

11-1-2011

In Memoriam: The Honorable Leroy Rountree Hassell, Sr.

Hon. Harry L. Carrico
Senior Justice, Virginia Supreme Court

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Recommended Citation

Hon. Harry L. Carrico, *In Memoriam: The Honorable Leroy Rountree Hassell, Sr.*, 46 U. Rich. L. Rev. 1 (2019).
Available at: <https://scholarship.richmond.edu/lawreview/vol46/iss1/2>

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IN MEMORIAM

THE HONORABLE LEROY ROUNTREE HASSELL, SR.

*The Honorable Harry L. Carrico **

Leroy Rountree Hassell, Sr. passed away on February 9, 2011. News of his death devastated those of us associated with him on the Supreme Court of Virginia. We had lost a dear friend, one always conscious of the needs of his associates and anxious about making sure they were comfortable. Even more, the court lost its peerless leader, and the people of the Commonwealth of Virginia lost a dedicated public servant. He will be sorely missed in all corners of our great state.

Leroy Hassell was the first African American to become Chief Justice of the Supreme Court of Virginia. He was also the first chief justice to be chosen by the vote of his associates, rather than by seniority, as had been the method of selection until his ascension to the office in 2003. Thirty-four years old when he first became a justice, he was the third youngest member of the court in all time, two years older than John Charles Thomas and Spencer Roane, who were each thirty-two years of age when appointed, with Justice Thomas the youngest by a few months.

All of this is noteworthy, of course, but it is only a fragment of the story of the life of Leroy Hassell. Born on August 17, 1955, in Norfolk, Virginia, the son of Joseph R. Hassell, Sr. an assistant principal in a Norfolk high school, and Ruth Hassell, a social worker in the city, Leroy Hassell attended Norview High School, where he became quite a debater and was voted the student most likely to succeed. He went on to the University of Virginia and received the Scholar of the Year Award. He then attended Harvard

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Law School, where he served on the *Civil Liberties-Civil Rights Law Review*.

After graduation from Harvard in 1980, Leroy Hassell returned to Richmond and joined the McGuireWoods law firm, becoming a partner in seven years, one year earlier than the eight years usually required. Despite keeping a very busy schedule at McGuireWoods, he was able to engage in civic affairs, including service as counsel to the Richmond Redevelopment and Housing Authority, a director of the Carpenter Center for Performing Arts, Richmond Renaissance, and the Richmond Chapter of the American Red Cross. And, in an office that he seemed to prize but required so much of his time and attention, he served as chairman of the Richmond School Board.

In 1989, only nine years after his graduation from law school, a vacancy occurred on the Supreme Court of Virginia, and then Governor Gerald L. Baliles chose Leroy Hassell to fill the vacancy. Aware of Hassell's youthful age, Governor Baliles is reported as saying that he "never thought age should be a deterrent at either end of the spectrum," and that Leroy Hassell "was someone with whom [he] had worked, and someone who had been recommended, and [who] had a wide range of legal experience and a commitment to the law." The governor was also quoted as saying that Leroy Hassell had "a wide-ranging intellectual curiosity and an extraordinary amount of energy." Fortunately for Leroy Hassell, the good governor recognized talent when it crossed his path.

The appointee took his oath as a member of the court on December 28, 1989. Thus began a judicial career that brought great distinction to Leroy Rountree Hassell, Sr. in the legal community throughout Virginia, and across the country. His distinction in the legal community was further heightened when he became the twenty-fourth Chief Justice of the Supreme Court of Virginia in 2003. His service as chief justice was exemplary, the product of the state of mind with which he approached his new office: "I desire to serve because I am a Virginian by birth who has a strong affection and love for the Commonwealth and its people."

If Chief Justice Hassell had chosen a word to describe what he wanted people to think was his guiding light in the way he carried out his duties, the word surely would have been "fairness"—fairness to all, regardless of race, gender, creed, or color. He

thought citizens needing court services should be treated by court personnel at all levels with dignity and respect.

He worked vigorously to make the court system more accessible to every citizen needing quality legal services but unable to pay, and he promoted the expansion of pro bono programs throughout the commonwealth to provide such services for the poor. He especially wanted to make pro bono services available for young people involved in the legal system. Cases involving the termination of parental rights were a subject of particular attention for Chief Justice Hassell. They seemed to tug at his heart, and he seemed to want to make sure that the child's best interest had been served in each case.

Chief Justice Hassell was deeply concerned about the way the court system dealt with mentally ill citizens. He was largely responsible for the creation by the General Assembly of the Virginia Commission on Mental Health Law Reform. Composed of a cross-section of members interested in the problem, the commission made a number of recommendations for reform, and many of the recommendations were adopted by the General Assembly, including one close to Chief Justice Hassell's heart—improving the standard for involuntary commitment of patients to hospitals for the mentally ill.

While he was not a member of the commission, Chief Justice Hassell worked closely with those working for adoption of the reform, and he was grateful for the result. In the words of the chairman of the commission, Chief Justice Hassell considered the reform "a signature feature of his term as Chief Justice."

While all of his associates thought they would have the pleasure of his company as an ordinary member of the court for a long time to come after his term as chief justice ended, fate stepped in and took him away only nine days after the end. We will miss his good nature, his concern for our comfort, and the improvements in the court system he left for our enjoyment. Yes, we will miss him, but we will never forget him.

TRIBUTE TO CHIEF JUSTICE LEROY R. HASSELL, SR.

*George Keith Martin **

I met the future chief justice during orientation week at the University of Virginia. I introduced myself and he replied:

My name is Leroy Hassell. I went to Norview High School in Norfolk where I was a championship debater. I came to the University of Virginia because it is the best school in the state and I am going to Harvard Law School because it is the best law school in the country.

At the time, I wasn't thinking past first semester exams and it was clear that this was someone special. He did go to Harvard and, following graduation, he joined McGuireWoods, making partner a year early. He was the first African American partner at McGuireWoods and at that time only the second African American to make partner at a major Virginia law firm.

The future chief justice loved everything about the practice of law, so much so that as a young associate he read the Virginia Code cover to cover. His love for the law made him a perfect candidate for the bench and in 1989 Governor Balilies appointed him to the Supreme Court of Virginia. In 2002, at the age of forty-six, he was selected by the other justices to be the chief justice. He was Virginia's first African American chief justice and among the youngest to serve as chief justice.

Chief Justice Hassell believed that a strong judicial system was essential to maintaining our democracy and he was a strong advocate for measures that would improve the delivery of justice and ensure that the courts were accessible to everyone. He challenged judges to give their best. He fought for increased compensation for lawyers handling court appointed cases. And he challenged lawyers and law firms to give more, convening a summit

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at the supreme court to help increase awareness regarding the need for pro bono services. The Bible teaches us that “iron sharpens iron.” Leroy Hassell’s legacy as chief justice is a stronger, more accessible system of justice for all Virginians.

The child of teachers, Chief Justice Hassell had a lifelong passion for education. While he was at McGuireWoods he served as chairman of the Richmond School Board, the youngest person to do so. He enjoyed teaching and took a personal interest in his students at the University of Richmond School of Law and Regent University School of Law, always challenging them to strive for greatness. He kept in touch with them after graduation, following their personal and professional development and taking great delight in their achievements.

Every public address Leroy Hassell gave as chief justice began or ended by giving honor to God. The chief justice loved his God with all his heart. He felt that God was the source of all his extraordinary abilities, and he humbly gave God credit for his accomplishments. Like George Washington Carver, he believed that with the blessing of great abilities came the obligation to use them to their fullest. He also felt a responsibility to assist others, particularly the less fortunate, and he did so in ways great and small. He gave leadership to the boards of several local charities. His position as an usher at his church allowed him to quietly minister to many in need of help, both spiritual and temporal. And at Thanksgiving and Christmastime there was no business so pressing that it would prevent him from going to the store, loading up grocery carts, and delivering baskets of food to families who would otherwise have no holiday meal.

The chief justice was devoted to his beloved wife and family. He loved them more than life itself. In spite of the many demands on his time, there was no question who had priority in his life. His chambers were like an extended family with the chief as a father figure who was never shy about letting his clerks and staff know what (he thought) was best for them. He was also a special friend to many. Always generous with his advice, talent, and time, you could count on him as a friend. No question, he was a gift from God.

The chief justice was larger than life—and he made his mark on our judicial system and on our personal lives. We are all better for having known him.

CHIEF JUSTICE LEROY R. HASSELL, SR.
AUGUST 17, 1955 – FEBRUARY 9, 2011

*John G. Douglass **

Chief Justice Leroy R. Hassell, Sr. passed away on February 9, 2011, after a battle with lymphoma. His life spanned a far-too-short fifty-five years. It was a life of tremendous accomplishment—accomplishment made all the more remarkable because each milestone so frequently came with the descriptor, “first” or “youngest.” He was the first in his class to make partner at McGuireWoods, where he started his law practice in 1980 after graduating from Harvard Law School. He was the youngest person ever named Chairman of the Richmond City School Board. Appointed to the Supreme Court of Virginia at the age of thirty-four, he later became the first African American to serve as chief justice. When he died and his body lay in state in the rotunda of the Capitol of Virginia, he became the first black man to be so honored.

Leroy Hassell reached the pinnacles of professional accomplishment with unprecedented speed. Those who worked closely with him were amazed by his energy. He was not inclined to put anything off until tomorrow, as if he understood that tomorrows were never guaranteed. He was unabashedly ambitious, but his ambition aimed at goals beyond the personal attainment of position and power. Leroy Hassell was a man of purpose. What mattered to him was not so much the title on his door as what he could accomplish by walking through the door, or by inviting others inside.

Leroy Hassell was a man of action. He was both confident and persistent. No matter what the challenge, he expected success. He spoke often about possibilities, and seldom acknowledged barri-

* Professor of Law, University of Richmond School of Law; J.D., 1980, Harvard Law School; B.A., 1977, Dartmouth College.

ers. To paraphrase Robert F. Kennedy, Leroy Hassell “saw things that never were and asked why not.”

When he looked at Virginia’s courts, Leroy Hassell tended to see things through the eyes of its most vulnerable litigants and he acted to make the system work better for them. As chief justice, he led a comprehensive effort to reform the treatment of the mentally ill in our courts. He lobbied for increased funding to make interpreters more fully available in Virginia courtrooms. He supported efforts to better compensate and train appointed counsel for indigent defendants. In the last months of his life he worked with the state bar to better organize and promote pro bono services for those most in need.

As the son of two Norfolk teachers, Leroy Hassell was dedicated to education. He taught at our law school for most of two decades and served on the Board of Visitors at Regent University School of Law. His students enjoyed his stories, often delivered with a twinkle in his eye and a hearty laugh. He taught by example. Dozens of his former students have held judicial clerkships and pursued careers in the public interest because of the example he set and the good advice that he offered as teacher and mentor.

Leroy Hassell loved his native Virginia. When we met in the fall of 1977 as first year students at Harvard Law School, I quickly discovered that we had grown up in the same area of Tidewater, Virginia. Leroy knew from the start that he would return to make his career in Virginia. He was never shy in his efforts to convince others, myself included, that Richmond would make a great place to practice law. Looking back across thirty years, I feel grateful for his advice and glad that I followed it.

More recently, I came to know Leroy Hassell as a man of deep religious faith. I have no doubt that he was familiar with the words of Isaiah: “They that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run, and not be weary; they shall walk, and not faint.”

Leroy Hassell’s faith, I believe, was both his compass and the source of his remarkable energy, especially in the later years when disease might have subdued a weaker man. Along with so many others across the city and commonwealth he loved and served, I feel privileged to have witnessed the race that he ran so ably.