

1986

A Tribute to D. Dortch Warriner

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Recommended Citation

Robert R. Merhige Jr., *A Tribute to D. Dortch Warriner*, 20 U. Rich. L. Rev. 465 (1986).
Available at: <http://scholarship.richmond.edu/lawreview/vol20/iss3/3>

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D. DORTCH WARRINER

1929-1986

*Robert R. Merhige, Jr.**

On May 31, 1974, D. Dortch Warriner, an attorney from Emporia, Virginia, took the oath of office as a United States District Judge for the Eastern District of Virginia. That solemn and auspicious occasion, which took place before the bench of the Circuit Court of Brunswick County, Virginia, was the genesis of twelve exciting and contributing years not only for Judge Warriner but for those of us, like myself, who came to know, admire, respect and love him.

The Judge was the youngest of two sons born to T. Emmett and Maria Dortch Warriner.

His early education was in the Brunswick County public schools after which he attended and graduated, in 1951, from the University of North Carolina, where he had served both as Attorney General and Chairman of the Student Government. From the University of North Carolina, he enrolled in the University of Virginia School of Law, from which he graduated in 1957. During his law school tenure, he served on the Editorial Board of the Law Review and was a Moot Court competition winner.

After having passed the Bar and practiced in Emporia for a short time, he joined the United States Navy Reserve and served as Operations Officer of the U.C.C. Loeser, a part of the Atlantic Fleet, during the Korean War. Judge Warriner attained the rank of Lieutenant.

Following his military service he engaged in the general practice of law until his appointment to the bench where he served with distinction until his untimely death on March 17, 1986. While practicing, with offices in both Emporia and Lawrenceville, Virginia, he was appointed as City Attorney for the City of Emporia in which capacity he served from 1968 to 1974.

* United States District Judge, Eastern District of Virginia, Richmond Division; 1940, High Point College; LL.B., 1942, T.C Williams School of Law, University of Richmond; LL.M., 1982, University of Virginia.

Judge Warriner was, for many years prior to his appointment to the bench, an avid Republican; a fact of life which admittedly was a source of a not-so-inside joke between him and this writer. One of the fondest memories of my friend and colleague is that of his smile and his chuckle when he discovered that I, with some little help from his law clerks, had without his knowledge placed a picture of Senator Edward Kennedy on the wall of his office and then snapped a picture of the Judge standing next to the picture. Our association over the years grew from that of co-workers to mutual respect and deep affection.

Judge Warriner's dedication to the principles of the Bill of Rights and the Constitution was beyond question. He was both a keen and astute student of the Law. Although he was quick to reach the center of an issue and unhesitating in expressing his views thereon, he was always intent on following the law as enunciated by our superior courts, regardless of his own intellectual feelings in reference to the particular issue.

While considered by some as stern, the bar came to realize that it was only a facade, more likely triggered by a failure on the part of its recipient to follow the rules. To Judge Warriner there were no small rules or partial preparation. To have treated the breach of what might have appeared to be an inconsequential matter differently from any other breach was foreign to his own sense of fidelity. Lack of preparation in his Court was, at least for the moment, unforgivable. To him each litigant was entitled to proper and dedicated representation. He felt that lack of preparation was, as it is, inexcusable, and he did not hesitate to express that view.

Judge Warriner was a man who said what he meant and meant what he said.

The Judge's sense of fairness was uncanny, and he possessed the unique ability to render justice within the law regardless of any personal feelings he might have had and expressed. He truly believed that no man was below the law or above the law. He abhorred discrimination in any form and he lived his life opposing it.

The writer, who perhaps because of the proximity and the paralleling of our work came to know Judge Warriner in a uniquely close manner, will be forever grateful for having had that opportunity.

Happily, Judge Warriner married the lovely Barbara Ann Jenkins, formerly of Richmond, Virginia, who I am convinced was not

only the love of his life, but his best friend as well. Judge and Mrs. Warriner were blessed with three children: Susan, a student at the University of Virginia Law School; David, a recent graduate of the Virginia Military Institute; and Julia, a student at the University of Virginia.

My friend is gone, but not, and never to be, forgotten. Solace is taken in the knowledge that he lived a happy and contributing life. It is taken as well in the knowledge that he was laid to rest in the land he loved so well—his farm, Northview.

The country has lost an outstanding jurist; his family, his former law clerks, his staff, his fellow judges and his thousands of friends both within and without the profession have lost his brightness, his thoughtfulness, his loyalty and his companionship. Still there is comfort in the realization that each of us was a part of the life of a very, very special person—my friend Dortch.

