

Malcolm Muir; The Movie

I did not know what to expect when, at Lycoming College, I attended the preview of the Muir Movie. Judge Malcolm Muir, who died at age 96, was, at the time of his passing, the third oldest federal judge in the United States of America. Judge Muir's history is well-known as a jurist who accomplished major modernization of the courts. The movie was something different, however.

What was remarkable about the movie tribute to Judge Muir is the work that went into it. The accomplishment is a tribute as much to lawyer John Humphrey as it was to Judge Muir himself. Judge Muir, The Movie, with the considerable help and assistance of local moviemaker Bryon Carey, was a triumph of superb writing, meaningful photos and interesting video. This local group put together a documentary film worthy of public showing anywhere.

Humphrey's script was written in a style that Judge Muir himself would have very much appreciated. The narration by Humphrey was smooth, meaningful and interesting to listen to. Bryon Carey's selection of video, current events, film and photographs delivered the message which the words imparted.

The film was full of segments of Judge Muir. With respect to the background music, all of the piano pieces were composed and played by Judge Muir himself.

Various lawyers spoke in the film, but to me that was anti-climactic. What the lawyers said we all knew about Judge Muir. He revolutionized the practice of law; he made the courts more efficient; he developed systems for resolving complex cases by reducing costs through the mechanism of the so-called "summary jury trial." There were many things to say about Judge Muir, and the lawyers spoke all of those great accomplishments.

What was memorable about the film and will be a resounding longstanding message of the media format was the combination of the narrative with the accompanying visuals. For anyone who has worked in the film industry, it is well-known that a film or television production must appeal to a person's emotions if it is to be successful. This documentary work, which could have turned out to be quite boring, absolutely grabbed the listener by their emotions. It did not make people want to cry, scream or take social action, but rather it touched a very deep feeling in the minds of all who watched the film about what it means to be a person who accomplishes great things in their life. Those people are often unusual, perhaps quirky, brilliant, and at times even irritating to others. Greatness is not defined by any one trait. There are great people who are not necessarily those we would want to sit down and have a beer with. There are great people whose uniqueness evolves from kindly human characteristics. Judge Muir was an interesting mosaic of varying colors and textures.

One moment in the film that is memorable is when the Judge talked about being an officer on the first integrated ship in the United States Navy, the Booker T. Washington. Judge Muir was raised in Williamsport with white people. He mentioned that half the crew and half the officers were black, and half were white. He then said, with some surprise in his voice, that after a week, you did not even notice the color of the people. Imagine that this was in the 1940s during the war, when we were fighting totalitarianism in Europe. At that time our military was segregated, in spite of the fact that even George Washington had an integrated Army. Washington's Army was the last one to be integrated until the Truman and Eisenhower administration. Judge Muir was one of those rare people who served in an integrated unit and he had some perception of what that meant in terms of the evolution of American history.

Muir represented an interesting admixture of pride and humility which co-existed simultaneously. Judge Muir was proud of his accomplishments, but at the same time he did not want to and did not need to trumpet them over anyone else. Judge Muir was, after all, a federal judge of the United States Trial Court, appointed by the President of the United States. Judge Muir was rightly concerned about the administration of justice and even his own lack of trial experience when he went on the bench. Nevertheless, the Judge tried to inculcate in others the importance of respect for the difference between "right from wrong."

The film explores many of Judge Muir's qualities. The one that I remember the best was his respect for jurors. Most judges and most lawyers view jurors as an inconvenient component of the trial system. Those of us in the law have read frequently about the "disappearing jury trial." The number of jury trials in the United States of America have vanished to such a point that it is almost as though the Sixth and Seventh Amendments to the United States Constitution exist more in form than in reality. Judge Muir respected the jury system, and was quick to state that he thought jurors could make better decisions than the smartest federal judge around. Judge Muir showed his respect for jurors by remembering their names, by making sure that their time was not wasted, and by treating the trial as though it was something really important. I remember every time I tried a case before Judge Muir looking at the American eagle on the wall behind His Honor. I thought about the fact that Judge Muir made sure jurors understood the importance of that symbolic connotation.

The film certainly should be made available for PBS, and I hope that it will be. Anyone who cares about the future of the United States should know how this one man respected the system, worked with it, and made it better for all of us. A unique personality, driven by a determination for excellence, made our country and our Middle District of Pennsylvania a better place to live.

There is not enough that could be said about the relationship between Judge Muir and Jack Humphrey. Humphrey perhaps understood Malcolm Muir better than anyone else. He appreciated the Judge's qualities and foibles. He spoke as a narrator in a way that was not merely articulate, but evinced warmth, and yes, perhaps even love, that can only come from someone who is truly understanding of the mindset of others. I will continue to view this masterful work as

a tribute not merely to the person for whom it was created, but also in terms of those who were the creators.

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