



A RESOLUTION MEMORIALIZING THE LATE JAMES CLINTON TURK

WHEREAS, the Honorable James Clinton Turk, a renowned member of the southwest Virginia legal community and the federal bench in Roanoke, a distinguished former member of the Virginia Senate, a beloved husband, brother, father, grandfather, and mentor, and an unparalleled example of humility, kindness, and compassion, departed this earthly life on July 6, 2014, leaving the world a better place for his presence and work in it; and

WHEREAS, James C. Turk was born on May 3, 1923, in Roanoke County, Virginia. He came from humble beginnings. His parents were James Alexander Turk, a full-time farmer for most of Judge Turk's early years, and Geneva Alice Richardson Turk, a Roanoke County school teacher who taught in a one-room schoolhouse. Judge Turk's father died when he was a young teen, and his mother raised Jim, his brother Maynard, and sister Margaret, ensuring that each graduated from high school; and

WHEREAS, after he graduated from William Byrd High School in 1939, Judge Turk worked for Norfolk & Western Railway, first as a messenger and then as a clerk in the time-keeping division. Judge Turk served in the United States Army from 1943-1946, as a private and later as a staff sergeant, and he continued his service in the Army Reserves until the mid-1960s; and

WHEREAS, with the benefit of the GI Bill, Judge Turk attended Roanoke College, graduating in 1949 with a Bachelor of Arts in economics. While in college, both Judge Turk and his brother, Maynard, joined the fraternity of Pi Kappa Phi, which Judge Turk would later describe as "sort of one of the best things that ever happened" to him, in part because it helped to build his confidence. Judge Turk remained involved with the fraternity through most of his life, serving as his chapter's president and later as the national president; and

WHEREAS, the Dean of Roanoke College encouraged Jim and Maynard Turk to apply for scholarships to attend Washington & Lee Law School. Judge Turk had not thought about law

school prior to that time and had not taken any law-related courses at Roanoke College. But, as he liked to tell it, he was not sure what else he wanted to do, and he enjoyed being a student. So, he and Maynard both applied, received scholarships, and attended W&L. Judge Turk received his LL.B. degree from Washington & Lee in 1952; and

WHEREAS, Judge Turk met his future wife, Barbara Duncan, during his last year of law school at Washington & Lee; they were married in 1954. Barbara was the more outgoing of the two, and they shared a love that was both enduring and true. Together, they raised five children and had fifteen grandchildren. Judge Turk often spoke with pride and delight of the accomplishments of his family members, who were a source of great joy to him; and

WHEREAS, Judge Turk greatly valued both his alma maters and continued to support both throughout his life. He and Maynard helped to establish the Turk pre-law program at Roanoke College. He also served as President of the Roanoke College Alumni Association and as a member of Roanoke College's Society of 1842; and

WHEREAS, Judge Turk and his wife, Barbara, were also staunch supporters of other educational and civic institutions and groups. For example, Judge Turk served on the Board of Directors for the Radford University Foundation and its C.E. Richardson Foundation, as well as a trustee for the Radford Community Hospital. He was also a member of First Baptist Church in Radford, the Rotary International, Omicron Delta Kappa, and Phi Beta Kappa. For many years, Judge Turk and a friend regularly led Bible studies with inmates at the state corrections unit in Pulaski. Generations of inmates knew him in that capacity, as the man who talked with them about Jesus, rather than as a federal judge. He received dozens of letters from those men and responded to each one. Several visited the judge later to tell him how those sessions had helped them turn their lives around; and

WHEREAS, shortly after Judge Turk's graduation from law school, Ted Dalton, then a state senator, asked Judge Turk to work with him at the firm of Dalton & Poff in Radford. Dalton's law partner was Richard Poff, who had just been nominated for Congress. On the day Jim Turk began his job, neither Richard Poff nor Ted Dalton were in the office. He spent his first days as an attorney being trained by Neal Campbell, the firm's secretary. Judge Turk often

said that he learned as much law from her as he had in law school. At this same firm, Judge Turk would later meet Shirley Simpson, who became his secretary and worked with him for almost fifty years, including the entire time he served as a federal judge; and

WHEREAS, in 1959, after his law partner, Ted Dalton, was named a federal district judge, Judge Turk ran for Dalton's Virginia Senate seat. He won that election and others that followed, serving as a Virginia state senator from 1959 until 1972, including as the Senate Minority Leader from 1965 until 1972; and

WHEREAS, Judge Turk reminisced frequently about his time in the Senate. When he first became a state senator, he was one of only two Republicans in the Senate, the other being Floyd Landreth. Other legislators referred to Landreth and Turk as "the old man and the young boy"; and

WHEREAS, one of the main issues of Judge Turk's campaign platform focused on the reopening of Virginia's public schools, many of which had elected to close rather than integrate. The first bill he introduced would have required every political subdivision in Virginia to maintain and operate a system of public schools. Although that bill never made it out of committee, Judge Turk's principled opposition to the closure of public schools was vindicated when all Virginia schools were reopened after court intervention; and

WHEREAS, both in his role as Senate minority leader and as part of his legal practice, Judge Turk fought successfully to abolish impediments to voting in Virginia, which included presenting the issues to the United States Supreme Court; and

WHEREAS, in October 1972, President Richard M. Nixon nominated Judge Turk to serve as a district judge for the United States District Court for the Western District of Virginia, after a vacancy opened when Judge H. Emory Widener, Jr. became a judge on the United States Court of Appeals for the Fourth Circuit. Judge Turk received his commission on October 17, 1972. At the time, he and Judge Ted Dalton, his former law partner, were the only judges in the district. Judge Dalton was in poor health and did not travel often, so Judge Turk spent a lot of time traveling throughout the district to hear cases in all seven divisions of the court. He served as Chief Judge of the district from 1973 to 1993; and

WHEREAS, in 2002, after thirty years of service, Judge Turk assumed senior status. He continued to maintain an active caseload until the time of his death in 2014, serving as a federal district judge for nearly 42 years; and

WHEREAS, during his nearly 42-year tenure, Judge Turk presided over several high-profile cases—such as Falwell v. Flynt, Matthews v. Eldridge, EEOC v. Christiansburg Garment Co., Inc., and his decision to grant habeas relief to Roger Trenton Davis—and numerous other cases that were less well-known, always mindful that each case was important to the parties involved; and

WHEREAS, in the time he served on the bench, Judge Turk set the tone for the entire court of the Western District of Virginia. He wanted it to be—and he worked hard to cultivate—a court where practitioners and parties felt comfortable and welcome. He built collegiality among court staff and encouraged it among parties and litigants, as embodied by his practice of shaking hands with every lawyer, plaintiff, and defendant, after each courtroom proceeding. His impact on the attorneys and parties who appeared before him, and the great respect they have for him, is undeniable; and

WHEREAS, Judge Turk mentored nearly eighty law clerks, as well as numerous pro se law clerks and college and law student interns, giving all of them the opportunity to learn about the practice of law. He showed them by his word and example that justice is best served with compassion. The numerous tributes from his former clerks are a testament to his example. They accurately note that he always saw or found the worth in each person and that he consistently treated all persons with dignity and respect. Many comment on the tremendous effect that a clerkship with Judge Turk had on them as people and attorneys. They repeatedly use adjectives like “compassionate,” “intelligent,” “kind,” “optimistic,” and “just” to describe him; and

WHEREAS, Judge Turk’s intellectual curiosity was legendary. He read, he did puzzles, he learned, he traveled, he inquired. Cliff Weckstein, another respected member of the bench here in Roanoke, described Judge Turk as “blazingly smart. . . . He could see where a trial was heading—or where a lawyer’s strategy was going to take her—well before anyone else in the courtroom.” Judge Turk loved his job and his work. He once said that he “couldn’t have picked out any profession that he would have enjoyed more”; and

WHEREAS, Judge Turk was, above all, a loving husband to Barbara, a devoted father to his children and their spouses, a proud grandfather to all of his grandchildren, and a good and loyal friend to his brother Maynard. He was also a dear friend to many on this earth—both within the legal community and without; and

WHEREAS, Judge Turk is and will be greatly missed by all who knew him and loved him, it is hereby RESOLVED that the Roanoke Bar Association expresses its deep sympathy to the family of James Clinton Turk, laments his passing, holds his memory and many contributions to the law and his community in high regard, and to that end,

NOW, THEREFORE, BE IT RESOLVED that the Roanoke Bar Association honors the memory of the Honorable James Clinton Turk, and mourns his loss to his family, the court family of the United States District Court for the Western District of Virginia, the Bar Association, and to the entire Roanoke Valley; and

BE IT FURTHER RESOLVED that copies of this resolution be furnished to all Divisions of the United States District Court for the Western District of Virginia with motions that the resolution be spread upon the permanent order books of the court; and that copies of this resolution be furnished to his family to communicate the esteem in which the Roanoke Bar Association holds James Clinton Turk and his memory and the Association's sorrow at his passing.

GIVEN under the hands of the president and secretary of the Roanoke Bar Association and the seal of the Association this 14th day of April, 2015.

Richard C. Maxwell
President, Roanoke Bar Association

TESTE:

Hugh B. Wellons
Secretary, Roanoke Bar Association