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Judge James M. Sprouse

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JUDGE JAMES M. SPROUSE

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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 relationships, 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.

