

Koch 'sorry' Ramsey's put politics into judiciary

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Tennessee Supreme Court Justice William Koch speaks at a luncheon in Lebanon on Wednesday. DALLUS WHITFIELD / The Wilson Post

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Tennessee Supreme Court Justice William Koch said he was "sorry" to see that the lieutenant governor has tried to politicize the state's highest court by apparently targeting three of the justices for defeat in the election this summer.

Koch was the guest speaker at the 15th Judicial District Bar Association's luncheon Wednesday at Five Oaks Golf & Country Club.

"I am very sorry to see that he did that," Koch said, in reference to an effort by Republican Lt. Gov. Ron Ramsey to try and defeat State Supreme Court Justices Cornelia Clark, Sharon Lee and Gary Wade in the Aug. 7 retention election. The three justices were appointed to the bench by former Gov. Phil Bredesen, a Democrat. Koch was appointed to the bench in 2007 by former Gov. Lamar Alexander, a Republican.

"The court system in Tennessee has been one-step removed from politics," Koch said after the luncheon, noting that does not mean that politics don't sometimes play a role, but "I'm just sorry he wants to inject partisan politics into the court system."

According to various media reports, Ramsey has worked with the Republican State Leadership Committee to try and meet with business men and women to talk about opposing the three justices in their retention efforts.

If the three justices are not retained by voters, then Gov. Bill Haslam, a Republican, would appoint their replacements. He has already appointed one member of the Tennessee Supreme Court, Justice Holly Kirby who is replacing retiring Justice Janice Holder. The governor will also appoint someone to replace Koch who is retiring this summer and will become the Dean of the Nashville School of Law.

Koch, in his remarks during the luncheon that was attended by about 70 attorneys, judges, elected officials and law enforcement, discussed the legal profession in general and his views on how it is today versus when he began practicing in 1972.

He told the group about what he sees as a lack of "collegiality" among attorneys, especially in Nashville, where there about 3,500 lawyers. Newer attorneys now operate with a cell phone and a laptop computer whereas in the past, those just starting out would have the opportunity to learn from those who had worked in the legal field for a few years.

Those with experience were able to pass on their knowledge – the do's and don'ts – of how to succeed in

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the profession. They passed down not only the skills they acquired, but also how to act and let others know the ins and outs of the practice of law.

He complimented the members of the 15th Judicial District Bar Association on their efforts at collegiality and told them “work very hard to preserve it.”

Koch noted that the practice of law was hard and combativeness among those in the legal profession does not help them and “it doesn’t help clients.”

Most people become attorneys because they want to help others. “They come to us at the most vulnerable time of their lives,” he said, noting that could be due to a divorce, a business dispute or being charged with a crime. “We get our clients at a time of need.”

Although it was fine to be rewarded financially for a job well done, he said, it was also important to have a level of connection with a client so much so that the client will also say thank you for the work you did on his or her behalf.

He told the story of Nashville attorney Charles Warfield who had not been practicing law for very long when he was asked by a judge to represent a man charged with the murders of five people.

There was no doubt the man was guilty, but Warfield represented him to the best of his ability, Koch said. He was found guilty in court, and Warfield filed appeals, but to no avail. He also prepared a clemency petition for the governor to sign, but he turned it down and an execution date was set.

On the day before the execution was to be carried out, the warden at the old state prison in Nashville called Warfield and told him the convicted man wanted to see him.

Warfield went to the prison and met with the man, his client, who told him “I asked you out here to thank you for everything you’ve done,” Koch said, then added the client asked Warfield “Can God forgive somebody like me?” (Warfield’s) answer was yes.”

Koch told the crowd, “I would like to experience trust like that from a client. Think about opportunities for clients to ask you that question.” He added, “My hope is you’ll experience a Charlie Warfield moment before you retire.”

He also noted the public’s perception of lawyers was not the best and suggested a little client education might help.

There are those who might be confused about how two attorneys can oppose each other in court but meet for dinner and drinks later. He quoted a line from the play, “The Taming of the Shrew,” by William Shakespeare, which is “...strive mightily, but eat and drink as friends.”

He also referred to U.S. District Court Judge Thomas Higgins who commented once on lawyers not socializing together as much. Higgins said, “They (lawyers) don’t tell enough lies to each other, and they don’t drink enough dark whiskey.”

Everyone has busy lives, but he urged those in the crowd to “eat and drink as friends. Ice tea will work as well,” he added.

The State Supreme Court justice also mentioned the lack of civics being taught in schools and noted that polls have been done in the past that show many people can name the judges on the TV show “American Idol” but don’t know the names of three of the justices on the U.S. Supreme Court.

Lawyers can help teach the public about the legal profession through offering ethics presentations in schools or at civic organizations or churches.

“Think about public service,” he told the crowd, adding “we need the steady hands and rationality of lawyers. Get involved in the affairs of the community.”


After his comments, Lebanon attorney Lisa Tomlinson, president of the 15th Judicial District Bar Association, presented Koch with a plaque naming him an honorary member of the organization.

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