September 1995

Judge James M. Sprouse

Forest J. Bowman
West Virginia University College of Law, fbowman@mail.wvu.edu

Follow this and additional works at: https://researchrepository.wvu.edu/wvlr

Part of the Judges Commons, and the Legal Biography Commons

Recommended Citation
Available at: https://researchrepository.wvu.edu/wvlr/vol98/iss1/8

This Tribute is brought to you for free and open access by the WVU College of Law at The Research Repository @ WVU. It has been accepted for inclusion in West Virginia Law Review by an authorized editor of The Research Repository @ WVU. For more information, please contact researchrepository@mail.wvu.edu.
JUDGE JAMES M. SPROUSE

FOREST J. BOWMAN
Hale J. Posten Professor of Law
West Virginia University

There is a great line from the Talmud which says: “Only a portion of a man’s virtues should be enumerated in his presence.” I assume the same rule would pertain to a written retrospective of a man’s career where you know he will read what you have written. So I will limit my comments and cut short the praise. But with Judge Jim Sprouse, that still leaves a wide field to cover.

I came to know Judge Sprouse when I was working for the West Virginia State Bar in the summer of 1974. The Supreme Court, of which he was then a member, had “borrowed” me from The Bar on a half-time basis to help with the campaign to amend the state constitution to provide for a modern judicial article. When that amendment was passed by the people, I was hired as the first Administrative Director of the Supreme Court and Judge Sprouse became one of my five bosses. As a Republican I was a bit wary of this short, direct — even blunt — man who had been the Democrat standard bearer in the gubernatorial election of 1968. But I need not have been. With Judge Sprouse, what you saw was what you got, and all he expected was perfection.

His enormous integrity, courage, and vision were embodied in his work. His quick intelligence, his innate sense of justice, and his enormous feel for the ordinary West Virginian gave him the basis for what was to become a distinguished career as a Supreme Court Justice and United States Circuit Judge.

He is such a straightforward man, and his willingness to “call a spade a spade,” was refreshing in a Capitol that had more than its share of politicians who wouldn’t dare say what they thought for fear of the next election.

For over a year-and-a-half I watched this labor lawyer, this
politician with political instincts as finely honed as anyone I have ever
known, this pugnacious former Golden Gloves fighter, consistently put
aside personal feelings and individual opportunities and do what he
believed passionately was the right thing to do. For example, when it
came time to implement the Judicial Reorganization Amendment of
1974, he joined with then Chief Justice Charles Haden — a leader in
the Republican Party — and these two statesmen and jurists put aside
political passions and worked together to make the new judicial article
a success.

Throughout all his endeavors, it was obvious that one of Judge
Sprouse’s greatest passions was his deep love for this state. A native
of Mingo County and a self-made man from the start, he has always
demonstrated a special “feel” for the ordinary West Virginian, a sense
that he translated, again and again, into judicial decisions and political
actions that were pursued because it was the “right thing to do” for the
people of West Virginia, even when it may not have been the right
thing to do for Judge Jim Sprouse.

In Scott’s *Guy Mannering*, the Counsellor says to Mannering, in
speaking about a man whose cause he must pursue: “It is the pest of
our profession that we seldom see the best side of human nature.”

I suggest that it is, to use Scott’s word, the “pest” of human
nature, that the vast good that Judge Sprouse has done has often gone
unnoticed. If the bar and the public would look more closely at this
man they would see, “The better side of the his nature.”

By my time in life, one has accumulated more allegiances and
moral debts than the mind can remember or the heart contain. But one
of the things for which I am most grateful in my life is that I had the
opportunity to work with Judge Jim Sprouse (it is highly significant
that I can write of having worked “with” him, instead of “for” him. It
is a small matter, semantically speaking, but in terms of human rela-
tionships, it is everything).

No society can survive and prosper without steady hands and
steady hearts who are able to lift their gaze beyond the horizons that
limit our vision and see things, not as they *are* or *have been*, but as
they *can be*. Judge Sprouse possesses that remarkable talent. I know
that sounds “windy” and “overblown.” But it happens to be true.

Those of us who care about the law and those of us who care about the state of West Virginia will always be indebted to Judge Sprouse.