

A BRIEF HISTORY OF THE NORTHERN DISTRICT OF TEXAS

District Overview

The Northern District of Texas is made up of 100 of the 254 counties in Texas. It is a unique district that is full of contrasts. Rockwall County near Dallas, the state's smallest county in land area, also is currently the state's fastest growing county and the nation's third fastest growing county.¹ Loving County near Wichita Falls is the nation's smallest county in population (population sixty-two),² while the combined populations of Dallas County and Tarrant County make Dallas/Fort Worth one of the largest metropolitan areas in the nation.³ Additionally, thirteen of Texas' twenty-five most populous cities are located in the Northern District of Texas.⁴

Geographically, the district encompasses more than 96,000 square miles, making it the largest land area district in the country except for districts that encompass an entire state. The land area covers more square miles than the states of Virginia, West Virginia, Delaware, Maryland, New Jersey, Massachusetts, and Connecticut combined.⁵

Nineteen of the nation's Fortune 500 companies are headquartered in the Dallas/Fort Worth metroplex, more than any metropolitan area other than New York and Houston. Corporate giants such as Exxon Mobil, AMR, Kimberly-Clark, D.R. Horton, Texas Instruments, Fluor, and Burlington Northern Santa Fe make their headquarters in the Northern District.⁶

The district's civil caseload reflects the make-up of the district. Contracts, intellectual property, civil rights, tort, and labor cases are the five most numerous categories. "White collar" crimes made up the largest category of criminal filings for many years (e.g., fraud, forgery, and counterfeiting). Those categories have been surpassed in recent years, however, by firearms, immigration, and drug cases.⁷

A Brief History

The Northern District of Texas' beginnings go back to the late 1800's. When Texas first joined the Union in 1845, the state was organized as one federal judicial district with court held at Galveston.⁸ The first district judge was John C. Watrous. In 1857, Congress divided Texas into two judicial districts—Eastern and Western—with one authorized judgeship for each district.⁹

The Northern District was established as the third judicial district in Texas on February 24, 1879, with three divisional offices and one judge. The divisional offices were located at Dallas, Graham, and Waco.¹⁰

The district's first judge, Andrew Phelps McCormick, received his commission on April 10, 1879, and Judge McCormick appointed the first clerk of court, John Hollingsworth Finks, on May 23, 1879. Judge McCormick settled with his family in Dallas because it was the largest town in the district, and he thought most of the

court's business would be done in that division.¹¹ Clerk John Finks worked out of the Waco division, and deputy clerk and commissioner Francis ("Frank") Washington Girand (who was also Judge McCormick's cousin) served as deputy in charge of the Graham division. Andrew J. Houston, grandson of Texas legend Sam Houston, served as deputy in charge of the Dallas division.

After living in Dallas for approximately four years, Judge McCormick moved to Graham. In Graham, court was held on the second floor of the Knights of Pythias Building on Oak Street over the Ryus Drug Store.¹² The building still stands today, as does Judge McCormick's house.¹³



First Place of Holding Court in Graham
608 Oak Street



McCormick House in Graham
710 Cherry Street

Judge McCormick continued to reside in Graham until 1890 when he moved back to Dallas. In 1896, the work of the Graham division was transferred to Abilene. That same year, the Fort Worth and San Angelo divisions were established.¹⁴

On March 11, 1902, a fourth district was established in Texas, the Southern District, and the Waco division was transferred from the Northern District to the Western District of Texas.¹⁵ The Northern District then consisted of the Abilene, Dallas, Fort Worth, and San Angelo divisions.

The Amarillo division was established on February 14, 1908,¹⁶ and the Wichita Falls division was established on February 26, 1917.¹⁷ Finally, the Lubbock division was established in the Northern District of Texas on May 26, 1928.¹⁸

The Court Today

From its humble beginnings, the Northern District of Texas has grown to seven divisions with fifteen judges (twelve active judgeships). Of the thirty-three judges who have served in the Northern District of Texas, seventeen of them — more than half — are still living. Twelve are active judges, three are senior judges, one is a senior judge on the court of appeals, and one is in private practice.

Many of the judges were well known in politics or in public service prior to their appointment to the federal bench. Of the current district judges, eleven held public office before being appointed to the federal bench and four were partners in major law firms. The following chart shows some of the positions held by the current district judges.

<i>District Judge</i>	<i>Positions Held</i>
Boyle, Jane J.	U.S. Attorney; U.S. Magistrate Judge; Assistant U.S. Attorney; Dallas County Assistant District Attorney
Buchmeyer, Jerry	Major Law Firm Partner (Thompson & Knight)
Cummings, Sam R.	Major Law Firm Partner (Culton, Morgan, Britain & White)
Fish, A. Joe	State District Judge; State Appellate Justice
Fitzwater, Sidney A.	State District Judge
Godbey, David C.	State District Judge; Presiding Civil District Judge; Local Administrative District Judge
Kinkeade, Ed	County Court Judge; State District Judge; State Appellate Justice
Lindsay, Sam A.	Dallas City Attorney
Lynn, Barbara M.G.	Major Law Firm Partner (Carrington, Coleman, Sloman & Blumenthal, LLP)
Maloney, Robert B.	State Appellate Justice; Texas House of Representatives; Dallas County Assistant District Attorney
McBryde, John H.	Major Law Firm Partner (predecessor to Cantey Hanger, then McBryde & Bennett, and predecessor firms)
Means, Terry R.	State Appellate Justice
Robinson, Mary Lou	County Court Judge; State District Judge; State Appellate Justice; Chief Appellate Justice
Sanders, H. Barefoot	Legislative Counsel to President Lyndon B. Johnson; Assistant Attorney General; Assistant Deputy Attorney General; U.S. Attorney; Texas House of Representatives
Solis, Jorge A.	State District Judge; Taylor County District Attorney; Taylor County Assistant District Attorney

Highly respected magistrate judges have served the court for many years. Of the current magistrate judges, six held public office before being selected as magistrate judges. The chart below shows some of the public positions held by the current magistrate judges.

<i>Magistrate Judge</i>	<i>Positions Held</i>
Averitte, Clinton E.	Assistant Texas Attorney General; Assistant U.S. Attorney; Lubbock County Assistant District Attorney
Bleil, Charles	State District Judge; State Appellate Justice
Kaplan, Jeff	Law Clerk for the Fifth Court of Appeals in Dallas; State Appellate Justice
Koenig, Nancy M.	Law Clerk to Judge Halbert O. Woodward; Assistant U.S. Attorney
Roach, Robert K.	Law Clerk to Judge Halbert O. Woodward
Ramirez, Irma C.	Assistant U.S. Attorney
Sanderson, Wm. F., Jr.	Assistant U.S. Attorney
Stickney, Paul D.	Assistant Federal Public Defender

Significant Events

Judges in the Northern District of Texas have been involved in many cases and events of historical significance. One of the most publicized cases in the early days of the court involved an attempted lynching of five federal prisoners known as “the Marlow brothers,” who were being held on charges of larceny. The brothers were attacked while being transported in federal custody from Graham to Weatherford, and two of the five were killed. The case ultimately ended up in the Supreme Court.¹⁹ In more recent times, the assassination of President John F. Kennedy in Dallas put Judge Sarah T. Hughes in the media spotlight. The diminutive Judge Hughes administered the oath of office to then Vice-President Lyndon B. Johnson on Air Force One at Love Field Airport. Judge Hughes was the first, and currently the only, female to ever administer the oath of office to a United States president.

The case of *Roe v. Wade*, filed in Dallas in 1970, is perhaps the most nationally-recognized case that originated in the Northern District.²⁰ School desegregation cases in Dallas and Fort Worth garnered years of media attention beginning in the 1970s. The decade of the 1980s brought a plethora of fraud cases involving financial institutions to the Northern District of Texas. High profile cases in the 1990s involved entertainment and media personalities as diverse as Barney the purple dinosaur, Oprah Winfrey, and televangelist Robert Tilton. In 1995, the first death sentence in the nation under the Federal Death Penalty Act of 1994 was handed down in the Fort Worth division. Post September 11, 2001, several high profile criminal cases against alleged supporters of terrorism were prosecuted in the Northern District of Texas.²¹

Interesting Facts

Of the thirty-three judges who have served on the United States District Court for the Northern District, nineteen were appointed by Republican presidents and fourteen by Democrat presidents. Presidents George H.W. Bush, Ronald Reagan and Jimmy Carter each appointed four judges. Presidents Richard M. Nixon and George W. Bush each appointed three, and Presidents William J. Clinton, Lyndon B. Johnson, and John F. Kennedy each appointed two. Presidents Gerald Ford, Dwight D. Eisenhower, Harry S. Truman, Franklin D. Roosevelt, William G. Harding, Woodrow Wilson, William McKinley, Benjamin Harrison, and Rutherford B. Hayes each appointed one.

The Northern District had all male judges until October 1961, when Sarah T. Hughes was appointed to sit at Dallas. Judge Hughes was the first female federal district judge in Texas. In April 1979, Mary Lou Robinson was appointed to sit at Amarillo. Barbara M.G. Lynn was appointed in January 2000, and Jane J. Boyle was appointed in June 2004, both to Dallas seats. Jorge Solis was the first Hispanic judge appointed in the Northern District of Texas. He was appointed in September 1991. Sam A. Lindsay was the first African-American judge appointed in the Northern District of Texas. He was appointed in September 1998.

Judge Edward R. Meeks served the longest of any judge in the Northern District of Texas. He was appointed in 1898 by President William McKinley at the age of thirty-two, and he assumed senior status in 1936 after thirty-six years and five months of service. The judge with the shortest tenure was Judge John B. Rector who served from 1892 until his death in April 1898.

The oldest judge at the time of appointment was Judge Sarah T. Hughes who was sixty-five. The youngest judges at the time of appointment were Judge Sidney A. Fitzwater and Judge Edward R. Meek who were each thirty-two. Judge Fitzwater was thirty-two and six months and Judge Meek was thirty-two and seven months. As of October 2007, the average age of judges at the time of appointment was forty-nine.

Fifteen of the thirty-three judges graduated from the University of Texas School of Law, four graduated from Baylor University School of Law and four graduated from Southern Methodist University School of Law. Of the remaining judges, one graduated from each of the following law schools: George Washington University, Harvard, State University of Iowa, University of Alabama, University of Michigan, and Yale. Four of the judges read law and did not graduate from law school.

Twenty of the thirty-three district judges were born in Texas, two were born in Alabama, and two were born in Maryland. Of the remaining judges, one was born in each of the following states: California, Illinois, Iowa, Kansas, Mississippi, New Mexico, New York, Pennsylvania, and Wisconsin.

Two of the district judges served in the Civil War — Judges McCormick and Rector — and six served in World War II — Judges Belew, Porter, Woodward, Mahon, Taylor, and Estes.