



Fed Tide

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The Newsletter of the Hampton Roads Chapter of the Federal Bar Association

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SPECIAL EDITION

Celebrating the Career of United States Magistrate Judge Tommy E. Miller



PRESIDENT'S MESSAGE *Mark Warmbier, Staff Attorney, U.S. District Court*

Welcome to a special edition of the *FedTide* – the newsletter of the Hampton Roads Chapter of the Federal Bar Association. In this edition, we have endeavored to honor the service of United States Magistrate Judge Tommy E. Miller on the eve of his retirement from the bench. Inside you will find contributions from Judge Miller's colleagues, former law clerks, and other individuals with whom he has worked during his career, acknowledging and celebrating his many contributions to the legal profession. Please enjoy. We look forward to seeing you on August 14, 2015, at Judge Miller's portrait unveiling at the Norfolk courthouse.

-- *Mark*

Judicial Profile: U.S. Magistrate Judge Miller

Jacqueline McIntyre, Law Clerk

Judge Miller was born and raised in the Norfolk area. A proud graduate of Maury High School, and the University of Virginia, where he developed an interest in the law. He was accepted to the Marshall-Wythe School of Law at the College of William & Mary in 1970, and earned enough working on tugboats the summer before starting to cover his first year's tuition. During law school summers, Judge Miller worked as a temporary police officer with the City of Virginia Beach. This experience convinced him that he wanted to practice criminal law.

Upon graduating from law school, Judge Miller worked briefly as an advisor to the Norfolk police department before heading to the Norfolk Commonwealth's Attorney's Office in March 1974, where he spent six years serving as an Assistant and Deputy Commonwealth's Attorney.

In 1980, Judge Miller moved to the United States Attorney's Office, where he served as a lead drug task force attorney and Deputy Chief of the Criminal Division, receiving letters of commendation from the Attorney General of the United States and the Director of the FBI, and earning the Department of Justice Special Achievement Award. As a United States Attorney, Judge Miller investigated and prosecuted a wide variety of cases, including white collar crimes, violent crimes, and drug crimes. His most memorable case was that of Arthur Walker, who was prosecuted for espionage for his role in the Walker spy ring, which sold classified documents to the Soviet Union from 1968 to 1985. Arthur Walker, the first of the spy ring to go to trial, was found guilty of seven counts of espionage, conspiracy, and unauthorized possession of classified information. Sentenced to three life sentences plus 40 years, Arthur Walker died in jail on July 5, 2014.

Through his hard work and attention to detail, Judge Miller earned the respect of his colleagues and the judges of the Eastern District of Virginia, who appointed him to the position of United States Magistrate Judge in September 1987. Over the past twenty-eight years as a United States Magistrate Judge, Judge Miller has earned a reputation for being thoroughly prepared and strictly adhering to the rules. He is also known to insist on starting court on time. With the ability to master lengthy briefs, volumes of exhibits, extensive caselaw, and often convoluted attorneys' arguments, Judge Miller quickly gets to the crux of the issue, and rules timely and decisively in his cases. He has often quoted the legal maxim that "justice delayed is justice denied."

In addition to handling a heavy caseload over the years, Judge Miller volunteered his time to many judicial organizations, including the Federal Magistrate Judges Association, the Local Rules Committee for the Eastern District of Virginia, and numerous committees for the Federal Judicial Center. Judge Miller brought the same passion to these organizations as he brought to the bench.

He held every position on the board of the Federal Magistrate Judges Association, including President of the Association from 1997 to 1998, and was given the FMJA Founders Award in 2005. On the Local Rules Committee, he helped conform the Local Rules to the Federal Rules of Procedure. As part of the Judicial Conference Advisory Committee on Criminal Rules, he assisted in revising all of the Criminal Rules for the first time since they were enacted in 1946. These experiences may explain Judge Miller's affinity for, and expertise on, the rules.

In 1999, Judge Miller began serving as an adjunct professor at William & Mary Law School, teaching Criminal Procedure, the Death Penalty, Mediation, Complex Civil Litigation, and Ethics and Decision Making in the Criminal Justice System. In 2004, he was awarded the St. John Tucker teaching award, an award that honors a member of the adjunct faculty for outstanding service.

Over the years, Judge Miller has had 25 law clerks and countless externs. Those who have been fortunate enough to spend time in his chambers have experienced not only an amazing boss dedicated to ensuring our growth as people and lawyers, but a lifelong mentor and friend. Judge Miller celebrates our achievements, both professional and personal, and supports us when we experience disappointment. One year, the law clerks in the building voted Judge Miller the judge you would most likely contact in the event you were arrested. Although it is unclear why that year's law clerks were concerned enough to ask the question, the answer speaks volumes about Judge Miller's approachability not just to law clerks, but to all in the courthouse. His door was always open, and those who entered were treated with the utmost respect and compassion –without regard to whether his visitor was a member of the Courthouse staff, the bar, a fellow judge, or the public at large. He is a patient listener and wise counselor, who generously offers his time and assistance.

Finally, it is also abundantly clear to anyone who has worked with Judge Miller that he is incredibly devoted to his family. Judge Miller has been happily married to his wife, Pam, for 26 years. He is the proud parent of four children: Nicholas, who graduated from the Governor's Magnet School for the Arts and Maury High School this year, and is heading to New York's School for the Visual Arts next month; Chloe, who graduated from Bishop Sullivan High School and is currently attending Old Dominion University; Scott, who received his undergraduate degree at the University of Virginia, his law degree from William & Mary, and practices with Williams Mullen here in Norfolk, where he lives with his wife Lauren; and Claire Caetano, who serves in the FBI along with her husband, and is the mother of Judge Miller's three grandchildren: Waid, Harper and Elle. Judge Miller is looking forward to relaxing with Pam during his retirement, which he has earned many times over.

It has been an honor to work as Judge Miller's law clerk over the past 17 years. Words cannot express my gratitude for his guidance, support, and friendship.

Well Wishes from Colleagues and Friends

Tommy E. Miller is an institutional figure in the Eastern District of Virginia, having served as an Assistant United States Attorney for 7 years, and as a magistrate judge for 28 years. His presence will be deeply missed by our court family.

**The Honorable Rebecca Beach Smith
Chief United States District Judge
United States District Court
Eastern District of Virginia**

Judge Tommy Miller, a friend and colleague, is among the most dedicated servants of the law I have known. It has been my pleasure to work with him as a fellow Assistant United States Attorney and as a United States Magistrate Judge. His love of people, the law, and enthusiasm have been mainstays of his superb performance as an Assistant United States Attorney and as a United States Magistrate Judge. Please accept my prayers and best wishes in your future endeavors.

**The Honorable Raymond A. Jackson
United States District Judge
United States District Court
Eastern District of Virginia**

My first memory of Judge Miller is from my days as a law clerk to Judge MacKenzie here in this court. Judge Miller was fairly new to the court at the time, but enjoyed a stellar reputation, just as he does today. When I appeared before him as an attorney, he was always unfailingly professional and courteous, as well as straight forward about his questions or concerns. Once I joined this court in 2008, I found myself turning to Judge Miller frequently for advice on criminal and civil matters because I so respected him and knew of his depth of knowledge in so many varied areas of the law. His skills handling settlement conferences were of great value to the litigants and the court, and were just one of his many gifts that I benefitted from when we were co-assigned to cases. I continue to consult with him on matters to this day, and I will very much miss having him here daily to turn to for advice.

**The Honorable Mark S. Davis
United States District Judge
United States District Court
Eastern District of Virginia**

Tommy Miller was an avid prosecutor and the United States Attorney's Office suffered a huge loss when he became a magistrate judge. Tommy gave so much to the group of magistrate judges in the United States, not only as president of the entire group, but also as an exponent for the entire group, constantly persuading the judiciary through the judicial conference, as well as Congress on the various positions which would enhance the magistrate judges throughout the United States. He not only led by example, but listened to other magistrate judges' problems, whom he aided through his ability to teach and assist. He conveyed to them principles of analyzation and fairness which enhanced them in their performance. His vast experience and knowledgeable decisions will be sorely missed by each and every judge of this court.

The Honorable Robert G. Doumar
Senior United States District Judge
United States District Court
Eastern District of Virginia

In Judge Miller's chambers he keeps a framed drawing by a courtroom sketch artist, depicting the trial of Arthur Walker, who was convicted of spying for the Soviet Union in 1985. Judge Clarke is on the bench, and Judge Miller, then an Assistant U.S. Attorney and lead prosecutor, is at the podium examining a witness. It was a nationally famous trial, perhaps the most important trial he ever handled as a prosecutor, and the picture is a colorful, and accurate depiction of a much younger Tommy Miller, and his central role in the case. When I first saw the picture -- shortly after I joined the bench, I wondered aloud why such an impressive memento of the important trial was in the hallway, and not more prominently displayed in his office, or reception area. He said that he kept it there so that it would be the last thing he sees before taking the bench, and so that he would hopefully never forget what it was like to be a lawyer. This is good advice, and probably everyone who becomes a judge hears it from someone, but hearing it in this way helped me understand that following the advice would take effort. In the years since he has continued to teach me by his effort, and his example. I am, and will always be grateful.

The Honorable Douglas E. Miller
United States Magistrate Judge
United States District Court
Eastern District of Virginia

I always enjoyed my relationship with Judge Miller. His work was punctual and always excellent. I especially noticed his terrific relationship with the staff and his clerks. I wish him well with his well deserved retirement.

The Honorable Judge Jerome B. Friedman
United States District Judge (Ret.)
United States District Court
Eastern District of Virginia

Tommy Miller is retiring, and the bench will be a poorer place when that happens. Jurists are, by nature, curious creatures. Think about what it takes to be a good judge. Patience is essential if a jurist is going to get critical facts in a case. A willingness to carefully listen enables a jurist to determine what the facts truly are. Fairness - to all parties - is critical to the ultimate decision. Finally, a healthy dose of common sense, combined with a good sense of humor, is essential.

On all counts, Tommy has been an exceptional judge. His patience has been tested - I have seen that first hand. His search for the facts in every case allowed him to make good and fair judgments. His willingness to research the law, and discuss difficult cases with his colleagues, has been indicative of a jurist seeking justice in every circumstance.

I served on the bench with Tommy for nineteen years. Every day, I saw the quality of the work he brought to the bench. He is an exceptionally good man with strong values, a family he loves dearly, and a willingness - as a judge - to do those things necessary to allow him to arrive at fair decisions. His departure will leave a hole in the court. He will be missed by colleagues and members of the Bar. He will be remembered for the fine work he has done. He has earned his retirement.

**The Honorable Judge James E. Bradberry
United States Magistrate Judge (Ret.)
United States District Court
Eastern District of Virginia**

I am delighted to know that Judge Miller's retirement from the bench has triggered the FBA's project to honor his service as a judge and to acknowledge his many contributions over a long and successful career.

I knew Judge Miller as a colleague and a close friend with whom I was privileged to share the work of our court as well as the concerns of our private lives. We found ourselves together often, in his chambers or mine, at the end of a long day, discussing new cases, family matters, or politics. He was always generous with his time and his collegial instincts helped to soften the isolation that is an inevitable part of the business of judicial service.

Judge Miller has served with distinction in many capacities over the years. He is known to most of us as an excellent U.S. Magistrate Judge, a fine teacher of law at his alma mater, and a warm and concerned mentor and friend to his many law clerks. However, he was also elected as President of the Federal Magistrate Judges Association and served on a committee appointed by the Chief Justice of the U.S. Supreme Court to revise the Federal Rules of Criminal Procedure, demonstrating his national prominence.

So, with his well deserved retirement, let me add my warm best wishes to my friend, Judge Miller.

Tommy, both bench and bar will miss you.

Congratulations!

**The Honorable F. Bradford Stillman
United States Magistrate Judge (Ret.)
United States District Court
Eastern District of Virginia**

Tommy Miller: A Tradition of Service

Our judicial paths first intersected at the Dolly Madison House in Washington, D.C. This was the location of the Federal Judicial Center in 1990, and we were both selected to serve on the first Magistrate Judges Advisory Education Committee. The committee's assignment was to become a core resource in developing training for new magistrate judges, selecting topics for special focus workshops, planning annual regional and national workshops and assisting in the preparation of publications and media resources. We served together for six years and I have many fond memories of those early days.

For our first meeting, we stayed at the historic Hay-Adams Hotel, which was located on Lafayette Square, one block from the Dolly Madison House. Even though I was the chair of the committee, it was Tommy who managed to secure a prime room with a view of the White House. A major project was to record educational videos for newly appointed judges, but we were forced to continually stop and re-start due to the police sirens and other traffic sounds. One of the training sessions was in San Antonio where we decided to participate in the computer instruction. After spending an entire day in a windowless room looking at a computer screen, we could not wait to enjoy the taste of a Shiner Bock on the River Walk. We always took time to explore the area in which the workshops were held after the educational sessions ended, such as taking a bike ride to witness the earthquake damage in Santa Monica, or strolling the shops in Sausalito.

After his tenure on the Education Committee ended, Tommy stayed active in judicial education and continued to serve as a presenter at the "baby judges" schools and other workshops. He was selected to serve on the Criminal Rules Committee of the Judicial Conference, and was instrumental in the drafting of federal rules and habeas corpus procedures.

Tommy also served his colleagues through his activities in the Federal Magistrate Judges Association. He proceeded through the chain of command and served as its president. He planned the annual convention in Williamsburg, which was one of the most memorable of all FMJA conventions. As a result of his work for the FMJA and the magistrate judges system, Tommy received the prestigious Founder's Award and it was my privilege to make the presentation.

Receipt of the award did not end his service on behalf of magistrate judges. Before the association secured the services of an Executive Director, he maintained its membership list. He also sold FMJA logo T-shirts and hats at the annual conventions. Most recently, he was instrumental in successful litigation on behalf of all magistrate judges. And now that he is approaching retirement, he has conducted an analysis of various options and is sharing his findings with his colleagues during the 2015 FJC workshops.

In fact, during his entire tenure as a magistrate judge, Tommy has been all about service to his colleagues and the public. I doubt that after retirement, he will go quietly into the gentle night. He will just open another chapter in his life of service. And whatever path he chooses to take, I will be honored and proud to call him my friend.

**The Honorable Aaron E. Goodstein
United States Magistrate Judge
United States District Court
Eastern District of Wisconsin**

Judge Tommy Miller has worked extensively at the national level to improve the administration of justice. His accomplishments beyond the Eastern District of Virginia are many and have earned him the respect of federal judges throughout the nation. Judge Miller has been a friend and mentor to me during my career at the Administrative Office of the United States Courts and in particular during the 21 years I served as chief of the Magistrate Judges Division of the Administrative Office.

Early in his judicial career, Judge Miller was appointed by the Chief Justice of the United States to serve on the Federal Judicial Center's Magistrate Judges Education Committee. During his six years on that Committee, he was a presenter at the orientation training programs for all new magistrate judges as well as the annual education programs for all magistrate judges. Beyond his service on that Committee, he continues to give presentations at various judicial education programs. Judge Miller was also appointed by the Chief Justice to serve on the Judicial Conference Advisory Committee on the Criminal Rules. He chaired several subcommittees and also served on the habeas corpus subcommittee.

Judge Miller has been very active in the Federal Magistrate Judges Association (FMJA), a national organization comprised of over 500 United States magistrate judges. He served as president of the FMJA in 1997-1998. Through his work with the FMJA and the Administrative Office, Judge Miller has been actively involved in countless projects and initiatives. He is always willing to help and can be counted on to get the job done. He currently serves on the Administrative Office's Magistrate Judges Advisory Group that provides support and assistance to the Director and staff of the Administrative Office, as well as the Judicial Conference Committee on the Administration of the Magistrate Judges System. His participation and counsel have been invaluable and he is tireless in his support of the federal court system.

**Thomas C. Hnatowski
Assistant Director, Office of Judges Programs
Magistrate Judges Division Chief
Administrative Office of the United States Courts**

I have known Tommy for many years now, both in connection with my FMJA work and with my work on the Magistrate Judge Advisory Committee, on which I have served with Tommy for many years. While Tommy may be moving into retirement, I know that will not suddenly make him "retiring." Tommy is a person of strong principle, of great integrity, and of amazing energy. Whenever his colleagues have needed him, he has without fail enthusiastically answered the bell. Tommy lent his name (and a good deal of that amazing energy) to the important litigation that has led to pay restoration for hundreds of magistrate colleagues, both sitting and retired. But that barely scratches the surface of all that he has done over the years to advance the interests of magistrate judges and our system of justice. I look forward to seeing all that Tommy will accomplish in his next act!

**The Honorable Sidney I. Schenkier
United States Magistrate Judge
United States District Court
Northern District of Illinois**

Central to the career of Judge Tommy Miller has been his commitment to public service. Beginning as a federal prosecutor taking on difficult and complex cases including the Walker Spy case, and continuing with his appointment in September, 1987, as a United States Magistrate Judge, Judge Miller's focus has been service to the public. With a strong commitment to justice, fairness, and legal education, Judge Miller's contributions as a judicial leader extend nation-wide where he is recognized for his legal knowledge and effective advocacy. He has been a leader in the development of administration of justice and protection of judicial independence through his work on the Federal Rules of Criminal Procedure, with the Federal Magistrate Judges Association, and with other committees and groups that deal with the federal court.

I first met Judge Miller through our involvement in the Federal Magistrate Judges Association. As described on its website, the FMJA is an association of federal magistrate judges whose purpose is to promote the efficient administration of justice and to protect the integrity, dignity, and independence of the federal judiciary. In addition, the FMJA works to educate the public about the important role of magistrate judges in civil and criminal cases. Judge Miller served as an officer of the FMJA, initiating several important projects to increase communication and membership, and became its national president in 1997. He continued to work closely with the FMJA and established important relationships with its sister organizations of Article III judges and Bankruptcy Judges. These enabled all three organizations to work together on needed legislation and policy initiatives.

Judge Miller did not rest on his laurels after his presidency of the FMJA. Instead he continued to serve the judiciary and the public through his work to bring the Federal Rules of Criminal Procedure into the twenty-first century. He made sure all of us knew about pending changes to the rules and listened to our input. Judges do not all come from the same viewpoint and Judge Miller's ability to listen, process, and offer changes that promoted efficiency and justice increased the favorable way in which magistrate judges were perceived. These same skills made him well known as an outstanding mediator throughout the federal judiciary. In one example, he was selected to mediate a court personnel matter outside his own circuit that resulted in a quietly successful outcome acceptable to all.

Judge Miller's on-going interest and support for judicial independence has been a benefit to every judge in the federal judiciary. He has never hesitated to take leadership and wield the laboring oar on important projects. All of the current, former, and future federal magistrate judges are thankful for his efforts. Today, the federal judiciary, the public, and the federal magistrate judges, stand in better stead because of his persistence, persuasiveness, dedication, and well-reasoned advocacy in matters of judicial independence.

But, in addition to his actions to improve our work-life, it is our friendship with Tommy for which we in the FMJA are most grateful. Tommy has never been too busy to listen to our issues, whether work related or personal. His caring and concern for each person, as well as for the cause of justice, is an example for each of us to follow.

May your retirement bring you all good things and the opportunity to appreciate your family, your friends, and all the good you have done for others. Enjoy!

**The Honorable Virginia M. Morgan
United States Magistrate Judge (Ret.)
United States District Court
Eastern District of Michigan**

To the Honorable Tommy E. Miller, United States Magistrate Judge:

As you retire it's important for you to know that you truly made a difference in our lives. Among other attributes, you have been our mentor and our friend. You are a man of great integrity, professionalism and warmth. We will never be able to thank you enough for all your support and kindness. You have accomplished much during your career and given a great deal to others.

Between the two of us, we have enjoyed approximately 25 years of working with you. We wish you the very best as you look ahead to retirement, for if anyone deserves the best IT'S YOU!

**Glendolyn Whitfield and Elva Evans
Former Secretary and Courtroom Deputies**

It is difficult to measure the impact Tommy Miller has had on our William and Mary Law students in the period he has been teaching at the school [starting in 1999]. What a wide range of classes he has taught: *Criminal Procedure, Ethics & Decision Making in the Criminal Justice System, The Death Penalty, Complex Civil Litigation, and Mediation*. His classes are always so well received, with enrollment filling up quickly and often seeing a substantial waiting list. His students can best describe the sort of teacher Judge Miller is. These comments come from anonymous student evaluations of his courses, indicating that he:

- ❖ Has great real world experience.
- ❖ Knows all.
- ❖ Communicates effectively.
- ❖ Definitely knows the subject matter.
- ❖ Uses great examples to re-enforce learning.
- ❖ Gives a damn outside of class.
- ❖ Is extremely knowledgeable and always prepared.
- ❖ Has great command of the material.
- ❖ Has rich experience and prepares very carefully.
- ❖ Is very effective in using real world examples.
- ❖ Does an amazing job of bringing the real world into the classroom.
- ❖ Has great ability to explain very complicated constitutional concepts in plain and comprehensive English.

What a difference he has made to both the students and faculty at the College of William and Mary! In 2004 Judge Miller was named the annual St. George Tucker Adjunct Professor of Law, continuing a tradition of excellence in legal education modeled by St. George Tucker (1752-1827), the second professor of law at William & Mary.

Tommy Miller has been a highly valued colleague and is a close friend of mine. I often seek out his wisdom when focusing on a thorny criminal justice issue. He is a treasure.

**Professor Paul Marcus
William and Mary School of Law**

Judge Miller was a tremendous help to me when I worked in the Clerk's Office. He was my "go to" for everything. He always had the time and patience to answer any question I may have had. The close working relationship he had with the Clerk's Office made it comfortable for us to approach him with any issue. It's also been important to me that he has managed to keep in touch since I retired. I'm proud to be able to call him my friend. It was truly an honor to have worked for him and I wish him the very best and much happiness for his retirement.

Beth Wingrove Orga
United States District Court
Eastern District of Virginia
Clerk's Office, 1975 - 2007

It was a great honor to work with Judge Tommy Miller during my time in the Newport News Clerk's Office. I always had the deepest regards for him and his ethics. Judge Miller is an excellent judge and was always available to the Clerk's Office for any questions or problems.

I wish him the best in his retirement and will be forever grateful for my experience working with him.

Kay Armistead
United States District Court
Eastern District of Virginia
Clerk's Office

“Be on time and be prepared.”

From the first day of my clerkship with Judge Miller, it was clear that any lawyer who appeared in his courtroom had better be both. Punctuality is a hallmark of his practice and personality. Preparedness means meticulous attention to detail and accountability for every position taken. The judge insists that lawyers state precise legal arguments and adhere to appropriate courtroom demeanor.

These expectations were not limited to lawyers in his courtroom, but deeply ingrained in his own ethos. The example he set from the bench and in chambers has had a lasting positive impact on my own practice. Early in my career and faced with a trial in a court where the judge was reputed to “eat new lawyers alive,” I called Judge Miller for advice. “Be on time and be prepared,” he reminded me, “you won’t run awry of any Court if you are both.” It’s been many years and many trials since that exchange. Since then I have offered the same simple advice to anxious young lawyers. It’s always proved true and I’m always reminded of my clerkship days.

Through friendship and professional guidance, Judge Miller made me a better lawyer. I know he has done the same for former clerks and scores of other practicing attorneys. I am so grateful for my clerkship with him and wish him all the best in the years ahead. Congratulations and thank you, Judge.

Cynthia Shepard Torg
Law Clerk 1992-93

I am pleased to add my warm reminiscences of my association with Judge Miller when he served on the Judicial Conference Advisory Committee on Criminal Rules. I headed the office that staffed the Judicial Conference Rules Committees from 1992 to 2011. Judge Miller served as an integral member of the Criminal Rules Committee from 1997 to 2003. The committee greatly respected Judge Miller's views and relied heavily on his insights and input. During his term, Judge Miller was active in the committee's singular accomplishment, restyling the entire body of Criminal Rules to make them simpler, more consistent, and easier to understand. He chaired a subcommittee responsible for the detailed analysis of more than ten restyled rules. Only members who actually worked on the restyling project understand the exquisite and often frustrating detailed analyses of arcane rule provisions, the long after-hour work on weekdays and weekends, and the intellectual rigor demanded in the interaction among judges and practitioners of the highest professional caliber.

The Criminal Rules Committee recognized Judge Miller as an effective leader. Judge Eugene Davis (Committee Chair 1997-2000) and Judge Edward Carnes (Committee Chair 2001-2004) looked to Judge Miller as the expert on the committee on all rule-related matters affecting magistrate judges. Early in his committee tenure, Judge Miller chaired a subcommittee examining the habeas corpus rules. Beginning in 2000, he chaired the subcommittee tasked with revising the search warrant provisions in Rule 41 to account for the use of a "tracking device." The amendments to Rule 41 took effect in 2006. Judge Miller was the key committee member responsible for adding new Rule 59, governing the review of a magistrate judge's nondispositive and dispositive motions. New Rule 59 took effect in 2005. In all, Judge Miller played a significant role in the amendment of 18 separate rules in addition to the comprehensive restyling of all the Criminal Rules during his six years on the committee.

But what I most remember about Judge Miller during his time on the Criminal Rules Committee was his generosity, his affability, his genuine interest in people, including me, and his dedication and resolve to improve the administration of justice.

What a great career! I hope his and my paths continue to meet.

Professor John K. Rabiej
Duke University School of Law
Center for Judicial Studies

I expect that others will speak of Judge Miller's presence in the courthouse. The patient listener on the bench. The professor engaged in the law, the briefs, and carefully drafted decisions. The sturdy bridge between stubborn litigants in the conference room. All true. And in all ways exceptional.

But I would like to remember, instead, a day at the beach. Near the end of my clerkship, on a scorching hot Saturday, Judge Miller brought his family to my hideout on 79th Street. We ate, we swam, we lounged. And I remember the Judge's expression as he watched his son, Nicholas, learn to surf—it was an easy smile on an easy day. So I raise a toast to Judge Miller's retirement. May there be more easy days to come. God knows he has earned them.

Tom Robertson
Law Clerk, 2008-2009



*The Chief Judge and Judges of the United States District Court
for the Eastern District of Virginia
request the pleasure of your company
at the Presentation of the Portrait of*

The Honorable Tommy E. Miller

*Friday, the fourteenth of August
Two Thousand and Fifteen
at three o'clock in the afternoon*

*Walter E. Hoffman United States Courthouse
Six Hundred Granby Street
Norfolk, Virginia*

Reception to Follow the Ceremony

*R.S.V.P. by July 24, 2015
(757) 222-7163 or
jacqueline_mcintyre@vaed.uscourts.gov*

*Please Note: Cameras, cell phones, and electronic devices
are not permitted inside the courthouse*