

JUDGE DAVID R. HANSEN
 U.S. COURT OF APPEALS
 FOR THE EIGHTH CIRCUIT



Turning Square Corners

BY JENNIFER BROOKS &
 SAMUEL A. THUMMA

More than a century ago, Justice Oliver Wendell Holmes Jr. wrote that upstanding citizens “must turn square corners.”¹ Senior Judge David R. Hansen, United States Court of Appeals for the Eighth Circuit, has been turning square corners in his dealings with everyone, throughout his life and in everything he does — refusing to take shortcuts and treating all involved with fairness, respect, and dignity.

The Iowa Falls Times-Citizen, in Hardin County in northern Iowa, posted the following note in late November 2021 about the spirit of Thanksgiving:

We had a reader stop by today that was insistent that he owed us for a billing oversight. It wasn’t a big charge — but one that he felt was important to pay. And it WAS our oversight — an announcement for a tribute to his recently departed wife at the Bradford [Iowa] Music Hall.

We tried to send him packing, with gratitude for his honesty and appreciation for his local newspaper. But he wouldn’t take no for an answer.

So help us pay it forward! Share this post to thank Judge David Hansen and honor his wife Ginger...²

A friend shared the post, describing it as a “[h]eartwarming story.” It is. And it says so, so much about Judge turning square corners all his life.

We are hardly objective. We clerked for Judge, as we call him — Jennifer

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from 2000 to 2002, when he served on the United States Court of Appeals for the Eighth Circuit, and Sam from 1988 to 1990, when he served on the United States District Court for the Northern District of Iowa.

We are just two of many beneficiaries of a legal apprenticeship with Judge, and we have no corner on the market for those experiences. What we learned during that apprenticeship, however, has formed our lives in many ways that Judge will never know. But we do. That's why we are privileged to write about the square corners he has turned all of his life — and taught us to try to follow.

With some important exceptions, most of Judge's life has been spent in Iowa, a rectangular state (310 miles by 240 miles), bounded by the Missouri River on the west and the Mississippi River on the east. Getting around in Iowa typically requires turning square corners. Most roads go north-south or east-west. But the square corners Judge turns, and taught us to turn, are far more than directions from one place to another. Judge models for us all an approach to the world that started for him right from the beginning.

Judge was born in Exira, Iowa, on the eve of World War II. When he was a young boy and living with his parents in Atlantic, Iowa, a larger town 18 miles due south, Judge would often travel alone in the caboose of a freight train to Brayton, Iowa, an even smaller village due north where his grandparents lived.

It is no surprise that Judge is smart, something we will return to later. But he also is handy, with substan-

tial woodworking skills. He honed his craftsmanship growing up in his grandfather's lumber yard. Decades later, from time to time, Judge would make cradles as gifts when law clerks became parents. In that very real way, at a very early age, Judge learned to cut square corners (and to measure twice and cut once).

After high school, Judge turned south to the medium-sized town of Maryville, Missouri. There he attended Northwest Missouri State College (now University), where he earned three majors and was awarded his bachelor of arts degree with highest honors. Judge then turned pretty much straight east, to Washington, D.C., attending George Washington University Law School. Along with being a good student, he worked on Capitol Hill for Iowa Congressman Ben F. Jensen, another Exira native. When Congressman Jensen could not attend the inauguration for President John F. Kennedy, he gave his ticket to Judge. On that cold day in January 1961, Judge was not far from the speakers when Robert Frost recited poetry, the podium caught fire, and President Kennedy famously said, "And so, my fellow Americans: Ask not what your country can do for you — ask what you can do for your country." Judge has given to his country all of his life.

After graduation from law school with honors and a brief time serving in private practice in Atlantic, Iowa, Judge again turned east to join the United States Army's Judge Advocate General's (JAG) Corps for four years. He attended both the Armor Officer Basic Course at Fort Knox, Kentucky,

and the JAG School at the University of Virginia. In the Army, First Lieutenant (later Captain) Hansen was one of two Army lawyers assigned to provide legal advice to the commanders of the Army troops guarding the marchers on the famous Selma-to-Montgomery Civil Rights March in 1965. The other Army lawyer was Major Emory Sneed, who had recruited Judge for the JAG Corps and who later was appointed to the United States Court of Appeals for the Fourth Circuit, where he served until his passing in 1987.

During his time in the South, Judge met Mary Virginia ("Ginger") Lee. The love of Judge's life, Ginger was a beautiful, brilliant, elegant, kind, and generous soul. Blessed with grace, intellect, and remarkable wit, she was a proud graduate of Judson College in Marion, Alabama, and a true Southern belle. Judge and Ginger married and settled in Iowa Falls after his Army tour.

In Iowa Falls, Judge turned square corners in the practice of law. He was first an associate in the law office of Don W. Barker, then a partner at Barker & Hansen, which later became Barker, Hansen & McNeal. Soon after arriving in Iowa Falls, he began serving as a part-time judge on the Iowa Falls Police Court. In 1976, he left his firm and was appointed by Iowa's governor to the Iowa District Court where he served for ten years. There, he developed a distinguished reputation for his knowledge, wisdom, and sense of humor.

During his practice years, he was active in Republican Party politics, and, in 1974, helped Charles Grassley in his first campaign for Congress. In 1986, at then-United States Senator Grassley's ►



Many of our fondest memories are not about particular oral arguments or court opinions, but about Judge himself — the man who would take a break from work to sit in our offices and tell stories or pass along tidbits of wisdom.

recommendation, Judge was nominated by President Ronald Reagan and confirmed unanimously by the Senate to the United States District Court for the Northern District of Iowa. Across the aisle, he also enjoyed the strong support of Iowa's junior senator, Tom Harkin, whose spouse, Ruth Harkin, was the elected Story County (Iowa) attorney and who had appeared before Judge in many criminal trials. While in Mt. Vernon, Judge and Ginger welcomed two sons, James Christian ("Boots") and Robert Judson — and later three grandsons, and, in May 2022, the arrival of a great grandson.

Judge served on the federal district court with great distinction until late 1991, when he was nominated by President George H.W. Bush and confirmed by the Senate to a newly established seat on the United States Court of Appeals for the Eighth Circuit, again with the support of Senators Grassley and Harkin. Judge has served on the Eighth Circuit ever since, including as its chief judge for two years before assuming active senior status in 2003. Judge then served as a member of the United States Judicial Panel on Multidistrict Litigation until 2011, and also sat on other circuit courts of appeals by designation.

When Judge took senior status, we had the privilege of speaking at the unveiling of his portrait. We noted that, nearly 2,500 years ago, Socrates said four qualities were required of a judge: (1) to listen courteously; (2) to answer wisely; (3) to consider soberly; and (4) to decide impartially. Judge fits this definition to a T, as reflected by the reported anonymous comments by

lawyers who practiced before him: "He is an excellent judge"; is "very intelligent" and "very fair"; "treats lawyers with respect"; "can get irritated, but not without a good reason"; "writes in a fashion that could be understood by a nonlawyer"; and "is quick-witted." As Judge's law clerks, we saw this in person every day.

Beyond Judge's powerful intellect, he went to great pains to ensure that everyone in his courtroom was treated properly. He recognized that each juror literally was pulled in from off the street, and he understood the hardship that they undertook in serving. We all learned that each juror deserved and was given the utmost respect. The court waited for the jury; the jury never waited for the court.

Judge also had the utmost respect for lawyers who appeared before him. As one example, he required his district court clerks to pass the Iowa state bar examination, given his view that counsel had a right to deal with law clerks who were members of the same bar. Judge taught us that doing justice and the appearance of doing justice are equally important. He also taught us many other qualities that we apply in our professional lives each day, including:

- to welcome any struggle with tough legal and factual issues
- to find the correct law and apply it without preconception, prejudice, or bias
- to treat people as you would want to be treated
- and to turn square corners — and never take shortcuts

All of Judge's law clerks shared in the legal apprenticeship that working for him involved. And ever since, Judge has been an important guiding force and mentor in many of our careers. Each of us who has had the privilege of spending a year or two in his chambers — otherwise known as the Hansen Graduate School of Law — has benefited enormously as writers and thinkers. Judge cherishes his role as a mentor, and we are all better lawyers because of it. During our clerkships, he wanted us to experience all aspects of how the court operates. We were peers at his table, and he involved us completely in his work. He taught us to be disciplined and rigorous in our thinking and in our writing; to write clearly and succinctly; to "say it right and keep it tight."

Judge always emphasized that there is much more to life as lawyers than just the law. He sets the pace by his own example and cherishes family, friends, and interests outside the law. His involvement with his farm, his church, and in teaching us and at Cornell College in Mt. Vernon, Iowa, has allowed him to maintain balance and inspiration in his life. One thing that all Judge's law clerks know is that we worked for a man whose humility, unpretentiousness, and common sense are the foundation for who he is as a judge.

Many of our fondest memories are not about particular oral arguments or court opinions, but about Judge himself — the man who would take a break from work to sit in our offices and tell stories or pass along tidbits of wisdom. The man who is quick to share with us his pride in the notable achievements of his former law clerks. The man who

is a quintessential gentleman, who always doffs his hat in an elevator. The man whose kindness and thoughtfulness are second to none. And at any gathering, he will recount by memory what we are doing and where we are doing it — something that has become even more challenging as our numbers have grown. A testament to Judge’s commitment to treating people right is that his wonderful judicial assistant/“do everything” person Janis Evans McVeigh has been with him since 1986. Janis has been an essential part of this team. And she delightfully keeps track of us and in touch with us through any number of address changes, a challenging effort for anyone.

Judge’s law clerk alumni have performed in public and private practice, in big law firms and small ones, in Iowa and elsewhere, along with actively serving the public in their “off time.” They have represented impressive clients and entities, including the president of the United States, the U.S. Department of Justice, the National Association of Securities Dealers (now the Financial Industry Regulatory Authority, or FINRA), large financial institutions, telecommunication companies, individuals, estates, and pro bono clients who otherwise would

have no attorney. They have served or are now serving in various public offices, such as the United States Attorney for the Northern District of Iowa, and as judicial officers, both on the federal and state benches, including the United States Court of Appeals for the Eighth Circuit, the United States Bankruptcy Court for the Northern District of Iowa, the Supreme Court of Iowa (where two of the seven justices are former law clerks for Judge), the Iowa District Court, the United States District Court for the Eastern District of Missouri, the Minnesota Court of Appeals, and the Arizona Court of Appeals. We all have learned at the hand of Judge to turn square corners.

Ginger passed away in July 2021, and we are all far poorer without her. But even shortly after her passing, Judge turned square corners, going out of his way to settle an account with the *Iowa Falls Times-Citizen* that the paper would have gladly ignored. Judge and Ginger have been mentors and friends to us all, and we are all better for having had them in our lives. And for knowing the importance of turning square corners.



SAMUEL A. THUMMA is a judge for the Arizona Court of Appeals, Division One. He previously served on the Arizona Superior Court. He was a law clerk for Arizona Supreme Court Chief Justice Stanley G. Feldman and for Judge David R. Hansen on the U.S. District Court for the Northern District of Iowa. He holds an LLM from Duke Law (2020).



JENNIFER BROOKS is associate general counsel for the FINRA Office of General Counsel—Appellate Group. She previously was an attorney for the U.S. Department of Justice. She clerked for Judge Hansen on the U.S. Court of Appeals for the Eighth Circuit.

¹ *Rock Island v. United States*, 254 U.S. 141, 143 (1920). Justice Holmes’ formulation was that the citizenry should turn square corners with its government, but the phrase has meaning in many broader contexts.

² IOWA FALLS TIMES-CITIZEN, *In the spirit of Thanksgiving . . .*, Facebook (Nov. 23, 2001).