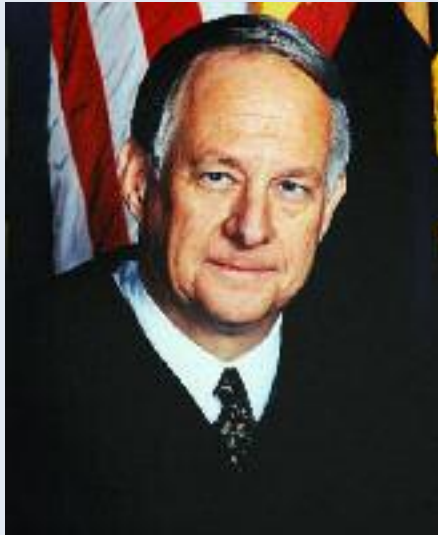


Remembering Justice Ryan



Law Clerks' Perspective

Many eloquently worded tributes have been written about former Arizona Supreme Court Justice Michael D. Ryan. Clerking for Justice Ryan, however, afforded his law clerks an opportunity to see a unique side of him. As his former clerks would agree, it was this other side of him that made him all that much more remarkable, and made all of them feel just that much more lucky to have clerked for him. The following anecdotes from some of his former law clerks provide a glimpse of this other side.

“A Path Less Taken”

Everyone in the Arizona legal community knows that Justice Ryan was a great lawyer and judge. All of his law clerks would agree that we benefited tremendously from his legal knowledge and experience. For me, however, what made Justice Ryan such a great person was his concern for others.

When Justice Ryan threw a reunion party for his former clerks a few years ago, it was obvious how much he cared for each and every person there. He remembered the smallest and most obscure details about each of our personal lives. We all could tell that when he used to ask us how we were doing when we clerked for him, he was not just going through the motions. He had asked because he truly cared.

When I later came to him with concerns that I would miss the opportunity to see my children grow up if I remained in my law firm, he immediately cleared his busy schedule so that we could talk. As I told him my concerns, he just laughed and tried to put me at ease. “There is a lot more to life than being a lawyer,” he said, “and you need to remember why you went to law school in the first place. You went to law school so that you could provide a good life for your family, and you are perfectly capable of doing that without working in a big law firm.”

Then he told me something I never

could have expected from someone who had achieved so much in the legal profession. He told me that I should consider going back to school to get my Ph.D. so that I could write a book about the history of disability discourse from classical antiquity to World War I. Justice Ryan loved history, and we would often spend our free time talking about different historical periods. Because he and I were both paralyzed, we often talked specifically about the need for someone to write a history of disability discourse. He used to say that the disabled community needed someone to write such a book so that we could better understand some of the obstacles that disabled people experience today. He even helped me to come up with some theories about the history of disabled veterans from the fifth century B.C. to the 20th century.

I took his advice. I postponed my legal career and returned to get my Ph.D. I am now in the process of completing the book that Justice Ryan and I used to discuss so often. As I got closer to being finished, I became increasingly excited to share it with him. I constantly had to fight the urge to send him a chapter at a time, concluding that it would be better for him to read it all at once. I was hoping not only to make him proud but also to use his feedback to make the book as informative as possible. Unfortunately, all I can do now is thank him posthumously for giving me the courage to

leave my law firm to pursue my dream.

When Justice Ryan offered me a clerkship after law school, I was excited because I thought that it would help me to become a better lawyer. What I did not know is that I should have been excited because I had just met a man who would become such an important mentor in my life. I only wish that we had had more time.

—*Matthew Perry*, law clerk to Justice Ryan, Arizona Supreme Court, 2004–05

“Taking Time for Others”

In March 2010, I invited Justice Ryan to visit my

Lawyering Process classroom at Phoenix School of Law. His judicial assistant had explained to me that Justice Ryan was very busy that week, but he wanted to come and talk with my students. He made the time, and he showed up and answered their pre-written questions for 90 minutes. He seemed very tired toward the end, and I realized what a strain it must have been for him to come from his chambers to school—with its spread-out campus, find a suitable parking spot, come to the third-floor classroom, visit with 25 students, grab a quick slice of pizza with the Dean, then go back to work at the Court. But that’s just how he was: He helped others selflessly.

—*Maureen Kane*, law clerk to Judge Ryan, Arizona Court of Appeals, 1996–98

When I think of Justice Ryan, I can’t help but reflect on his tremendous love of, and commitment to, his family, children, God, the United States, and the State of Arizona. Justice Ryan’s commitment to children is evidenced by the fact that he and his wife Karen cared for more than 80 foster children from 1974 to 2000, while also raising three boys of their own. On a more personal level, though, when I witnessed Justice Ryan interact with children, it was a moment of pure joy for both Justice Ryan and the children. During my clerkship, several law clerks and court employees (current and former)

brought their children to visit Justice Ryan's chambers. Justice Ryan was the very first one out of his office to start playing with the child. He would make funny faces and silly noises in an attempt to make the child laugh and smile (he was always successful in doing so), while allowing the child to crawl or run around the floor of his chambers. He received tremendous joy from these moments.

Justice Ryan was also a devout Catholic. For as long as I can remember, he attended the annual St. Thomas More Society Red Mass and administered the Lawyer's Oath to all attorneys present at the Mass.

—*Kathryn Hackett King*,
law clerk to Justice Ryan,
Arizona Supreme Court, 2007–08

“A Practical Joke Gone Awry”

While I was clerking for Judge Ryan on the Arizona Court of Appeals, I got engaged. By that time, I knew Judge Ryan had a great sense of humor—very dry, though—and that he loved practical jokes—giving them, that is. I decided to play a joke on Judge Ryan, so I ordered a subscription to *Bride's*

magazine in his name and had it sent to his chambers. He soon started receiving these one-and-a-half inch thick *Bride's* magazines in his name at the Court. What I didn't anticipate, though, was the magazine selling his name. Before I knew it, Judge Ryan started receiving *Victoria's Secret* catalogs in his name at the courthouse. I immediately called Victoria's Secret and begged them to take his name off of the mailing list. The woman explained to me that it would take about six to eight weeks for him to stop receiving their catalogs. Judge Ryan did not know his name had been sold and that he had received a *Victoria's Secret* catalog, and I was too scared to tell him what had happened. I rushed to the mailbox every day to intercept any catalogs and just prayed that they would stop coming without the judge ever finding out. The catalogs eventually stopped coming, and I made it to the end of my clerkship without the judge ever finding out—or so I thought.

At the end of my clerkship, Judge Ryan, his judicial assistant, my co-clerk and I all went to lunch. Unbeknownst to me, Judge Ryan's judicial assistant and my co-clerk had

previously told Judge Ryan everything about the catalogs. When we sat down, Judge Ryan leaned over the table, and in a quiet, serious voice told me that the Commission on Judicial Conduct wanted to know why he was receiving *Victoria's Secret* catalogs at work. I couldn't believe it. I must have turned as white as a ghost, and my heart must have started beating 200 beats a minute. Judge Ryan had never mentioned applying for the Arizona Supreme Court, but I always thought it was a natural progression for him—until now and my stupidity. I was so worried that I had just tarnished Judge Ryan's impeccable reputation and ruined his career because of my feeble attempt at a practical joke. I quickly offered to go before the Commission and confess everything. Judge Ryan never cracked a smile, but remained serious throughout the entire lunch. It was only as we were getting up to leave that he said something along the lines of “don't worry” or “I was kidding.” I was so horrified at the potential ramifications, though, I don't think I truly believed him.

You would think I would learn from this



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mistake, but no. About six months after my clerkship ended, Judge Ryan and his wife attended my wedding. During the reception, I had

the DJ dedicate to Judge Ryan Celine Dion's song "My Heart Will Go On" from the movie *Titanic*, because I knew Judge Ryan hated the movie. When the song ended, I asked him if he enjoyed the dedication; he laughed and told me, "Revenge is a dish best served cold." I half-heartedly laughed and kicked myself for not realizing that you can't play a practical joke on Judge Ryan and get away with it. He then changed the subject and asked where I was staying on my honeymoon. Not thinking anything of it, I told him and we continued talking.

A few days later, while I was on my honeymoon, my hotel phone rang at 7 a.m. The man on the other end of the line identified himself and told me he was from the Commission on Judicial Conduct and wanted to know why Judge Ryan was receiving catalogs from *Victoria's Secret*. I again panicked and thought that this must be real because the first time was just a joke. As thoughts raced through my head on where to begin to explain all of this, I suddenly wondered how the Commission on Judicial Conduct knew where I was staying on my honeymoon. It then dawned on me that it was Judge Ryan pretending to be a member of the Commission. I should have known!

I don't think I ever really relaxed about this practical joke that had gone awry until I learned that Judge Ryan had been appointed to the Arizona Supreme Court. And let me tell you, I was probably one of the first people to show up to his official investiture at the Sandra Day O'Connor School of Law at Arizona State University.

I learned countless lessons from Justice Ryan, whether it was about the law or life in general. I also learned that I should never attempt playing a practical joke again—and I haven't.

—*Karla Hotis Delord*,
law clerk to Judge Ryan,
Arizona Court of Appeals,
1998–99



Above: Judge Ryan horsing around at an Oakland A's spring training game in 1999.
Below: L to R: Judges Noel Fidel, James B. Sult, and Michael D. Ryan. (photo courtesy Noel Fidel)



"The Steak Ranch Webcam"

When I ended my clerkship with Justice Ryan, I was planning a drive from Phoenix to Michigan, taking a route through the panhandle of Texas through Oklahoma. A few days before I left, Justice Ryan informed me of a "must-see" steakhouse in Amarillo called The Big Texan Steak Ranch, famed for its steak-eating contest. The restaurant has a webcam running all day, so interested parties can watch truck drivers and teenage

boys tackle the "72-ounce steak challenge" in which one must consume the steak in one sitting without being sick in order to get the meal for free. Justice Ryan was fascinated by this contest and decided I had to stop and see it in action.

Justice Ryan spent his days at the courthouse quietly reading in his office with the door open. We hardly ever heard a peep from

him between the hours of 8 a.m. and 5 p.m. But, after learning of this steak-eating webcam contest, we all decided we had to watch it during our lunch break. At our individual computers, we worked and watched a truck driver belly up to the 72-ouncer and attempt to put away bite after bite of a steak the size of a large dinner plate. After several minutes, I heard a loud, "Nooooooooo!!!"—a sound I'd never heard before come out of Justice Ryan's chambers. He yelled to my co-clerk and me: "Look at the webcam!" Running back to our desks, we saw the diner vomit into the trashcan thoughtfully positioned next to the checkered tablecloth. Because the truck driver lost the contest, he had to pay for his lunch. So after emptying his stomach into the trashcan, he wiped his mouth, adjusted his shirt, sat down—and finished eating his steak.

Justice Ryan worked diligently, every day insisting on wearing a suit and tie even though we wouldn't see a soul besides the other judges and clerks all day unless we had oral arguments. He was old-school with the dress code, believed in

working at least eight hours a day without exception, and was a bit reclusive at work, reading and studying cases all day long. But once he was out of work mode at lunch or at parties, he was one of the funniest people I've ever known. Not everyone got to see that side of Justice Ryan, and I'm glad I did. He made me aware that while the law is a serious business, there is always room for some fun.

—*Elizabeth Lee*, law clerk to Justice Ryan,
Arizona Supreme Court, 2008–09