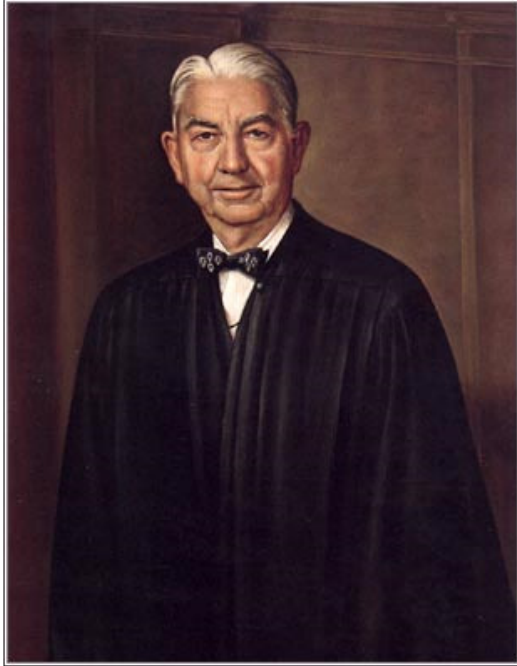


Hon. Tom C. Clark... Key Founder
National Conference of Metropolitan Courts
National Association for Presiding Judges and Court Executive Officers



Hon. Tom C. Clark, U.S. Supreme Court Associate Justice (1949 - 1967) was instrumental in the founding of the *National Conference of Metropolitan Courts (NCMC)* in 1963, the first multi-state, nonprofit trial court improvement organization dedicated to reducing unnecessary case delay, promoting operational efficiencies, and modernizing courts. Fifty-two years later in 2015, the *Conference's* Board of Directors (a) expanded the organization's focus to encompass all state and local courts regardless of size or jurisdiction, (b) bolstered its programming to strengthen the governance and leadership competencies of presiding judges, court executives and their leadership teams, and (c) rebranded the organization as the *National Association for Presiding Judges and Court Executive Officers (NAPCO)*. The history and accomplishments of Justice Clark as our key founder is in keeping with this reorganization.

As of 2022, Justice Clark has been the only Texan to serve on our nation's highest court. Born in 1899 in Dallas Texas, he served in the Army during World War I after graduating from high school. Upon his return, he enrolled in and graduated from the University of Texas with bachelor and law degrees in 1922. During his subsequent careers as a lawyer, jurist and justice system leader, he held many roles including private practitioner; civil district attorney of Dallas; federal prosecutor; United States Attorney General; Associate U.S. Supreme Court Justice; Chair, American Bar Association (ABA) Commission on Lawyer Discipline leading to the Multistate Professional Responsibility Examination and establishment of bar disciplinary authorities in each state; first Director of the Federal Judicial Center; Chair of the Board of Directors for the American Judicature Society; co-founder of the National Judicial College (NJC); Chair of the Joint ABA/NJC Committee on the More Effective Administration of Justice; and founder of the National Conference of Metropolitan Courts.

His accomplishments began to blossom in 1937, when he accepted a position with the United States Department of Justice where he rose to become the head of the Criminal Division. In 1945, one of President Harry Truman's first changes in the cabinet that he inherited from Franklin Roosevelt, after FDR's untimely death, was to appoint Clark as U.S. Attorney General.

During his tenure as Attorney General, Clark played important roles in marshalling the legal resources of the federal government against two destructive forces in American life that surfaced following the end of World War II... post-war racial attacks on returning black servicemen by white nationalists, and anti-communist strong-arm tactics by the U.S. House of Representatives'

Committee on Un-American Activities against American citizens during the early years of the Cold War.

In dealing with the rise in racism, Clark helped bring the power of the federal government more forcefully behind civil rights enforcement using increased investigations and, in some cases, an unprecedented filing of federal charges. This also included an aggressive and groundbreaking legal strategy in filing *amicus* (friend of the court) legal briefs in federal civil rights cases, which signaled a new and more engaged role for the U.S. government.

Secondly, in efforts to strengthen American solidarity and fight unwarranted political abuse of U.S. citizens sparked by spurious communist conspiracy claims, he set about promoting democratic values and American citizenship. His efforts took the form of a *Freedom Train*, a specially built and privately financed train with railcars designed as a museum and housing more than 100 original documents of U.S. history, including the Bill of Rights, the Emancipation Proclamation, and the Mayflower Compact. The train visited more than 300 cities across the country on its patriotic and educational mission, and during its year of travel was viewed by millions of people.

In 1949, President Truman nominated, and the U.S. Senate confirmed, Tom C. Clark to fill a vacancy on the U.S. Supreme Court. During his 18 years on the Court, he actively supported government enforcement of laws designed to promote racial equality, voted with the majority in the landmark *Gideon v. Wainwright* (1963) holding that an individual defendant must have an attorney appointed for him in serious criminal cases if he cannot afford one, and authored the Court's decision in *Mapp v. Ohio*, which broadened the Fourth Amendment's prohibition on the prosecutor's use of improperly seized evidence, known as the exclusionary rule, to include state prosecutions. Clark also wrote the decision for the Warren Court in *Abington School District v. Schempp* (1963) which reinforced the principle of separation of church and state by holding that Bible reading exercises and mandated prayer in public schools violated the Constitution.

Clark's work as a Supreme Court justice is generally viewed favorably by legal historians. As Francis Howell Rudko noted in her book *Truman's Court*, he was "dedicated to the work of judging, not ideology." Ultimately, Clark came to more fully understand, as he wrote in 1970, that the Constitution "is a living instrument which also must be construed in a manner to meet the practical necessities of the present."

He resigned from the Court in 1967 to avoid a conflict of interest when his son, Ramsey Clark, was appointed Attorney General by President Lyndon Johnson. He was the last serving Supreme Court Justice to have been appointed by President Truman. His successor on the Court was Thurgood Marshall. Lyndon Johnson was said to have appointed Ramsey Clark as Attorney General precisely to force his father off the bench, leaving a vacancy so that Johnson could appoint Marshall as the first African-American Justice.

After he retired, Justice Clark toured the world as a goodwill ambassador and served on numerous boards and commissions dedicated to improving the American justice system. He died at the age of 77 on June 13, 1977 in New York City.

The leaders and members of the *National Conference of Metropolitan Courts* were honored to have Justice Clark as the prime mover in establishing the *Conference* and guiding its early work. We, the Officers, Board, and Membership of the *National Association for Presiding Judges and Court*

Executive Officers are likewise proud to carry on Justice Clark's work of enhancing the effective administration of justice through education and research, by strengthening trial court leadership, modernizing court processes, and promoting best practices of fair, accessible, and accountable courts.