

DRAKE LAW REVIEW

Volume 38

1988-1989

Number 4

FOREWORD

*W. Ward Reynoldson**

The insights and recollections of the persons who write for this memorial issue of the *Drake Law Review* analyze, for those who did not know him, the power, personality and charm of former Chief Justice C. Edwin Moore. It is entirely appropriate, too, that this tribute should be organized by Drake Law School, for Chief Moore's interests, after his family and his court, were centered on this institution.

Chief Moore frequently recalled with pleasure his years as a Drake Law School instructor, particularly in trial advocacy. In chambers following oral arguments, he often remarked on the excellent efforts of lawyers who had been his students, although we never noted his pride in their achievements affected his vote on the merits. The Chief enthusiastically anticipated the annual Drake Supreme Court Days, with their activities, arguments and banquets, and the annual Jake More dinners and related programs. Drake indeed was a continuous part of his life.

It was my pleasure—and an invaluable part of my judicial education—to have officed with Chief Moore in the state capitol from May, 1971, when I joined the court, until he retired in August, 1978. We daily lunched in the state house cafeteria, where what was lacking in ambience was somewhat balanced by a splattering speed. With a mischievous twinkle in his eye

* Former Chief Justice of the Iowa Supreme Court. Currently serving with the Iowa Supreme Court as a Senior Judge.

and his infectious grin, the Chief delighted in ordering beef tongue, which he identified as standard "East Side" Des Moines fare. He was fully aware, of course, that its appearance distressed a companion whose Nebraska farm boy recollections classified it as offal ordinarily reserved for the dogs in home butchering operations.

Chief Moore's dedication to duty meant that, when not on the bench, he was in his office daily from at least 8 a.m. to 5 p.m., and often much later. Attempting to encourage him to take more time off, I complained that because he never went on vacation it was a useless gesture to have appointed me assistant chief justice. Finally, near the end of his term, he did leave for several days. At lunch on the day of his return I reported, much to his amusement, that a person who frequently sued judges had again sued us for several million dollars. The petition had been filed in the Eighth Circuit Court of Appeals, and I had been served by certified mail. When he later found an identical notice in his own mail, however, he quit chuckling long enough to confirm that I had alerted the attorney general's office to handle the matter. This episode, coupled with the theft of the United States flag from our courtroom during his absence, provided him with much fun, and at my expense.

The Chief's deep interest in human nature and in the dynamics of the court members' personalities and philosophies was most apparent on conference days when we met to vote on the proposed opinions and dissents that had been circulating among the members. Occasionally a member would "pass" when the votes on a hard-fought case were taken around the conference table, ultimately to find himself squirming when required to cast a tie-breaking vote in the heat generated by a tense court, divided four-to-four. Chief Moore, delighted but struggling to maintain a serious face, would inquire, "Now, let's see, you wanted to be a judge, right?"

The native resourcefulness this leader displayed in disarming opposition was never more apparent than in one of the sporadic confrontations with the legislature over the judiciary's state house space. Such clashes inevitably invoked speculation about the comparative constitutional powers of the three branches of government. In this case the capitol was rocking with wild rumors relating to appropriation cuts, statutory evictions, and the exercise of inherent judicial power.

In the escalation of the face-off, Chief Moore finally was invited to a conference with legislative leaders, to be held in a private room at the front of the house chambers. Legislators and their staff were at their desks, anticipating his arrival, and the air was electric with tension. All attention was centered on the Chief as he entered the rear of the chamber and walked up the center aisle to reach another door that led into the conference room. When he was certain he was visible to everyone, he deliberately reached into a back pocket and, with a blue-eyed twinkle, retrieved a large white handkerchief that he waved over his head as he continued through the house chamber. The tension broke, and the crowded room erupted in a roar of

laughter that shook the windows. The conference later led to a written agreement, executed by all three branches, which equitably divided state house space and discouraged subsequent efforts to revive the controversy.

These are but a few of my memories of Chief Justice Moore, whose warm and charismatic personality so long dominated Iowa's judicial system. The excellent writers whose observations fill the pages that follow highlight the many landmarks along his long and illustrious career. I am confident the thousands of Iowa lawyers and judges who knew and admired Chief Justice C. Edwin Moore will be grateful to Drake Law School, not only for developing such jurist, but for commemorating his life and achievements in this memorial issue.

