

## Tributes to Judge J. Dudley Digges

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## TRIBUTES TO JUDGE J. DUDLEY DIGGES

NORMAN P. RAMSEY\*

When the history of the Maryland State Bar Association is written, the figure of the Honorable J. Dudley Digges will be seen to have cast a long shadow. Judge Digges' work as president-elect during the presidency of Rignal W. Baldwin, Esquire, and as President during his own tenure helped reform the Bar's structure from that of a social organization oriented toward cultivating "a spirit of cordiality and brotherhood" to a professional organization that turns its attention to the lawyer's professional and public obligations.

When President Baldwin and President-elect Digges took office, they undertook a team effort designed to give continuity to the planning and programming of the State Bar. Judge Digges believed that the structure of the American Bar Association supplied a model that could be adapted to the growing Maryland State Bar Association. Therefore, the President and President-elect authorized the creation of a special ad hoc committee, working under President-elect Digges, to revamp the structure of the State Bar Association.

The committee's work started during President Baldwin's term. At the 1968 annual meeting held in Atlantic City, New Jersey, before President Baldwin turned over the reins of governance to incoming President Digges, the committee proposed the first of a series of sweeping revisions in the structure of the Bar. Judge Digges had conceived of these revisions and had directed the ad hoc committee in their refinement and implementation.

These structural changes revamped the Bar's standing and special committees, giving greater recognition and autonomy to areas of specialty represented by sections. The concept was that an organization having a membership, as of July 1967, beginning to exceed 3,000 (and now exceeding 8,000 members) needed to democratize its operations in order to permit wider participation in its work. This structural change provided the flexibility needed for vitality and growth consistent with the future requirements of the Bar. An accumulation of committees that had ceased to have true vitality and function were swept away. Created in their stead were, among others, the Section of Judicial Administration, the Section of Legal Education, the Section of Young Lawyers, and the Section of General Practice. The changes also pro-

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\* Judge, United States District Court for the District of Maryland.

vided a mechanism for the creation and development of other sections, anticipating the need for new sections as areas of expertise and specialty develop. This mechanism demonstrated its utility in the years that followed.

A somewhat more subtle part of this important process was the dissolution of the old committee on admissions. This committee was a hallmark of the old days in which the Association had an elitist approach to its power to regulate the right of a lawyer to become a member, sometimes on captious grounds, in an organization that had the authority to speak in the vitally important area of grievance procedures and ethics. For the first time in the Association's history, the last vestiges of race or sex discrimination were eliminated.

With this surge of new ideas the work of revision obviously could not go forward only within one president's term. Judge Digges foresaw this; so the initial basic changes were accomplished under President Baldwin's gavel at the annual meeting.

These structural changes also permitted reorganization of the Association's committees to make their size more manageable and to restrict standing and special committees to true policy and guidance functions.

Changing the concept of representation from one based on *county* lines to one based on appellate judicial circuits allowed necessary reform in the Association's geographic representation and reduced the unwieldy task of making appointments to standing and special committees. Judge Digges realized that identifying appropriate members for committee assignments had become an enormous burden on the President and that there was little or no advantage to the old system, which resulted in many committee appointments with no assurance that the members had any interest in the committee or willingness to participate in its day-to-day operation.

As the chairman of Judge Digges' ad hoc committee reported at the annual meeting in July of 1968, "[f]or practical reasons when you work on by-law changes you have to put first things first, you can't swamp people with by-law changes all at once. We [the committee] will probably be back with five to six more [by-law changes] in January [at the mid-year meeting]."<sup>1</sup> One of the members was prompted to comment from the floor that the committee was "giving us half a loaf and we can expect the other half in January." In fact, it was Judge Digges' understanding of the need to educate before moving ahead in sensitive areas that led to this division of the matter.

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1. *Proceedings of Annual Meeting of the Maryland State Bar Association* 38 (July 1968).

As promised, in January of 1969, Judge Digges, through the work of his committee, completed the revision of the State Bar Association and cast it in its new model. At that meeting, the Association membership approved a revamped structure that permitted the election of assistant secretaries and treasurers, enlarged the function of the executive director, codified the concept of the executive committee of the board as authorized to act between board meetings, and made other significant structural changes incorporating the progressive steps taken by Presidents Baldwin and Digges in the modernization of the Association's organization.

The committee made its final report, dealing with the reorganization of the structure of the Association, at the annual meeting presided over by President Digges in July of 1969. This closed out the sweeping revisions that Judge Digges had visualized and created the structure of the State Bar that has served it so well for more than ten years. Judge Digges' final President's page in the *Maryland State Bar Journal* also forecast what was then referred to as the democratization of the Association. A committee, appointed by Judge Digges and chaired by David Betz, Esquire, of Montgomery County, designed a plan to give the Bar a meaningful voice in the nomination and election of the board of governors and, through that board, the officers of the Association. The committee also recommended a programming and planning effort to smooth out the abrupt changes that so disrupt the continuity of programs in volunteer organizations that change presidents annually. The leadership of the Bar Association has been accused of permitting organizational and policy change with the speed at which one would drive a glacier. Judge Digges and those who combined with him to revamp the structure of the Maryland State Bar demonstrated that this need not be the rule, given persuasive and quietly effective leadership by the President and the board of governors.

A review of the history of the State Bar during what might be referred to "as the Digges era," viewed now from a ten year retrospect, shows how effective and lasting can be the impact of one professional leader with the vision, tenacity, and courage necessary to shake the institutional structures and reform an organizational setup, designing it to provide the capacity and flexibility to meet and solve the increasingly complex problems that confront the legal profession.

The Bar owes a debt of gratitude to Judge Digges for this quiet revolution, accomplished with so little controversy, which resulted in a firmly established position of leadership for the Maryland State Bar Association in the professional hierarchy of the Bar of this State.

MARVIN H. SMITH\*

It gives me great pleasure to write a few words about my good friend J. Dudley Digges. His retirement from the Court of Appeals is a tremendous loss to the Court and to the citizens of the State of Maryland, notwithstanding the abilities of his eminent successor.

Judge Digges is steeped in the law.<sup>1</sup> His wide experience both as a trial judge beginning in 1949 and as a practicing lawyer prior to that time has been of substantial assistance to him while on the Court. He has an instinct for the law that has been invaluable, enabling him throughout his service to whisper wise counsel into the ears of his colleagues.

When Judge Digges came on the Court, the Report of the Administrative Office of the Courts for 1969-70 reflects that “[o]pinions continued to be handed down on an average of 1.1 months [from the date of argument] for the fourth consecutive year.”<sup>2</sup> For more than twelve years he has written his full share of opinions and has continued to adhere to that standard of promptness.

The test of an appellate judge is the quality of his opinions. I have no doubt that future generations will regard many of Judge Digges’ opinions as landmark decisions. Time and space permit me to mention but a few.

Judge Digges’ opinion in *Reyes v. Prince George’s County*<sup>3</sup> well represents his instinct for the law. He was shocked when he learned that some of the test cases we had received relative to bond issues were not genuine controversies. He told us that he intended to ask some questions the next time one of those “phony” cases was before the Court. When *Reyes* was argued he did exactly that. He inquired of counsel for the taxpayers about the source of his fee. When Judge Digges ascertained that the proponent of the test cases had hired the lawyer and was paying his fee, he went to work on his research. (Originally, he was not assigned to write the opinion.) He dug up material that

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1. This may result in part from his having sat at the feet of his father, W. Mitchell Digges, who served on the Court of Appeals from 1923 until his untimely death in 1934. Judge Dudley Digges is the only son of a Court of Appeals judge ever to serve as a judge of the Court. On the day of his retirement he told us that he had known well each and every judge of the Court from 1923, when Andrew Hunter Boyd was Chief Judge, until the present time.

2. ADMIN. OFFICE OF THE COURTS, STATE OF MD., ANNUAL REPORT, 1969-1970, at 20.

3. 281 Md. 279, 380 A.2d 12 (1977).

convinced the Court that the prior Maryland procedures governing test cases which involved the validity of bond issues were in error. Thus, he ultimately wrote the opinion for the Court. The procedure now used is a product of his fertile mind.

Judge Digges' resourcefulness led Judge Levine in his dissent in *Barry Properties v. Fick Bros.*<sup>4</sup> to refer to the majority's "own brand of wizardry . . ." This "wizardry" permitted us to save the mechanics' lien in that particular case, although we were obliged by reason of the Supreme Court's holdings in such cases as *Fuentes v. Shevin*<sup>5</sup> to strike down as unconstitutional a law that had its origins, according to Judge Digges' research, with Thomas Jefferson, James Madison, and Thomas Johnson. That law originally was designed "to facilitate the speedy construction of the new capital city of Washington."<sup>6</sup>

*Attorney General v. Waldron*<sup>7</sup> is a splendid example of Judge Digges' research and analysis. *Waldron* involved legislation that the General Assembly in its wisdom had enacted to prohibit the practice of law by retired judges rather than, as prior law had provided, to condition the receipt of pension benefits upon not practicing law. We declared the statute unconstitutional on the grounds of separation of powers under our Constitution, and equal protection under both the United States and the Maryland Constitutions.

I particularly like *Hillard v. State*,<sup>8</sup> a case dealing with the admissibility of an inculpatory statement. Some of the present generation of lawyers labor under the mistaken impression that Maryland did not restrict the admissibility of inculpatory statements in criminal cases or forbid prosecution on double jeopardy grounds until the Supreme Court mandated the applicability of these protections to state proceedings. Thus, I delighted in *Hillard* when Judge Digges added a footnote:

As is evident from our decision in this case, it is usually preferable to determine initially whether the activity complained of comports with the requirements of this State's nonconstitutional law, and then, only if the court finds that it so complies, does it become necessary to reach the issue of whether any constitutional stricture prohibits the conduct in question.<sup>9</sup>

In that opinion he traced the requirement of voluntariness for the admission of an inculpatory statement back through many Maryland de-

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4. 277 Md. 15, 40, 353 A.2d 222, 239 (1976).

5. 407 U.S. 67 (1972).

6. 277 Md. at 17, 353 A.2d at 224.

7. 289 Md. 683, 426 A.2d 929 (1981).

8. 286 Md. 145, 406 A.2d 415 (1979).

9. *Id.* at 150 n.1, 406 A.2d at 418 n.1.

cisions, the first of which had been decided over 100 years ago. Our decision was based upon Maryland's own "nonconstitutional law."

Yet another of Judge Digges' noteworthy opinions is *Davidson v. Miller*,<sup>10</sup> which also serves as an excellent example of his ingenuity. In *Davidson* we addressed the constitutionality of Maryland Constitution art. IV, § 8 which then granted all litigants in civil cases an automatic right of removal from the court in which the suit was initiated "to some other court having jurisdiction in such case for trial . . . ." Under the practice then prevailing, the party who did not initially request removal could have the removed case transferred to yet another court. The purpose of this provision was to afford litigants a fair and impartial jury. A litigant was obliged to assert that he could not obtain a fair and impartial trial, although he was not required to state any basis for his conclusion. Since the Eighth Judicial Circuit, Baltimore City, had three law courts, moving the case from one court to another within the City previously had been interpreted as compliance with the Constitution. The jury selection procedures in effect at the time of *Davidson*, however, undermined the purpose of removal because a different pool of jurors was not available in the "new court," as was the case at an earlier time. Judge Digges wrote the opinion declaring this provision unconstitutional since the removal right of civil law litigants amounted to one thing in the twenty-three counties of Maryland (each of which has but one circuit court), and quite another in Baltimore City. The Court hastened to point out that its decision would in no way deprive or otherwise curtail the circuit courts of the counties or the circuit-level civil law courts of Baltimore City from exercising their common law discretionary power . . . to remove an action to another jurisdiction, within or without the circuit, in order to rid the case of any prejudicial barnacles which, because of local prejudice, passion or interest, m[ight] have attached . . . ."<sup>11</sup>

Another of Judge Digges' fine opinions is *Dep't of Nat. Res. v. Linchester*.<sup>12</sup> The owner appealed to the circuit court from the department's denial of a permit to alter the wetlands portion of privately owned land. The "wetlands statute" provided that such an appeal was not subject to the Administrative Procedure Act, that the court might hear the case *de novo*, and that either party might elect a jury trial. Judge Digges wrote a definitive opinion for the Court relative to administrative law and judicial review. In holding unconstitutional this particular statute, Judge Digges observed for the Court:

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10. 276 Md. 54, 344 A.2d 422 (1975).

11. *Id.* at 83, 344 A.2d at 349.

12. 274 Md. 211, 334 A.2d 514 (1975).

[W]e cannot refrain from observing that a practice which would permit judges or jurors to substitute, on a de novo basis, their discretion for that of the department's experts, would place this State in the intolerable situation of having as many wetland decision-makers as there are circuit court judges and juries empaneled for this purpose. If this were to be the case, the result would be a destruction of the effectiveness of the department in conserving, for the general public good, the valuable wetlands of this State, and reduce this agency's power, in this field, as a practical matter, to a nullity.<sup>13</sup>

As his last opinions demonstrate, Judge Digges retired in a blaze of glory. In *Johnson v. State*,<sup>14</sup> filed immediately prior to his retirement, the Court considered a case where the individual had been sentenced to death. Among other matters, the Court addressed the issue of whether Maryland recognized the criminal defense known as "diminished capacity" or "diminished responsibility." In his usual thorough, scholarly manner, Judge Digges traced our cases dealing with the *McNaughten* doctrine (the right-and-wrong test) from *Spencer v. State*<sup>15</sup> to the present. Judge Digges also examined the changes wrought by adoption of the broader rule patterned after the American Law Institute Model Penal Code concerning "mental disease or defect" (now "mental disorder"). Finally, he carefully surveyed pertinent out-of-state cases and concluded for the Court that Maryland does not recognize the defense of "diminished capacity."

Judge Digges and I consistently have opposed permitting thieves to practice law in Maryland. One of his final acts as a member of the Court was writing the dissent, in which Judge Rodowsky and I joined, in *In re Application of G.L.S.*<sup>16</sup> This case concerned a convicted bank robber whom the majority of the Court certified to the public as having the requisite moral character to practice law in this State. Again, he did a superb job.

Although Judge Digges was a great appellate judge, his expertise unquestionably extended to other areas of service. He also was a distinguished trial judge and administrator. From the time when I served on the Committee on the Judicial Branch of the Constitutional Convention of 1967, I remember very well the system that Judge Digges devised by which cases were promptly assigned for trial and judges rode the circuit, as the framers of our Constitution intended. Under

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13. *Id.* at 228-29, 334 A.2d at 525.

14. 292 Md. 405, 439 A.2d 542 (1982).

15. 69 Md. 28, 13 A. 809 (1888).

16. 292 Md. 378, 439 A.2d 1107 (1982).

that system, which Judge Digges instituted while Chief Judge of the Seventh Judicial Circuit (before the time of administrative judges), the Circuit Court for Prince George's County was disposing of almost as many cases in a calendar year as in the Eighth Circuit (Baltimore City) with about half the number of judges. The Seventh Circuit was current and Baltimore City was not. As a result of his system, cases that could have been brought in the District of Columbia actually were filed in Prince George's County because counsel could move those cases to trial so much faster in Maryland.

It has been a joy to serve with Judge Digges on the Court. We shall miss him.

ERNEST A. LOVELESS, JR.\*

Judge J. Dudley Digges was appointed Circuit Court Judge for the Seventh Judicial Circuit on March 18, 1949, to replace Judge William M. Loker who retired. The Seventh Circuit then consisted of Charles, Calvert, Prince George's and St. Mary's Counties. Judge Digges was thirty-seven years of age, and at that time, the youngest judge ever named to the Circuit Bench in Maryland. He had been a partner in the prestigious law firm of Sasscer and Digges in Upper Marlboro and had also served in the U.S. Army during World War II for two years.

His tremendous trial experience, in both civil and criminal matters, was of great value to the Bench. At the time of his appointment, he joined Judges Charles C. Marbury and John B. Gray, Jr., and these three constituted the entire judiciary of the circuit. In November of 1950, Judge Digges was elected for a term of fifteen years by the voters of all four counties in the circuit.

Inasmuch as there were only three judges for the circuit, it was necessary for all of them to truly "ride the circuit" and be in attendance in each county for their respective terms of court. This experience demonstrated to Judge Digges the great value and desirability of a judge being known throughout his entire circuit. He advocated the practice of judges sitting in all four counties on an exchange or rotating basis even after the law was changed so that each county had its own judge, who was elected only by the voters of that county. This tradition of rotating judges, attributable to him, still prevails in the Seventh Circuit, which now consists of seventeen judges.

Judge Digges' primary goal as a circuit judge was to have cases expeditiously tried and to avoid any backlog. He advocated a strong "No Continuance" policy and resolved that all cases on his daily assignment should be completed on the day assigned regardless of the lateness of the hour. Even though he eventually was designated as the Circuit Judge for Charles County, he probably spent as much time in the other three counties as he did in Charles. This was particularly true in Prince George's County, where because of the increasing case build-up, he frequently presided.

Judge Digges was not only proficient in substantive law and procedure, but also skilled in the administration of the courts. Because of his skill, Judges Gray and Marbury asked him to organize the juvenile

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\* Chief Judge, Seventh Judicial Circuit of Maryland.

court division of the Circuit Court in Prince George's County when juvenile jurisdiction was transferred there. With the help of the juvenile master system, which he installed, he and Judge John R. Fletcher handled virtually all juvenile matters in that county for several years. He was largely responsible for the development of an efficient probation service and resources for psychological evaluations and psychiatric treatment.

He succeeded Judge Gray as Seventh Circuit Chief Judge and resolved to continue handling cases expeditiously and to maintain Judge Gray's record for efficient judicial administration. When administrators were appointed for multi-judge courts and for the circuits, he became Circuit Administrative Judge for the Seventh Circuit. He urged and obtained law clerks for judges, a Court Administrator for the entire circuit (the first circuit court administrator in the State), and strict enforcement of Maryland Rule 530 and the "48 hour rule" imposing a monetary sanction on a litigant who settled or had a case continued within forty-eight hours of the trial date without extremely good cause. He also fostered the establishment of an assignment office and a Domestic Relations Master for Prince George's County's Courts. He was aware of the danger that these administrative procedures and departments could result in a bureaucracy, so he always guarded against creating any such "octopus" as he called it.

Judge Digges always felt that the adoption of extensive and binding Rules of Procedure on a state-wide basis was of paramount importance, and indeed, he should be considered as one of the "fathers" of our present day rules.

During his tenure on the Circuit Bench, Judge Digges saw the number of judges in the circuit expand from three to eleven—one additional judge for St. Mary's County and seven additional judges in the Prince George's County's Court. He assumed his seat on the Court of Appeals on December 1, 1969.

The Courts of the Seventh Circuit remain tributes to his leadership, innovation and administration. As a judge of the Circuit Court, he can be described as a man of diligence and as a lawyer's judge.

MELVIN J. SYKES\*

I have had the good luck to know many sides of Dudley Digges. I have practiced before him, worked with him, and enjoyed his friendship.

I first met him when I appeared before him on a law motion one stifling summer day some thirty years ago in the Circuit Court for Charles County. The court was not air-conditioned then. Judge Digges held the proceedings in chambers; he invited counsel to take off their jackets, roll up their shirtsleeves and loosen their ties, and be his guest for Cokes while attending to the business at hand. As we argued, he had his bailiff bring him the cases and other authorities, and he did his research while he heard us. He was courtly, patient, and kind. He thrashed the problem out with us, ruled at the close of the argument, and dictated a succinct and well-reasoned memorandum opinion. I frankly don't remember the exact issue or outcome, but I never forgot the pleasure of this first experience in Judge Digges' court. It was particularly gratifying to a young lawyer to see what a pleasure it could be to practice law before a considerate and able judge.

Later, we were colleagues on the Rules Committee of the Court of Appeals. There I saw his passion for improving the administration of justice and his rare combination of driving idealism and realistic grasp of the practicalities of trying and deciding cases. He understood that to be soft was not always to be kind.

I felt the hard edge of his kindness in my next case before him. A former member of the Baltimore Colts had a beer distributor's franchise that had been transferred to him by the brewer, and the former distributor sued for wrongful termination. The late Paul Berman represented the former distributor, Francis D. Murnaghan, Jr., now a United States Fourth Circuit judge, represented the brewer and I represented the new distributor. After a trial date was set, but well in advance of the appointed date, all the lawyers agreed on a postponement, for obviously sufficient reason, i.e., that it would be more convenient for all of us to put off the trial. Paul agreed to tell the clerk. He promptly discovered that the Seventh Circuit and Judge Digges had their own way of doing things. The clerk referred him to the judge, who alone controlled the calendar. After conversing with the judge, Paul called me and said, "Dudley is out of his cotton-picking mind —

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\* A.B. 1943, The Johns Hopkins University; LL.B. 1948 Harvard University.

he has refused to postpone the case." Paul and I commiserated with each other about how much less control lawyers had over their cases in Charles County than (at that time) in Baltimore City, and how awful it was for judges to take over control of the calendar from lawyers. But we settled the case, and sooner rather than later. Judge Digges served us — and our clients — better than we would have, and I confessed as much to him later.

The trial bench lost a great judge when Dudley was "elevated" to the Court of Appeals, but the Court of Appeals' gain was as great as the trial bench's loss. Judge Digges was scholarly, incisive, and down-to-earth as an appellate judge. He kept his courtliness and sense of humor despite all there is about appellate judging that tends to suppress these qualities. In all my appearances before him in the Court of Appeals — those where I lost as well as those where I won — his opinions were scrupulous in their intellectual honesty, and I knew that he was thorough and fair, even when I sometimes was so convinced of the positions he rejected that I ventured to think he should have reached a different result.

I learned to know still another side of Judge Digges in his bar association work. He is deeply devoted to the highest ideals of the profession, as he has shown in his repeated refusal as a judge to compromise ethical standards in disciplinary cases. This same devotion has powered his indefatigable efforts for the improvement of the profession through the organized bar. I believe that much of the impetus for the centralization of grievance procedures in the Court of Appeals came from his experience in the State Bar Association with the problems of a local grievance system during the savings and loan scandals in the early 1960's.

Most rewarding of all the aspects of our association is the privilege to know Dudley as a friend. He is a warm companion, a convivial conversationist, and the most pleasant company. He is a unique blend of country squire and scholar, focus and breadth, kindness and strength, fun and serious purpose.

I am confident Dudley will continue after his retirement to find ways to work for the welfare of the bench and bar and the improvement of the administration of justice. I hope there will be more time, too, for mint juleps and war stories, and evenings at the Rule Day Club.

MICHAEL J. KELLY\*

As staff member of the Commission on Judicial Reform, I met Judge Digges shortly after I joined the Law School faculty in 1972. For the next two years the Commission met regularly to discuss a variety of subjects relating to the Maryland Judiciary, including the relationship between the Rules Committee and the Legislature, the Jurisdiction of the Court of Special Appeals, the role of the Administrative Office of the Courts, and the structure of the Maryland trial court system. Judge Digges played a critical role in the Commission's work, not only because he was the senior judge in a group of practicing lawyers, legislators, and members of the Judiciary, but also because he had such a wealth of experience as a trial judge, administrator of a busy circuit court, and appellate judge. His experience led him to have strong convictions about the feasibility of courts managing the heavy pressures of their dockets and the importance of sound judicial administration to both the profession and the public. He brought to our deliberations the good sense of a practical reformer and the good humor of a warm colleague.

That first encounter on the Commission on Judicial Reform has ripened into a friendship that has been a great pleasure to me, for I have had the opportunity to learn from a man who is such a unique combination of traditionalist and activist.

Judge Digges' commitment to the legal profession has deep roots. The law runs greatly in some families. I refer not only to Judge Digges duplicating his father's extraordinary feat of serving both as President of the Maryland State Bar Association and Judge of the Court of Appeals, but also to his heritage dating back to Sir Dudley Digges, a leader of the House of Commons, an English jurist, and Master of Rolls (the deputy to the Chancellor) under Charles I of England. The Digges family that came to America first settled in Virginia and later became the Southern Maryland neighbors of George Washington across the Potomac from Mount Vernon at Warburton Manor (now Fort Washington). Judge Digges wears this distinguished lineage lightly, in his characteristically self-effacing style.

Maryland and service to the State is absolutely central to Judge Digges' career. Following his graduation from St. John's College in Annapolis, Judge Digges graduated from the University of Maryland

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\* Dean, University of Maryland School of Law.

Law School in 1936 and began a successful career in private practice with the President of the Maryland Senate and later Congressman Lansdale G. Sasser in Upper Marlboro. After World War II, during which Judge Digges served in the Judge Advocate General's Corps, he was appointed a Circuit Court Judge at the tender age of thirty-seven. During Judge Digges' five years as Chief Judge of the Seventh Judicial Circuit in the mid-1960's he developed a reputation as a first rate administrator of one of the State's busiest trial courts. In 1969 he was appointed to the Court of Appeals, where he served until his retirement in January of this year. His continuous thirty-three year service on the Maryland bench is, I believe, longer than that of any other judge in the history of Maryland.

Judge Digges' career, distinguished by any measure, is less significant in my mind than the qualities of his character that have shaped his visions of the profession and the Judiciary. If one theme characterizes his working life, it is that of caring deeply about the law, both as an old and honorable institution requiring professional commitment and high integrity, and as a modern institution that must be responsive and serve the public well. Thus Judge Digges was equally at home organizing the Maryland Court of Appeals' 200th anniversary celebration and playing major formative roles in modernizing the Maryland State Bar Association, in creating the law reform-oriented Fellows of the Maryland Bar Foundation, and in initiating the movement to improve the grievance machinery in Maryland.

Judge Digges is a born educator, although I do not know that he has ever spent an hour teaching in the classroom. He has great interest in, and enjoyment of, young people and great generosity in advising young members of the bar about problems they face. Helping people is one of his natural gifts. His deep concern about the ethics of the profession, represented in his Court of Appeals opinions, does not derive from some elitist view of the legal profession. Rather, it stems from a joyous affection for people and a deep conviction about the high calling of the law. This commitment is joined with an acute sensitivity to the frailties of individuals and the realities of law practice. Judge Digges is a keen student of contemporary life, and an enthusiastic observer of government, sports, and culture. He has an engaging curiosity about the world, and an intense enjoyment of it. He combines the politician's grasp of how things happen with the statesman's vision of what really counts. Edward Foss, in his multi-volume work on the Judges of England, described the seventeenth century Dudley Digges as "intelligent, eloquent, and ready as a public man, and pious, amiable, and generous in his private life." I am not competent to comment on the issue of

piety, but the rest of the description fits Judge Digges well. He has enriched the life of the law in Maryland.