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## In Memoriam: Judge Robert R. Merhige, Jr.

J. Harvie Wilkinson III

*Judge, United States Court of Appeals for the Fourth Circuit*

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## IN MEMORIAM: ROBERT R. MERHIGE, JR.

*The Honorable J. Harvie Wilkinson III \**

Bob Merhige was a welcoming guy. When the Fourth Circuit was in Richmond, Bob and Shirl had us to their home. When we needed extra courtrooms, Bob made his available. He made a fuss over guests. He wanted to do that one little extra thing to make you feel comfortable.

Well, Bob, we were comfortable. How could it be otherwise in the warmth of your presence?

I picked up a thing or two from Bob over the years. He had pictures of each law clerk on the walls of his chambers, so I did the same in mine.

Bob, you see, lived for the young people. At the time of his death, there was a picture of him walking in a field with his grandson. Just the two of them. Pure Bob.

We traveled together to Judge Clement Haynsworth's funeral. As the flights were delayed, we were thrown upon each other's company for a five or six hour stretch. Bob never gave out. He told story after story, reminiscing of visits with David Bazelon, Skelly Wright, and Justice Brennan himself in the good old days. "Bob," I teased him, "I'm afraid I might have spoiled that little party." We just laughed—what a great way to pass airport time.

How Bob loved to talk! I would be in a rush and run into Bob on the street. Oh my gosh, I would say to myself, here goes fifteen minutes. But, invariably, my annoyance would fade into pleasure as Bob asked about my family and I asked about his. Bob just loved to share himself—his feelings, his health reports, his family news, almost anything. In fact, sometimes it took a lot more than fifteen minutes. But the guy sure had his priorities straight.

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\* Judge, United States Court of Appeals for the Fourth Circuit.

Bob was a splendid trial judge—one of the best in our circuit. His courtroom instincts were as good as they get. He could lighten a tense moment with humor. He was quick and smart, with common sense to boot. He respected lawyers, and he expected their best.

Bob also cared passionately about the law. He took every case seriously, but I think the cause of racial justice and his misgivings about capital punishment were the things that were closest to his heart. Bob lived true to himself every day of his life, and you cannot ask any more of anyone than that.

Bob and I had our differences about the law. I thought he had a bit too much faith in the power of courts to achieve social goals, and I suspect he thought I had too little.

That does not seem to matter now. His friendship was an extraordinary gift, and I miss him dearly. Bob Merhige touched the world for good, and he made his fellow human beings better. Bob was the best.