In Memoriam: Charles Alan Wright

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Charles Alan Wright

Geoffrey C. Hazard, Jr.*

Charles died in July of this year, prematurely at the age of 72. We miss him sorely.

He was at the time President of the American Law Institute, the Charles Alan Wright Professor of Law at The University of Texas, the principal co-author of the leading treatise on Federal Practice and Procedure, and a practitioner preeminent as an appellate advocate. He was also a dear friend and colleague of the members of the Institute, especially the members of the Council. We shall all remember his calls to order, his attention to our discourse, his expert guidance and firm administration in matters of parliamentary procedure, and his hammering our meetings to adjournment. We shall dwell on his astute and often sardonic comments on what was being said and done.

Charles Alan Wright was born in the Philadelphia suburb of Haverford, and graduated from Wesleyan University and Yale Law School. He was a member of the Yale Law Journal and, no doubt more important, an attentive participant in Fred Rodell’s course in nonlegal writing, or, as Charlie would have said, Professor Rodell’s course in writing in the English language. Charlie then clerked for Judge Charles Clark of the Second Circuit. In that engagement Charlie met Learned Hand and other distinguished members of the Second Circuit bench. That was also the beginning of his devotion to the law of civil procedure.

Immediately thereafter he began his long and distinguished career in teaching, first at the University of Minnesota, then and permanently at Texas. In the course of his career Charlie also taught at Yale, Harvard, Penn, and, probably most gratifying for him, at Cambridge, England. Charles was an unabashed Anglophile in look, demeanor, dress, diction, and erudition. And they loved him over there every bit as much as we have over here.

Charles Alan Wright is best known to the public and to the media as lawyer for Richard Nixon in the Watergate tragedy. He fulfilled that

* Director Emeritus, American Law Institute. This tribute was read at the Council of the American Law Institute on October 18, 2000.
responsibility with honor as well as competence and thereby conferred honor on all members of our profession. However, I think the media focus on that engagement pained him, not only because it disregarded his other accomplishments as an advocate but also because of the implication that it was anomalous for an honorable lawyer to defend a person accused of dishonorable conduct. Charlie regarded such an engagement as merely a highly visible instance of constitutional procedure and professional practice.

Charles was best known to us for his exemplary work as Reporter for the Institute project on Division of Jurisdiction Between State and Federal Courts and as Vice President and then President of the Institute. He faithfully attended practically all of the Advisory Committee meetings for the Institute projects, including those in subjects such as Real Property, which really interested him only when Jim Casner was Reporter. We remember also his diligent efforts to broaden the base of membership in the Institute and in the Council, increasing our representation of women, racial minorities and lawyers from nontraditional fields of practice and those who were not what he called the “Metroliners.” In this connection it is also pertinent to note Professor Wright’s missionary work in desegregating the private schools and children’s campus in Austin.

Charlie was a person of many other parts as well. Devoted husband of his beloved Custis, attentive parent and step parent, observant Christian, long-term coach of the UT Law School Legal Eagles, entrepreneur of high culture in Austin, and assiduous reviewer of detective novels. And prolific correspondent, including his correspondence with Council—as Charlie would say, “Council,” not “the Council.”

It was said of the Roman statesman Cicero that he

. . . excelled in all three branches [of rhetoric], deliberative, epideictic . . . and forensic . . . [H]e could present issues differently to different audiences, almost always with success. . . . [P]art of Cicero’s consummate talent [was] finding the right style for each occasion. The letters [of Cicero] include official dispatches [and] witty and entertaining picture[s] of his duties . . . . Above all, they furnish us with a more candid intimate picture of an individual than we shall [often] meet again.¹

In Charles Alan Wright the American Law Institute enjoyed the company of a latter day Cicero.