

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF ALABAMA

THE FAITH AND POLITICS INSTITUTE

2023 ALABAMA CIVIL RIGHTS PILGRIMAGE

March 4, 2023

The United States District Court

For the Middle District of Alabama

One Church Street

Montgomery, Alabama 36104

(Call to Order of the Court.)

CHIEF JUDGE MARKS: You may be seated.

On behalf of the United States District Court for the Middle District of Alabama, I extend to you all a very warm welcome. It is our great honor and privilege to have you all here in this historic courtroom, America's courtroom, to reflect on the legacy of Judge Frank M. Johnson, Jr.

My name is Emily Marks, and I'm the Chief United States District Judge here in the Middle District. On the bench with me are Judge Austin Huffaker and Judge Harold Albritton. With us in our jury box is Bankruptcy Judge Christopher Hawkins. We also have our magistrate judges: Judge Jerusha Adams, Judge Kelly Pate, and Judge Chad Bryan. Also with us are our United States Attorney, Sandra Stewart; our federal defender, Christine Freeman; and our U.S. Marshal, Jesse Seroyer.

I am delighted to welcome Congresswoman Terry Sewell, who I understand is on her way, and former congresswoman and board member of Faith and Politics Martha Roby, and each and every one of you in the delegation comprising the Faith and Politics Institute, including distinguished members of the United States Senate and the United States House of Representatives.

We also welcome the new executive director of Faith and Politics, Mr. Rob Wilson-Black, and his colleague, Dr. Cynthia Copeland.

On today's program, I am pleased to welcome Judge Myron Thompson and Judge Keith Watkins and two of Judge Johnson's former law clerks, Cathy Wright and Laurel Lucey, who will join Judge Watkins in a discussion. Debbie Long, also a former law clerk of Judge Johnson, will introduce you to the mission and work of the Johnson Institute.

Now, while this is America's courtroom, it is also a working courtroom, used by Judge Myron Thompson to do the work of the Court. We will now hear from Judge Thompson.

JUDGE THOMPSON: I'm not used to looking at this bench from this perspective. I'm also not used to being called upon by someone else.

Representatives and Senator and guests, welcome to the 2023 Bridge Crossing Jubilee commemorating the 1965 bloody confrontation at the Pettus Bridge and the march from Selma to Montgomery that followed, all of which prompted Congress, as we know, to pass major and historic voting rights legislation. And welcome to the courtroom which also played a major role in vindicating what we now celebrate this week, the precious and fragile right to vote.

I was going to begin my remarks with what I call the venue here, this courtroom. But before going there, I feel obligated to acknowledge a great absence; that of a man who was here when your group, Faith and Politics, last met in this courtroom back in 2020. Of course, that person was Congressman

John Lewis. I think it was one of his last public appearances. Indeed, he was quite ill. But he strongly believed in what this commemoration stood for, the right to vote, that even his illness could not keep him away. In fact, he stood where I am standing now back then, ever reminding all of us, representatives like you, jurists like us, of what and how precious and how fragile a gift we have in this country, the right to vote.

I feel the need to dedicate a moment of silence in remembrance of him, so if you would bow your heads.

(Brief pause in the proceedings.)

JUDGE THOMPSON: And now back to my planned remarks.

The venue. This courtroom was part of a federal building built in the early thirties when labor and materials were incredibly cheap. It is a gorgeous structure with its intricate painted ceiling and its deeply rich woodwork.

But I also find that it presents a most fascinating historical contradiction. You are now seated below a balcony which, as I understand from historians, was reserved for Black Americans back at the time this building was built, for federal structures complied with local laws and customs when it came to the -- or what came to be called the treatment of races. Back then, I would have sat up there. Back then, everyone in this audience who is not white -- if you are Black, if you are Asian, as long as you're not white, you would have sat up there with

me. Every day that I reside here, that balcony reminds me of what was.

And the reminder is firsthand. One of the most vivid memories from my childhood in the mid fifties is sitting in a racially segregated balcony in Dothan, Alabama, in the southeast corner of this state, to see a movie. And of all things, the movie was *Gone With The Wind*. What a double whammy.

And yet, some 20 to 30 years later, this courtroom came to stand for and be the center of the opposite of what that balcony represents: A bedrock venue of racial justice. And this was due in substantial measure to one man, Judge Frank Minis Johnson, Jr.

As I wrote after the death of Judge Johnson years ago, yes, he was a great jurist. He was a man of vision. He was all those things we say about people who did great things. But it would be grossly inadequate for me to attempt to assess this man's judicial career by measuring it against some sort of standardized ruler of appropriate superlatives. For if anything, he was not a man of norms based on mere social acceptability. At the time he memorialized his notions of justice and the rule of law in words, those notions, though self-evident today, were novel to many in this country; indeed, so original and socially unacceptable that they provoked violence.

Nor can I reduce him to some personal anecdote. We

weren't fishing buddies. I didn't clerk for him. The times we sat together on the bench on cases, though exquisitely meaningful, were few.

No. For me he was much more. Incomparably more. He was for me what he was for many southerners who came of age at the end of the second part of the last century: A full life's measure, and a full life's experience at the heart of which sits this courtroom.

Many, upon reading these words, will surely think that I exaggerate. I do not, and I am not. And let me explain.

I understand there are some young people in the audience, so this may be a slight history lesson that I'm going to go over.

I began in 1955 during my childhood as an African-American child in Alabama. It was an important year for those of us, both Black and white, born in the south near the beginning of the second half of the century, for we were then poised to leave the seclusion of home and enter the public world of state-enforced school segregation. And it was also an important year, because it was the year that Judge Johnson was sworn in as a District Judge in the Middle District of Alabama.

The forces behind those two events would collide again and again, due in great measure to what he did over the next half century in this courtroom. The public life that I and others entered would hardly resemble the one that I lived in in

1955 when I began school.

The first collision was immediate. In the late 1950s and the early 1960s, from this courtroom, he entered the public schools that I had attended and sought to attend and, by court order, began a three-decade effort to change the environment in which I was to be instilled with the tools to become a competent American citizen. He sought to impose and to teach me and other children the simple notion that for us kindergartners playing in our sandboxes, the only colors that should affect our lives and our choices were those of the sandbox and its utensils and not the skin of those playing in it.

And the collision continued and expanded as this colorblind principle followed me through my elementary and secondary years. From this courtroom, he applied not only to all grades in the public schools, but also to the environment in which I played after school and during summers. No longer was I to suffer the indignities and mental assaults that my parents had suffered, sitting in the back of the bus or drinking, quote, colored water -- by the way, for you young people, it was still clear water -- or swimming in colored pools. In the wake of the Montgomery boycott, which had been triggered by Ms. Rosa Parks' refusal to give up her bus seat, he and other judges on a three-judge court from this very courtroom struck down the city's segregation ordinances.

Later, in the wake of the Freedom Riders, he held that

the maintenance of separate bus facilities for the two races constituted unjust discrimination, declared unconstitutional the state statute requiring segregation of the races in bus and railway terminals, and desegregated all facilities in bus terminals. This was followed by orders desegregating the local Montgomery YMCAs which had been given free use of Montgomery's parks and playgrounds. All this, again and again, from this courtroom.

During my teenage years, that which had been taught in school to my parents about the American dream -- to pursue honorable work, to vote, to serve the community through public office -- was taught to me as well, but with the added possibility that the dream could actually be mine. He ordered the desegregation of all state government.

Yes, from this courtroom, he ordered that the Selma to Montgomery march be allowed; a march that you and others have rewalked again and again and will rewalk tomorrow. A march, as we know, that set the stage for the congressional passage of broad voting rights legislation. And then, with the enactment of those laws, he did as he had done with regard to all national laws: He simply and swiftly enforced them. When I turned 18 a few years later, I could and did engage in the simple act of voting.

And during my college, law school, and early law practice years, 1965 through 1979, he taught us all, both Black

and white, that African Americans were not the only essentially forgotten and disenfranchised groups that had been egregiously denied the rule of law. He applied the Constitution to two other groups. He ordered that the barbaric conditions in Alabama's mental health institutions and prisons be reformed.

I have now turned 76, and I am looking back. For me and for most of us down here, he was no anecdote. No mere interesting event. Not some figure out of the past to study in history books; to write a one-page essay on for school. He was instead a full life's experience. And by that I mean our full lives. What he did spanned the breadth of our lives. For us southerners who came of age in the second part of the last century, the measure of his public life is the measure of our whole lives.

As we seek to recount his, we cannot but recount our own, for he was there from the beginning and almost everywhere. From the sandbox to the ballot box, due in great measure to him, our lives in 2023 are, most fortunately, not the same as they were when he and I set out in 1955. And the venue for all of this is where you sit now: This courtroom.

Now, much has been written about Judge Johnson and all that he did; however, the puzzle that still remains to me is not what he did but why he did it. Here's a man who was raised in a racially segregated culture, and he had acted totally contrary to that culture. Why? Why does one turn against everything one

has learned? What makes one second guess everything one has not only learned but experienced? And this is not just as to race. He went counter to the culture with regard to the treatment of women, for he also introduced decisions recognizing the equality of women. He did the same with regard to the mentally challenged, as well as with regard to those who are imprisoned.

It would be easily understandable for someone to recognize the right of a minority if he or she is a member of that minority. But Judge Johnson, again and again, recognized the rights of groups of which he was not a member. What makes a person do this? This question is even more troubling because for many here in the south, those rights were not only recognized, they were vehemently and violently opposed.

It's not enough to say that he did what he did because he was a federal judge and a member of the independent judiciary, and that as a result, he could do what he did. For sadly, many if not most federal judges in the south did not do what he did. Then why did he do it? He was born in Winston County, they say, but I don't believe a man's place of birth explains or dictates the nature of his character.

Indeed, some might say my question as to why Judge Johnson acted the way he did is the wrong question. The real question is, why didn't all federal judges later in the sixties and seventies act the way Judge Johnson did? For they were all members of an independent judiciary and were all subject to the

same commands of the law in the sixties and seventies that Judge Johnson was subject to.

Recently Germans have begun to examine why their legal community, despite having, by the way, an independent judiciary, failed the Jews in the Holocaust. I hope that with time we will study why the southern legal community, both federal and state, failed African Americans during the time of Jim Crow and afterwards. In short, the question should be, why was Judge Johnson one of a few courageous exceptions rather than the norm?

When I was sworn in as a federal judge back in 1980, I hated that balcony, for it was a reminder of the humiliation of my parents, my friends. It was a humiliation to me, for I, as I said, had suffered under the regime of Jim Crow.

But today I see it as something else. As I began, I said this courtroom is a contradiction. It and the man who presided in it represent the fact that justice is within our reach, and yet there is the balcony, too.

I now see the balcony twofold: As a reminder that there are still people in our society who sit in figurative balconies throughout society today, separated from the full protection of the laws of this country. It is also a literal reminder that the job of justice is far from complete.

Dr. King's full dream, though not outside our reach, still remains outside our full grasp.

Tomorrow you will rewalk the Selma to Montgomery March.

Why? I hope because you realize that the right to vote is still yet to be fully realized in this country, and because you also realize that the right to vote, to the extent it has been realized, remains fragile and can still be lost.

The balcony is a reminder that one can go backwards. And the battle is both to move forward and not let things go backwards. To paraphrase William Faulkner, and to add a little vernacular, The past is never dead. Hey, man, it's not even in the past.

I see the walk tomorrow as not merely a rewalking of the walk of 1965, but a continuing of the walk that began in 1965. And as you go forward to continue that walk, I hope you will have enjoyed your stay in what we call America's courtroom. Thank you.

(Applause.)

CHIEF JUDGE MARKS: Thank you, Judge Thompson.

And now we will hear a conversation with Judge Watkins and former Johnson law clerks Laurel Lucey and Cathy Wright.

JUDGE WATKINS: Good morning. We're so happy you are back here again. You were here in 2020, in March of 2020, right at the beginning of COVID, and so we've tried to do a little bit of a different program today.

Thank you, Judge Thompson, by the way, who has been in this courtroom for 42 years.

(Applause.)

JUDGE WATKINS: When he leaves or departs the courtroom, he says it's going to become a museum. After 42 years, I think when he's in here, it's a museum.

So who is this man Frank Johnson? Jim Crow was a legal construct, and it had to be deconstructed by law, and it happened here. It started here. And so former Johnson clerks here are going to tell us a bit about Judge Johnson, the man.

We have one, Cathy Wright, who served with him in this courtroom when he was a trial judge, and then Laurel Lucey, who was with him as a clerk when he was on the Court of Appeals.

Cathy Wright has recently retired. Her second career was consulting with organizations, including international business, government, and nonprofits in strategy and communications. From international manufacturing and finance to state agencies, addressing, for instance, outcomes for Alaska native children, she's guided organizations for many years to move through regulatory and operational challenges. She's a founding partner of the law firm of Maynard, Cooper & Gale, where she practiced for 20 years. She was a clerk for Judge Frank Johnson here from 1975 to 1976. She's taught as an adjunct professor of law; an instructor in public involvement at Duke University's Nicholas School of the Environment. She's the founder of the American Academy of Attorney Mediators. She's founder of the women's sections of the Alabama Bar Association and the Birmingham Bar Association and founder of many other

groups and serves on many boards. She also teaches mindfulness at the Lakeshore Foundation, which is a national CDC-funded program for people with physical disabilities and chronic illnesses. She's also on the board of the Johnson Institute, which you'll hear more about in a few minutes. Cathy is married to Michael Hall, also an attorney, and they have three children and three grandchildren.

Laurel Lucey was a clerk in 1983 when Judge Johnson was on the Court of Appeals. She's a graduate of Yale University and Georgetown University's Law School. She's a Wisconsin native. In fact, she's the daughter of the late Governor Lucey in Wisconsin --

MS. LAUREL LUCEY: Daughter.

JUDGE WATKINS: I'm sorry. Daughter.

MS. LAUREL LUCEY: Didn't quite get to the governor.

JUDGE WATKINS: And she's been steeped, therefore, in politics from a very young age. She worked originally on Capitol Hill with Representative Les Aspin, and then she later became an assistant in the Office of Chief of Staff of President Carter in the West Wing. While still in the White House, she started law school at Georgetown Law at night and did well there, and, of course, upon graduation was hired by Judge Johnson here. She practiced for many years in Atlanta as an international intellectual property partner at Kilpatrick Townsend.

Now retired, she devotes herself to many charitable endeavors and civic endeavors. In 2020, for instance, she was one of the leads on the Georgia Democratic party's voter protection effort. She is the mother of three children, the youngest of whom is now a senior at Yale.

So we're going to do a panel discussion here for just a few minutes, and so I'm going to start with Cathy. As a former Johnson clerk here in the District Court, describe Judge Johnson.

MS. CATHY WRIGHT: You know, I've thought about this a lot, and I decided on two things that I would really like to say about Judge Johnson.

Judge Thompson, I don't know how close this comes to answering the question of why, but it meant a lot to me.

He was a man of searing intelligence and every kind of intelligence you can think of: Logical thinking, intuitive intelligence, great people sense. And he just -- and he was so quick. His ability to see the connections among things. And he didn't think from preconceived notions. He always thought from kind of a blue sky.

And the second thing is his integrity, which has been a model for me that I've tried and failed to live up to my whole life, but he was so determined to do what the right thing was. And, you know, one might say that integrity -- that self-righteousness is kind of the near enemy of integrity, but

for him there was never, like, ego in it or being stuck in a set of rules or the social norms. He just started from what was clear to him and thought that way, and he wasn't deterred by what was going on around him. And it was just awesome to watch that over and over and over again. I was here during the prison cases, the first prison cases, and just that clarity and intelligence and willingness to do the right thing.

JUDGE WATKINS: Laurel, as a clerk for Judge Johnson on the appellate court, how would you describe him?

MS. LAUREL LUCEY: Well, the judge did not look for opportunities for greatness. He was not positioning himself to become a great man. The lesson I took from clerking for him was just that: What came to his court he dealt with, with a piercing intellect, with courage, with integrity, without fear.

You know, I come from a political background. Grew up with Bobby Kennedy staying at my house and peeking around the corner. I was seeped in politics.

And that wasn't a part of what Judge Johnson was about on the bench. Personal morality was not what he was after, the basis for his decisions. It was purely the law and the facts. And he -- you know, he said how -- these cases came to him. In many ways they shouldn't have had to come to him, but local political leaders didn't take the steps they knew under the law they should be taking. After the Supreme Court's Brown decision, you know, separate but equal was not going to be

acceptable in public parks or on buses or in libraries or museums.

You know, we think today, well, of course a Black person could go into a museum when I can and just as I can. Well, it wasn't that way. And it shouldn't have fallen to the court to have to do that, but it did because of a failure of others, other judges, as Judge said, and other political leaders. But Judge Johnson didn't seek out all of this. He just took the cases as they came; decided them as the law and the facts demanded.

And that was a great lesson. You don't -- you know, whatever comes to you in life, whichever challenges you face, wherever you are, whether you're on the Hill or whether you're a member of Congress, the Senate, you know, or dealing with an aging parent, you know, in a small town, you approach it with your greatest effort, your greatest talent, your greatest integrity. And that's what he did.

JUDGE WATKINS: Cathy, what was it like behind the scenes of a District Court in Alabama in those turbulent times in the 1970s?

MS. CATHY WRIGHT: You know, of course, the cases that Judge Thompson talked about, most of those had been decided by the time I got here. The prison litigation was here.

But the Johnsons still lived with full-time protection and Great Danes because they were -- you know, continued to

receive death threats and all of that. And it really affected their lives, their personal lives, as you can imagine, profoundly.

And I don't think you can talk about what it was like without talking about Ruth Johnson, his wife. She was the most extraordinary woman, and they had this incredible marriage. They were true partners. And they had one son, Johnny, a gentle, kind young man. And the year I was here, Johnny passed away. It was a terrible tragedy. It affected the Johnsons deeply.

And it was part of -- you know, all of that was part of the personal sacrifice that they made to do what they did. And if you ever get a chance, and I hope you will, to watch the oral history of Ruth Johnson that's on this website. I highly commend it to you for context, for the history, and for just how to live a graceful and beautiful life.

But after all that, Ruth said she thought that while she and Judge Johnson had each other, and they had the support of a few close friends that supported them the whole time they were going through all of this, Johnny had to go to school in an environment that wasn't very welcoming. And I watched them through that tragedy to just be as graceful and kind and gracious as they ever were.

And the thing that really knocked me down about what Ruth Johnson said in that oral history was at the end of it.

This was shortly before she died. She said, when I look back on it, I don't regret anything.

JUDGE WATKINS: Laurel, what were some of the fundamentals of Judge Johnson's judicial philosophy?

MS. LAUREL LUCEY: Well, I think we both have sort of touched on some of that. It's just his devotion to the law and the facts. He didn't reach out to develop issues or, you know, move the law in a certain way. He applied the law to the facts that came before him and changed, you know, the course of history.

But one thing I'd like the audience to know is he was also hilariously funny. He was, you know, on the court very stern, very sober, very intimidating, but he was an incredible storyteller. We would go to sittings in appellate court, we would sometimes be in Atlanta with the three-judge panel, and the judges would bring their clerks and we'd go to dinner. Judge Johnson could entertain the entire table the entire night with literally these very distinguished judges rolling in the floor in laughter. He was just so funny. And Ruth was every bit his equal in that regard.

And there's a funny story we were talking about just earlier. One of the judge's -- maybe his first secretary was a very rigid woman, you know, very careful and protective of the judge. And one day Mrs. Johnson called and said, I'd like to speak to the Judge. And Ms. Cosberg said, Well, I'm sorry, he's

in a meeting right now. He can't be interrupted. And Mrs. Johnson said, Well, just give him a message for me. Would you let him know his house is on fire?

And I'll tell you one personal story. They were also matchmakers. My husband of 38 years was also a clerk for Judge Johnson several years before me. The Judge told the clerk I was replacing that she had to introduce me to Peter before she left town, which she did. And Peter and I ended up dating over the course -- Mrs. Johnson had called, invited us to New Year's Eve with them. Peter -- she called Peter first. Peter said, oh, sure. She called me, and I said, Well, Peter and I were planning to go to the beach. She said, oh, well, you're not invited anymore. You're disinvited.

And then toward the end of -- my clerkship was coming to an end. I was going to be leaving Montgomery. It was unclear where the relationship was going.

And Peter got an envelope in the mail. It was no return address. It was typed by obviously someone who was not skilled at the typewriter, uneven typing, and inside there was just a clipping from the Montgomery Advertiser. It was a photograph. Must have run on the wire. And elderly man, very, very, old, in a hospital bed, you know, tubes everywhere. Seated by his side on the bed, an elderly woman in a white dress, holding a bouquet, and it's quoting the man, saying, I just wanted to be sure it was the right thing. It was the

Judge's message to Peter, which he took seriously.

JUDGE WATKINS: Is it true that one of the Great Danes was named Nebuchadnezzar?

MS. LAUREL LUCEY: I never went near that dog.

JUDGE WATKINS: I think he bit one of the clerks, and Judge Johnson said, Give him a bone. He did the right thing.

Cathy, how did Judge Johnson treat those who appeared before him?

MS. CATHY WRIGHT: You know, of course, I was here when he was on the trial court. And every law clerk -- if I had my glasses on, I'd show you -- can pull their glasses down and stare over the top of them. It was terrifying. But he was so kind and gracious to all the litigants and all the jurors and all the people who were here, to everybody except the lawyers. He was tough on lawyers.

You know, we were talking about it earlier. You know, to be in his courtroom was -- you had to be right on it. But the way he was with most people was just really kind.

One of his favorite stories was about a trial he had where there was a jury, and this elder man had been on the jury. And after the trial was over, the man came over to Judge Johnson, and he said, you know, Judge, you're a real smart fellow. What you ought to do is go down to this little town he named and put you in a grocery store. And he thought that was the most hysterical thing. But that's the kind of relationship

he had with most people who walked through the door.

JUDGE WATKINS: Laurel, you had an encounter with John Lewis that involved Judge Johnson. Why don't you tell us about it.

MS. LAUREL LUCEY: This was in the very end of the 2018 election cycle. President Obama was coming to Atlanta to speak to get out the vote for the Democratic slate.

And I was in supposedly a group of VIPs, going in -- you know, we were jammed, just hundreds of us very important people, pushing through to get into the hall, pushing, pushing through, and just right up against one another. And in this river came this current of VVIPs, and among them John Lewis. And as he was pushed past me, I caught his eye, and I said, I clerked for Frank Johnson. And he stopped, and he turned, and he gave me a gigantic bear hug. And then he held my shoulders, and he said, I spent many days in his courtroom. This courtroom. He was a great man. And he, you know, then was pushed on. That's the last I saw him.

But he was here for the Freedom Riders cases. He testified. He was here, again, in the Selma case, which was a four and a half day hearing.

Another incident I would love to relate is to show how the leadership of the civil rights movement of that era was so revered -- so revered Judge Johnson. Around that same time, I saw Andy Young at a small event in Atlanta, which is Fulton

County, Georgia. And I went up to him after he spoke, and I said, I clerked for Frank Johnson. And he took my hand and he kissed it.

And not long after that, I was here at the Memorial for Peace and Justice. And as I walked down into the earth -- maybe you've all been there -- and you start to see on these walls stories of people who were lynched. There was a man in Fulton County, Georgia, in 1935, lynched for kissing the hand of a white woman. That happened in Andy Young's lifetime. And that is a measure of the difference Judge Johnson made in Judge Thompson's lives, in all of our lives: That an innocent act like that could cause a man to be lynched, and decades later, nobody thought anything of it. We had that kind of transformation of society, that it would be such a grave offense that a man should be murdered, to a sign of respect because you were lucky enough to clerk for one of the great men of all time.

(Applause.)

JUDGE WATKINS: Cathy, I believe you also had an encounter with John Lewis that involved Judge Johnson.

MS. CATHY WRIGHT: I did. You know, I met him a few times because he was here from time to time, and he was here before the new courthouse was built. Same thing. You know, I was introduced to him as a former Johnson law clerk. And we chatted for a minute about how sad it would be that this courthouse wouldn't be named for him, because courthouses

couldn't be named for living judges. And John Lewis said, I'm going to fix this, and he did. So we are now in the Frank M. Johnson Courthouse.

(Applause.)

JUDGE WATKINS: Cathy, I'll also follow up with this. How will history view Judge Johnson? And are we in danger of losing or forgetting that history?

MS. CATHY WRIGHT: What we've been talking about, the way it has impacted lives, I hope and I believe that's for the most part how he's going to be remembered. That, thank goodness -- and you'll hear from Debbie Long in a few minutes about the Frank M. Johnson Institute, which is hopefully preserving that history, among many other things.

One of the other things that I think is really important, and, you know, it's important in the legal system and doesn't get talked about very much, is Judge Johnson always said, I'm never going to enter an order that I cannot enforce. And if you think about that, you know, judges in an independent judiciary don't have an Army or, you know, police force or something like that. So he thought really carefully about if he said this was the law, and it had to be followed, how would he make that happen? So what he came up with in the mental health cases was a mechanism of oversight; of the implementation of the orders that was used there, it was used in the prison cases, and then has been used around the country ever since to make sure

that these kind of things that affect our citizens, to place them in situations that are way below constitutional standards, actually get rectified. And so that's become not only nationally, but we were talking last night that it's internationally now considered some of the standards that he put in place around mental health and some other things and the enforcement mechanism. And for the legal community and for those of you who are in government, I think that's an really important part of his history.

JUDGE WATKINS: Laurel, do you have any final observations or comments?

MS. LAUREL LUCEY: I do. I think that Judge Johnson really will be remembered as one of the greats; one of the people who moved this country in a way that was unique.

Bill Moyers did interviews with the judge, and over two weeks of his then weekly news program they were featured. They're fantastic if you ever have a chance to see them. You can find them on line.

Bill Moyers said that Judge Johnson was maybe the greatest man he'd ever met, and he's a man who interviewed people, leaders all over the world. He compared him to Lincoln. And he said, if Judge Johnson had been born in Lincoln's time, he would have been Lincoln. And if Lincoln had been born in Judge Johnson's time, he would have been Judge Johnson.

But I also remember as a teenager, young teenager, 13

years old, seeing the *Time Magazine* cover with Judge Johnson's image on it. It's the only time the magazine ever featured a Federal District Court judge. I remembered that when I was a law student and applying for clerkships and thought I was probably wasting my ten cent stamp sending an application to Judge Johnson.

But I went back and read that article in preparation for today, and it ends with a quote that is remarkably relevant to our times. It was words the judge spoke in this courtroom. It was a naturalization ceremony, speaking to newly minted American citizens. Memories of Bloody Sunday were fresh. Martin Luther King's assassination was a year hence. It was a very fraught time. And it seems powerfully pertinent to this fraught time of ours.

I'll close with this, Judge Johnson's words: "It is necessary, now more than ever, that the responsible American citizen realize and discharge his obligation constantly to support and defend the proposition that our law is supreme and must be obeyed. This means that irresponsible criticism must not be allowed to stand unchallenged. When those who frustrate the law, who undermine judicial decisions, run riot and provide uncurbed leadership for a return to nothing more than medieval savagery, for the responsible American citizen to remain silent is tantamount to cowardice; it is a grievous injustice of the proposition that in America the law is supreme."

Frank Johnson, 1967.

(Applause.)

JUDGE WATKINS: Cathy and Laurel, thank you so much for joining us today and putting flesh on some dry bones. Thank you.

(Applause.)

JUDGE WATKINS: And now a former Judge Johnson law clerk, Debbie Long, will give us some information and insight into the Johnson institute.

MS. DEBBIE LONG: Well, I'd like to welcome you on behalf of the Johnson Institute to Montgomery and hope that you have a wonderful day here.

I am actually co-chair of the Johnson Institute. My wonderful co-chair, Quentin Riggins, didn't know if he was going to be able to make it; but he, after heroic effort, made it this morning.

I clerked for Judge Johnson after he was in this courtroom. But we knew the history of this courtroom, so we would sneak down -- we were upstairs -- and look at this courtroom occasionally. Visited its library occasionally. We knew the history, and we were in awe then, as I continue to be in awe when I'm in this courtroom.

So I want to introduce you to the Johnson Institute. We have eloquent language in our vision statement, but I'm going to follow one of the cardinal principles of Judge Johnson when

it came to writing opinions and communicating, which is try to get it down where the goats can get it. He had very interesting ways of expressing himself.

But what we do, really, is share stories about the Constitution. And we primarily are focusing on the ones that happened here because people are coming here because of what happened here. These are stories that help people understand our Constitution, our judiciary, our rule of law, and they capture their interest. And we show how they affect our lives.

We are a private organization, nonpartisan, nonprofit, relatively new. We're actually the brain child of a number of people, but particularly Judge Watkins and the other Middle District judges and Trey Granger, the clerk of the court. Then we combined with a lot of other people, former clerks, people who knew and loved Frank Johnson, but primarily people who absolutely revered his work in upholding the Constitution.

You know, we have a number of those people here today, and I'd like to recognize them. If you would stand up if you're involved -- Quentin. That's our staff up there. Trey Granger. These are all board members, board members, volunteers, et cetera. And they'll be happy to answer any questions, talk to you about anything if you have time on the way out.

Now, obviously, we're kind of tied at the hip with the Court. We work very closely with them, and that relationship is really essential to our success. It also makes us special

because no other organization has access to this courtroom and this history the way we do. As Judge Marks said, it's also a working courtroom, but it's a courtroom where all these powerful stories played out. And we can take these stories and talk about the Constitution and the rule of law. And certainly no other place has more enthusiastic support from the federal judges. And it's not just Judge Watkins and Judge Thompson and Judge Marks. In the last year we've had seven federal judges actively participate in our programs, giving generously of their time to help further the mission of understanding the Constitution.

Now, y'all are all used to being in the company of very great people, because you are very important people. But for the average visitor to our courtroom, the average American, being in a courtroom, having a presentation by a federal judge, is extraordinarily powerful. And we're so thankful for the federal judges in this district.

So let me tell you what we actually do. We host groups who are interested in the history; make presentations. We particularly like to teach. We teach students. We teach teachers who teach students. And we do some continuing legal education for lawyers as well.

But people are coming from far and near. It's not just around here. Just this week, we had one of our workshops. It's called Civil Discourse and Difficult Decisions. Okay. So, you

know, it's nice to be able to talk about difficult things in a civil way.

But we took a group of high schoolers from Montgomery and combined them with a group of high schoolers from Connecticut, and together -- the only reason you could tell who came from where was how they talked. Some had southern accents. But together they took the facts and the law of a fictional scenario but based on a real court case, and they digested the law and the facts. They analyzed it with attorneys who came, volunteering their time to work with these kids. And they learned how to analyze, how to see things from different perspectives, that issues aren't always cut and dry. And then they made a presentation to one of our real federal judges. So imagine the impact that had on them. And we hope that it takes -- they took with it a different way of appreciating our legal system and our Constitution.

Of course, as you've heard, this is a working courtroom, and access is necessarily restricted, so we are looking for lots of ways that we can expand our work here in the courthouse, maybe virtually. We've done virtual programs as well. And maybe even taking it on the road. But what we want to do is use these very powerful stories that unfolded here and help bring the Constitution alive to our entire American community.

I want to thank you for coming today. We're so pleased

to be able to share this story. We're very excited about what we're doing, and we hope you have a great end to your day.

CHIEF JUDGE MARKS: Thank you all so much for being here with us today. To commemorate your visit to the court, we do have court coins that we are going to present to each member of the congressional delegation.

I would like to ask Mr. Rob Wilson-Black and former Congresswoman Martha Roby to come forward, and I will present the coins to you for later distribution to the congressional delegation.

Oh, I'm sorry. Terry -- well, you can't easily come down here. Would Congresswoman Sewell come forward, please.

(Applause.)

CHIEF JUDGE MARKS: We want you to remember your time with us today. We hope you all have a wonderful trip and enjoy being here in the Middle District.

We are adjourned.

(Proceedings concluded at 9:38 a.m.)

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## COURT REPORTER'S CERTIFICATE

I certify that the foregoing is a correct transcript  
from the record of the proceedings in the above-entitled matter.

This 27th day of January, 2026.

/s/ Patricia G. Starkie  
Registered Diplomat Reporter  
Certified Realtime Reporter  
Official Court Reporter