

Presentation of the Portrait

of

LOUIS B. MEYER

Associate Justice
Supreme Court of North Carolina
1981-1995

October 21, 2002

OPENING REMARKS
and
RECOGNITION OF LOUIS MEYER III
BY
CHIEF JUSTICE I. BEVERLY LAKE, JR.

The Chief Justice welcomed the guests with the following remarks:

I want to welcome each of you here for this special session of the Court to honor former Associate Justice Louis B. Meyer. Louis was a member of the Court for 14 years and during that time, he made lasting friendships built of respect and admiration for a brilliant mind, an incredible work ethic and great loyalty. We have missed his presence on this Bench and the trial bench in North Carolina, and we are pleased today to be able to honor his memory and contributions to this Court and to our jurisprudence.

On a personal note, I knew and was close to Justice Meyer for many years. We were in the Army together, beginning with basic training. We then went through Wake Forest Law School in the same class of 1960. We thereafter experienced the practice of law and politics as philosophical soul mates, and I served with him for one year on this Court. He was my good friend.

Justice Meyer defined the meaning of a real work ethic for all who worked with him on the Court. He made the commute from Wilson every day, and worked long hours. He never let an opinion or petition sit in his chambers before he gave it "his all". The steady work ethic was not left in his chambers alone, however. He pushed his brethren on the Court. He gave our opinions "his all" as well, and we sometimes felt the sting as well as the brilliance of his talent.

Besides the regular "chamber work", Justice Meyer also took it upon himself to master many projects for the Court. In his "spare" time, he developed a book that is still used by new research assistants which orients and guides them in their duties. We call it the "red book". With a mind and touch for technology, he headed our computer committee and instituted a form and standard for the Court to place capitally tried cases in the proportionality review pool. He, and his chambers, wrote and maintained for the Court a notebook on the aggravating and mitigating circumstances and factors in North Carolina's Capital Punishment and Fair Sentencing Act cases. He also

chose and regularly tackled the most difficult utility rate-making cases (reminding me of another of my favorite justices). We miss him not only for what he did for the Court while he was a member—we miss him for what he did for the Court as an institution. He was one of the truly great Justices of this Court.

Chief Justice Lake welcomed official and personal guests of the Court. The Chief Justice then recognized members of the Meyer family.

The Chief Justice acknowledged his research assistants who helped fund the portrait for Justice Meyer, and his former executive assistants, including the Court's right hand, Pam Britt.

The Chief Justice recognized Justice Meyer's oldest son, Louis B. Meyer, III, to present his father's portrait to the Court.

PRESENTATION ADDRESS

BY

LOUIS B. MEYER III

SON OF JUSTICE MEYER

May it please the Court, Chief Justice Lake, honorable Justices of the Supreme Court,

On behalf of my entire family, I want to thank all of you very much for joining us today for this presentation where we will unveil a portrait of my father, Justice Louis B. Meyer, which will then take its place in the Supreme Court's gallery of portraits of past Justices outside this courtroom.

I want to thank Dr. Doug Murray for the special invocation he shared with us a few moments ago. I recall that when Dr. Murray spoke at my father's memorial service three years ago, he told a story that my mother Evelyn shared with him. One day, after my parents attended a funeral, my father commented that not much was said about the deceased, and he told my mother, "Now when I am remembered, I want people to know who I am and where I came from." So today, as we remember Justice Louis Meyer, I want to share with you some memories of who he was and where he came from.

His grandfather, Simon Meyer, was an immigrant from Germany who came to America and worked as a traveling peddler in the South until he settled in Enfield. Simon's nickname was "Meyer the Hustler"

and he earned it. After settling in Enfield, he opened a department store, traded in peanuts and cotton, and raised twelve children. These children grew up to become merchants, lawyers, and one became a doctor. Several of them attended Wake Forest College, a tradition that would last for generations.

One of the children who attended Wake Forest College and its School of Law was my grandfather, the first Louis Meyer. He served in the United States Army in Europe during World War I, along with two of his brothers, and returned to Enfield after the war to practice law. He became friends with Beulah Moore, a young widow with two young children, and later married her.

My father was born to Louis and Beulah in Marion, North Carolina on July 15, 1933 while my grandfather was serving as a lawyer and administrator for the Civilian Conservation Corps, helping the CCC build camps in the North Carolina mountains. After his parents returned to Enfield, my father grew up and attended school there.

My grandfather passed away in 1944, when my father was only 11 years old. Times were hard for my grandmother, who was raising 4 children at the time, and my father worked odd jobs after school and during the summers to help his mother support the family.

During that time, my father came to know and admire a lawyer in Enfield who was busy with a successful law practice but also found time to serve his fellow citizens as a legislator in the North Carolina General Assembly. This lawyer was Joseph Branch, who went on to serve as a Justice and as Chief Justice of the North Carolina Supreme Court, and whose portrait hangs in this courtroom. Joe Branch was a mentor and a role model for the young Louis Meyer. He was like a second father to my father.

When Louis Meyer wanted to follow his father and his uncles and attend Wake Forest College and its School of Law, Joe Branch helped him get admitted to college and law school at Wake Forest College and co-signed notes for him to help pay his college and law school tuition. My father always wanted to be a lawyer like his father and like Joe Branch, and he hoped that maybe one day he would have an opportunity to join Joe Branch's law firm.

After graduating from college at Wake Forest in 1955, Louis Meyer served as an officer in the United States Army and was assigned to the Army's Chemical Corps. While stationed with the Chemical Corps at Fort McClellan in Alabama, he met and fell in love

with a young schoolteacher, Evelyn Spradlin, of Oxford, Alabama, and they were married in 1956.

After a brief stint at Fort Ord in Monterey, California, Louis Meyer's unit was assigned to Camp Desert Rock, Nevada to work with the Atomic Energy Commission. His unit became a decontamination unit that worked 18 atomic test shots for the Atomic Energy Commission in the summer of 1957. These were above-ground test shots where an atomic bomb was detonated from a tower while my father and other members of his unit took cover in trenches about a mile from ground zero.

By the time my father left the Army in 1957, and was ready to earn a law degree, Wake Forest College and its School of Law had relocated to Winston-Salem. So he and Evelyn settled in Winston-Salem, where she taught school and he took a job with the City of Winston-Salem and attended law school at Wake Forest. Chief Justice Lake was one of his law school classmates. My sister Shannon and I were born during the law school years.

Louis Meyer earned his law degree from Wake Forest in 1960. He and Evelyn then moved to Raleigh where she continued her career as a schoolteacher and my father had the good fortune to serve as a law clerk at the North Carolina Supreme Court for a Justice from his hometown of Enfield, Justice Hunt Parker. Chief Justice Jim Exum was one of my father's fellow law clerks that year. Justice Hunt Parker later became the third person from Halifax County to serve as Chief Justice of the North Carolina Supreme Court.

After finishing his service as a law clerk for Justice Parker, Louis Meyer took a job as a Special Agent for the Federal Bureau of Investigation. Later in his professional life, having been a law enforcement agent himself, he always had a special respect for law enforcement officers and the difficult job they have of enforcing the law while respecting individual rights. He was a frequent speaker at meetings of sheriffs associations, district attorneys associations, and other law enforcement organizations.

After leaving the FBI, Louis Meyer and his family settled in Wilson, North Carolina, where he practiced law with the firm of Lucas, Rand, Rose, Meyer, Jones & Orcutt for eighteen years. My brother Adam was born during these years.

While practicing law, my father served as Wilson's city attorney and also as counsel for ElectriCities and the North Carolina Municipal Power Agencies. He was president of the Wilson County and

Seventh Judicial District Bar Associations. He was active in civic affairs and served as Adjunct Professor of Business Law at Atlantic Christian College, now known as Barton College. He was active in the Democratic Party and served as County Chairman for Wilson County and as a member of the State Executive Committee.

Then, in 1981, Louis Meyer was called upon by Governor Jim Hunt to accept an appointment to the North Carolina Supreme Court. He was very glad to accept the appointment from Governor Hunt and join the Court. His friend and fellow law clerk, Jim Exum, was serving on the Supreme Court. His good friend from the Seventh Judicial District, Phil Carlton, was also serving on the Court. Other judges of great wisdom and ability, David Britt, Frank Huskins, and Bill Copeland, were serving on the Court.

Most importantly, his dear friend and mentor, Joe Branch, the man who had been a second father to him and helped him get into and through college and law school, had become the fourth person from Halifax County to serve as Chief Justice of the Supreme Court. In a real sense, Louis Meyer's old hope had come true. He had joined Joe Branch's law firm.

After his appointment to the Supreme Court in 1981, Justice Meyer was elected to the Court in 1982, re-elected to the Court in 1986, and served as a Justice of the Supreme Court until the end of 1994. He served as the Court's Senior Associate Justice for the last 8 years of his career on the Court.

His contributions to the Supreme Court and our state's justice system during his 14-year tenure on the Court are too numerous to fully recount here today, but I will mention some of the more notable ones.

He authored a number of landmark opinions in the areas of municipal law, land use and zoning, utilities law, and criminal law. The many written opinions he authored for the Court are found in Volumes 302 through 339 of the Supreme Court Reports.

He was chairman of the Court's Computer Committee from its inception until he left the Court at the end of 1994. He was instrumental in bringing computer-aided legal research and electronic mail capabilities to our State's appellate courts and trial division.

He chaired the Committee on Continuing Judicial Education and was chairman of a Committee that worked to revise the North Carolina Code of Judicial Conduct.

Throughout his tenure on the Court, Justice Meyer continued his educational pursuits and his support of education and the legal profession. He attended appellate judges seminars at New York University School of Law and earned an LL.M. degree from the University of Virginia School of Law. He was a member of the Board of Visitors of Wake Forest University School of Law and served two terms as a member of the Board of Trustees of Wake Forest University. He was awarded an honorary Doctor of Laws degree by Campbell University in 1989. He served as a Vice President of the North Carolina Bar Association and also served on many of the Bar Association's committees.

He also authored numerous papers and articles on the law and the legal profession and was a frequent lecturer at continuing legal education seminars. He was recognized as an authority on North Carolina's sentencing laws and criminal procedure in capital cases.

Perhaps his greatest contribution to the Court was what he did for and what he meant to all of the people at the Court who had the pleasure of working with him.

To his fellow Justices, he was a persuasive advocate for the positions he took on issues confronting the Court in the cases before it, but above all he was a loyal counselor, colleague, and friend. In the Court's private conferences, as he often recounted in speeches he gave about the workings of the Court, the fur would fly, tempers would flare, and the Justices would get red in the face with each other, but when conference was over and the door opened, none of that left the conference room, no grudges were held, and he and the other Justices left the conference as colleagues and friends.

Justice Meyer was one of the most hardworking Justices ever to grace the Court's bench. Like his grandfather, he was a "hustler." He was a tireless perfectionist who took pride in making sure that every one of the opinions turned out by the Court, whether or not it was his opinion, was exhaustively researched and solidly based in law and policy. A mental picture of Justice Meyer that one of his law clerks shared with me was of my father sitting behind his big desk, holding a small pencil in that big right paw, making changes to improve an opinion before it was circulated.

To his executive assistants, everyone in the Clerk's office, and all of the Court's staff, Justice Meyer was a true friend who always had time to help them with a problem, listen to their concerns, ask about family, or share a story or a laugh. His sense of humor and sense of fun was legendary at the Court. He was well known to everyone at

the Court for rounding the corner, poking his head in their office, and asking them, "Are you happy in your work?" Often times, when someone at the Court would give him some news that he didn't want to hear, he would look at them in mock disbelief and say, "You know not!"

Peggy Byrd of the Clerk's office tells me that when she would bring him a petition for certiorari to review, he would tell her "P. Byrd, you know this is not mine!" Once, when Justice Meyer was sending an opinion of the Court back to the Superior Court where the case was tried, instead of back to the Court of Appeals as was required, Peggy Byrd had to come and tell him that he could not do that, that he had to send the opinion back to the Court of Appeals. He told her, "I'm a Supreme Court Justice and I can do anything I want to do, and I want to send it to the Superior Court." Later, he learned that Peggy was right and he came to her and said, "Well, I found out I can't send the opinion back to the Superior Court . . . but I still want to."

To his law clerks, Justice Meyer was a friend and counselor, and he was a mentor in the truest sense of the word. I'm sure that if you were to look up that word in the dictionary, you would see his picture next to it. It didn't matter that he was the experienced, successful lawyer and Supreme Court Justice, and the law clerk was the young, novice attorney, fresh out of law school. He solicited their opinions on a case and treated them as equals in their discussions of the law. He instilled confidence in them and encouraged them to present opposing viewpoints.

Justice Meyer was like a second father to his law clerks. He gave them personal support in times of trouble. He shared good times with them as well. When they were ready to leave their clerkships and look for jobs, Justice Meyer introduced them to lawyers and law firms, gave them recommendations, and helped them get jobs. He had learned well from the example that had been set for him by Joe Branch.

I want to thank Justice Meyer's law clerks, and my mother Evelyn, for their generous contributions that made it possible for us to have my father's portrait created for the Supreme Court's gallery.

1994 was Justice Meyer's last year on the Supreme Court. He ran for re-election to the Court that year, but lost in the primary election. He was sad and disappointed that he would have to leave the Supreme Court and that he would not have the opportunity, which

likely would have been present if he had retained his seat as the Court's Senior Associate Justice for another 8 years, to be the fifth person from Halifax County to serve as Court's Chief Justice. But he faced his election defeat with dignity and grace and respect for the vote of the people. He felt that the people had spoken and he determined to move on and see what life held in store for him.

It was then that he got another call from Jim Hunt, who had returned to the governor's office. Upon leaving the Supreme Court at the end of 1994, Justice Meyer was appointed by Governor Hunt to be a Special Superior Court Judge, and he served as a Superior Court Judge until his retirement from the bench in 1999. It was a great honor to my father to have the opportunity to serve as a Superior Court Judge. He often mentioned to others that now he was going to be a "real judge."

During his long career on the Supreme Court, he made friends with many of our State's Superior Court Judges. He was a frequent speaker at Superior Court Judges' conferences. He recognized the difficulties that Superior Court Judges face during trial, and he appreciated the fact that when the Supreme Court issued an opinion to reverse a Superior Court Judge's ruling made during a trial, the Supreme Court had ample opportunity to research and deliberate its decision, while the Superior Court Judge often had no such opportunity.

When he began serving as a Superior Court Judge, Judge Meyer reflected back on a statement that his old friend Phil Carlton made to him when he joined Justice Carlton on the Supreme Court. Justice Carlton had been the Chief District Court Judge of the Seventh Judicial District before he began serving our State on a statewide basis. He told my father that he would rather be a Chief District Court Judge than a Chief Justice of the Supreme Court. He felt that as Chief District Court Judge he was performing the true function of a judge, he was closer to the administration of justice, and he could see the impact his decisions had on the lives of the people and the families in the area where he lived. He told my father that he felt he was making the greatest contribution a lawyer could make during his service as a trial judge.

My father had this same belief about his service as a Superior Court Judge.

In his life away from the bench, Louis Meyer was a loving and devoted husband to his wife of 43 years, Evelyn, a loving father to his children, and devoted grandfather to his grandson, Philip.

Justice Meyer was a sportsman. He loved to hunt and fish. One of his greatest joys in life was his membership in the "Deacon Fishing Bunch," a group of Wake Forest law school alumni that includes a number of judges from the state and federal benches in our State. They go fishing twice a year at Durant Island near the mouth of the Alligator River, and they call themselves the "Old and Bold." Chief Justice Lake is a member of the Old and Bold. My father cherished the fellowship and camaraderie he shared with this special group of friends.

And their tradition of going fishing has been passed down to their sons. We have our own division of the "Deacon Fishing Bunch" that we call the "Lean and Mean." As you can see, I needed special permission to be a member.

Justice Meyer was a man of faith. He was a member of the First Baptist Church of Wilson, where he served on the Board of Deacons and the Board of Trustees and was a Sunday School teacher for over 25 years. His devotion to his brothers and sisters in the Church had no limitations. He was especially close to the members of his Sunday School class with whom he shared the bonds of faith and fellowship for more than 30 years.

His faith in God was a cornerstone of his strong sense of justice. The short and simple verse of scripture that appears on his gravestone says it best. From the Book of Micah, Chapter 6, Verse 8, it reads:

"What does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God."

Everyone in the Church benefitted from his wisdom, his leadership, and his kindness. And I believe that all of our State's citizens have benefitted from his contributions to our justice system.

At the end of his life, Justice Meyer fought a courageous battle with cancer. Even as he struggled with the symptoms and the treatments, he worked with lawyers to get final orders completed and filed in his cases. He eventually lost that battle and died on Christmas Day in 1999.

Let me close by telling you about the portrait of Justice Meyer that will be unveiled in a moment. The portrait was created by Raleigh artist Rebecca Patman Chandler. She is also the artist who created the portrait of Chief Justice Joseph Branch, which hangs in this courtroom. When my father's portrait is unveiled in a moment, Justice Meyer will once again look up to the man he looked up to and

admired for so many years, and the two old friends and colleagues will once again gaze upon each other in this courtroom where they worked together to advance the cause of justice in this State.

Now, I will ask my sister Shannon Cave and my brother Adam Meyer to come forward and unveil the portrait of our father, a man who touched so many lives with his genuine kindness and wise counsel, and a man whose contributions and service to this Court and the citizens of this State will always be remembered and treasured, Justice Louis B. Meyer.

Thank you.

ACCEPTANCE OF JUSTICE MEYER'S PORTRAIT
BY CHIEF JUSTICE LAKE

On Behalf of the Supreme Court, it is my pleasure to accept this beautiful portrait to be placed in the permanent collection of portraits of former Associate Justices in the halls of the Supreme Court Building. The portrait was done by Rebecca Patman Chandler. I direct the Clerk to hang the portrait of Justice Meyer with all due speed.