



## Judge William R. Harris

[by Adam Dobbs]

Small town judge William Harris serves as an example for those who want a successful career without the headaches of big city and big firm life.

Although he may not be a household name outside of Southcentral Kentucky and has most likely never been mentioned in the same breath as such legal luminaries as Johnnie Cochran, Alan Dershowitz or Oliver Wendell Holmes, Jr., **Judge William R. Harris** is living proof that an attorney can settle in a small town and enjoy a successful and distinguished career far below the national radar and the pressures and stress inherent in living and working in a city like New York or Los Angeles.

Like many of his colleagues in the profession, Judge Harris entered college (University of Kentucky, '65) with a lifelong interest in government and that ever-so-vague concept, "the law." As he worked his way towards a degree, he found himself drawn more and more towards the idea of becoming an attorney. Consequently, he enrolled in the UK School of Law after completing his Bachelor's degree and received his JD two years later.

Upon the completion of his legal studies, Judge Harris completed a federal clerkship as well as a stint in the United States Air Force before returning to Southcentral Kentucky and joining a firm headed by the late Charles H. Reynolds. Mr. Reynolds later became a Justice on the Kentucky Supreme Court and, until his death a few years ago, was Judge Harris' chief mentor.

When asked about Justice Reynolds, Judge Harris said, "He encouraged me in my efforts to become a judge. I looked up to him because he was an ethical, dedicated and capable jurist."

In 1971, Judge Harris joined a firm in his native Franklin and spent the better part of the next twenty years doing what small town lawyers do best: a little of everything. Along with drafting wills, deeds and contracts, he performed title examinations, served as a federal public defender, handled a large amount of insurance defense work and represented those accused of felonies and misdemeanors in various state courts.

This seemingly scattershot experience as a practitioner has certainly come in handy since he first took the bench of Kentucky's 49th Judicial Circuit (Simpson & Allen Counties) as an appointee of former Governor Wallace Wilkinson in early 1989. He has since been reelected three times, including his current term, which is set to expire in 2007.

Under Kentucky law, Circuit Court judges have authority on all felony criminal cases, domestic relations cases and all civil procedures with more than \$4,000 at issue. Additionally, here and there a misdemeanor slips into his courtroom as an amended or concurrent offense. As such, Judge Harris regularly draws upon his diverse private practice background when presiding over or ruling on a case.

### The Travelin' Judge

Due to a rather strange provision in the state's constitution requiring all county seats to be located within one-half day's horseback ride from those in neighboring counties, Kentucky, the nation's 36th largest state, has 120 counties, more than any other state except Texas. As a result, many of the judges

in Kentucky's 57 circuits, including Judge Harris, still "ride the circuit" between county courthouses.

Favoring a navy blue Mazda Protégé over a trusty steed to navigate the rolling hills between courthouses, Judge Harris presides over the 49th Judicial Circuit. His territory consists of Simpson and Allen Counties, two of Kentucky's smallest, located along the Tennessee border approximately thirty-five miles north of the Nashville area. All told, approximately 35,000 people are spread throughout the predominantly rural area, a situation that can present challenges for Judge Harris.

Having spent most of his nearly 61 years in his hometown of Franklin, Judge Harris knows and/or is known by nearly everyone with whom he comes into contact in his official capacity. While this obviously lends itself well to the building of strong relationships with the relatively small number of practicing attorneys and local officials such as sheriffs, jailers and court clerks in the area, presiding over the trial of a childhood acquaintance or one of his two adult sons' classmates can be rather difficult.

While Judge Harris does have the option of recusing himself should he have too close of a connection to those standing trial, he rarely chooses to do so. Asked about this, Judge Harris said, "In theory, and in more urban settings, judges can disqualify. In reality, one simply has to learn to deal with it."

While he describes his work as sometimes



routine, “pick and shovel” judging, such as default mortgage foreclosures and uncontested divorces, Judge Harris, like anyone whom has sat on the bench, has seen his share of characters pass in and out of his courtroom. When asked to recall a particularly humorous instance, he told the story of a young woman on felony probation who had been picked up for public intoxication, a clear violation of her parole. During the hearing on the revocation motion, she admitted being under the influence, albeit with mitigating circumstances. Her explanation of the instance, as Judge Harris recalls it, went something like this: “Judge, I was intoxicated alright, but it was because my boyfriend had gotten out of the pen the day before and I had spent the night with him. I was intoxicated on love!”

Judge Harris concluded this story by dryly remarking, “She should be serving out her prison time any day now.”

All is not fun and games in his courtroom, however. Judge Harris takes particular satisfaction in seeing justice served, particularly in regards to sex crimes versus children and other cases of societal

importance to the communities he serves. Although he remains modest when asked about his greatest achievements as a judge or practitioner, Judge Harris does point to his ruling in an insurance bad faith claim that repeatedly stood up on appeal all the way to the Kentucky Supreme Court and is now the benchmark case on insurance bad faith liability in the state. Likewise, another of his rulings made it to the Kentucky Supreme Court and is currently the landmark case on self-protection as a defense in unintentional violent crimes.

While Judge Harris and his colleagues in rural areas throughout the land do enjoy clean air, low housing costs, tremendous respect within the community and a gridlock-free daily commute, the life of the small town judge is far from a complete bed of roses. “Country” judges face challenges different from, but just as difficult, as those faced by their urban peers.

In fact, Judge Harris remarked, “With travel, limited staff and facilities and increasingly heavy caseloads, particularly in respect to drug cases, rural crime has grown tremendously in the last decade or so and rural judges labor constantly in trying to

manage their dockets. We are not without the headaches of big city life, just different headaches.”

#### **Sound Advice**

After leaving the bench, Judge Harris has no plans to seek higher office or a role in government. A “Big Blue” fan since birth, he plans to continue following University of Kentucky basketball and all the teams at Franklin-Simpson High School. While he says that “old age has cured the running bug,” Judge Harris enjoys visiting the gym several times a week and taking an active role with the Franklin United Methodist Church. In addition, he and his wife of 33 years, Ida, are enthusiastic Habitat for Humanity volunteers throughout Southcentral Kentucky.

When asked if he has any advice for aspiring attorneys or judges, Judge Harris said, “My advice to prospective lawyers is this: Write, write, write, write and then write some more. When you have done all of that, practice your writing. To prospective judges, try to get as much breadth of experience practicing law as you can before you go on the bench, particularly in the litigation arena.”