his charming and friendly wife of almost forty-five years, Eleanor, have two children, William M. and Carol, and four grandchildren who greatly enjoy their grandparents.

But these are not all of Judge Heaney's interests. He is an avid and able fisherman of the elusive walleye pike and an intense fan of hockey as played in Minnesota with relish and hard knocks.

It is impossible to sum up a life of judicial service and good works in a few paragraphs. But all who know Gerald Heaney admire him for his friendship and recognize that his service to the country and to the judiciary represents a life of great achievement and that he is a great judge.

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We salute Judge Heaney on this occasion. We are extremely happy that in the years to come, as a senior judge, Gerald W. Heaney will devote much of his time to service in the courts of the United States and the Eighth Circuit and that our close friendship will continue.

Mr. Chairman, I move the adoption of this resolution.

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