

A NEWS MEMO FOR MEMBERS
of the
U.S. DISTRICT COURT HISTORICAL SOCIETY
Eastern District of Tennessee

March 2015

The Birth of a Judgeship

Many will remember that U.S. Bankruptcy Court hearings in the Northeastern Division of our court were heard by the bankruptcy judge who traveled there a couple of times a month from Knoxville to hold court in Greeneville and Johnson City. That practice was discontinued in 1993, shortly after Congress created a bankruptcy judgeship for that division.

There is an interesting story in how that bankruptcy office was created, a story worth preserving for future generations. At our request, it was told by retired **U.S. Bankruptcy Judge Richard Stair** in his oral history, conducted by the Court Historical Society upon his retirement last September. He was the last Knoxville bankruptcy judge to make those upper East Tennessee trips.

When **U.S. District Judge Thomas Gray Hull**, Greeneville, was the district's Chief U.S. District Judge in the early 1990s, he initiated a move to get a bankruptcy office established in Greeneville. He was so determined to do so that he proposed that he conduct Northeastern Division bankruptcy hearings himself in Greeneville. His fellow district judges at the time--**Judges Leon Jordan, James Jarvis, and R. Allan Edgar**--overruled him on that proposal, Judge Jordan told us recently.

Judge Stair said, "Judge Hull always wanted a bankruptcy judge in Greeneville. He was very protective of Greeneville. He wanted a presence there, and he wanted it pretty badly." To pursue the matter more vigorously, Judge Hull consulted with then-Chief **U.S. Bankruptcy Judge Ralph Kelley**, Chattanooga, who had strong connections with the Administrative Office of the U.S. Courts in Washington.

They and Judge Jordan met with **U.S. Representative Jimmy Quillen**, the Congressman who represented the First Congressional District, to get his support for Congressional action to create a bankruptcy judgeship for the Northeastern Division. It turned out that bankruptcy case filing statistics for that region at that time, provided by the Administrative Office, would not support the creation of another judgeship for the Eastern District of Tennessee.

Judge Stair said, "Judge Kelley suggested to Congressman Quillen that perhaps the chairman of the House Judiciary Committee owed Congressman Quillen a favor, and the Congressman indicated that, as a matter of fact, he believed he did and that maybe he should talk to him about attaching this judgeship to another bill. And that's exactly what happened. The judgeship was created by Congress, and Greeneville was

designated as a place of holding court.”

Unlike most judgeships, this one did not originate from a recommendation of the Judicial Conference of the United States. Instead, it was tacked onto a judgeship bill that had been pending for some time, thanks to the friendship between Rep. Quillen and **Rep. Jack Brooks**, a Texas Democrat who was chairman of the House Judiciary Committee.

Two weeks later, in August 1992, the act was passed with the new bankruptcy judgeship in it and to be funded upon the appointment of a judge. **Judge Marcia Parsons** was appointed on November 23, 1993. Today, she serves as Chief Bankruptcy Judge for the Eastern District of Tennessee. Through the years, the case filings have continued to increase and the office has grown. Today, there are 10 employees, including the Clerk of the Bankruptcy Court for the Eastern District of Tennessee, **Will Magill**, and the chambers staff.

Women in the Law

Five pioneer women in the legal profession in Southeast Tennessee are being featured in an article that Chattanooga lawyer **Jerry Summers** is writing in his continuing effort to promote historical persons whose accomplishments are not known to many modern day lawyers.

“I want to acknowledge these women to let people know how it was in earlier days, when there weren’t many women in the legal profession,” Summers said. “It’s very different today. We have many, many women in the law and in higher positions, such as judges. I want to show how it has evolved over the years.”

His historical articles are published from time to time in the Chattanooga Area Historical Association’s newsletter and in the Chattanooga Times Free Press. Summers is a longtime member of the U.S. District Court Historical Society.

The women who are subjects of his latest work are: **Marguerite Lanham**, deceased, the first woman lawyer in Chattanooga to be admitted to the U.S. District Court (in 1939 by **Judge Leslie R. Darr**) and the second woman to be admitted to the Tennessee Supreme Court; **Opal Scanland**, deceased, a 1958 graduate of the Chattanooga College of Law; **Selma Cash Paty**, first female president fo the Chattanooga Bar Association; **Claude Swafford**, a University of Tennessee College of Law graduate who has been practicing in Jasper for 69 years; and **Ardena Garth**, the first African American Public Defender in Hamilton County.

###

Don K. Ferguson, Executive Director