

Judicial Profile

SHARON O'ROKE

Hon. Doyle W. Argo U.S. Magistrate Judge, Western District of Oklahoma

AT ABOUT 4 P.M. on the first Friday in September you will hear it. Softly at first, it builds, coming from the usually decorous chambers of U.S. Magistrate Judge Doyle Argo. Wait. Is it music? Then the sound builds until it is unmistakable — it is “Boomer Sooner” — the official fight song of the University of Oklahoma Sooners. It is the marking of the unofficial new year for Judge Argo, an intractable, dyed-in-the-wool Oklahoma Sooners football fan. It is a time for hope and for tailgate parties and, if all goes well, the beginning of the



journey to yet another national championship for the judge's beloved Sooners. As you enter his office you are immediately surrounded by trappings of a true believer, such as footballs autographed by three previous championship teams, and a photomontage (including the scoreboard showing the final score) from the 2001 National Championship game against Florida State University. His memorabilia collection fills two large bookcases; and photos, drawings, and other framed items occupy a couple of walls. On one occasion, when Judge Argo handled a settlement conference in which Barry Switzer, the former coach of the Sooners, was to appear, Judge Argo's executive assistant, Marcia Davis, even called all the parties to make sure that they were aware of the memorabilia, since all settlement confer-

ences usually begin in the office, and no one had any objection. Judge Argo once commented to his former law clerk, Dionna Deardorff Bierbaum, who had the temerity to hang her Texas A&M undergraduate degree on the wall above her desk, “If I'd thought about the fact that you were an Aggie, I never would have hired you.” A longtime season ticket holder, the judge has missed OU home games only when he was hospitalized once with a knee injury and during his time in Southeast Asia during the Vietnam War.

Doyle W. Argo was born in 1947 in Norman, Okla. He attended the University of Oklahoma in Norman, from which he received a Bachelor of Arts degree in 1969. Upon graduation, he entered the U.S. Air Force as a second lieutenant and went to Intelligence School at Lowry Air Force Base in Colorado. He was then deployed to Thailand as one of a handful of men conducting photo intelligence for the purpose of identifying anti-aircraft artillery, troop movements, and downed American aircraft. He had two short intervening assignments to Omaha, Neb. (Judge Argo quips that he kept asking for either the West Coast or the East Coast, and he supposed the Air Force believed Omaha to be the median point) and also served in Guam supporting B-52 aircraft during the bombing of Hanoi in 1972, and then in Vietnam, targeting intelligence. He was released from the service with the rank of captain, receiving the Bronze Star, the Meritorious Service Medal, and the Air Force Commendation Medal. After leaving active service, he entered the Air Force Reserve and retired as a colonel.

Upon his release from the military, Judge Argo returned to Norman and entered law school at the University of Oklahoma. Both Judge Argo's father and one of his brothers are firefighters, and his other brother is a police officer. When asked why he chose the law over one of the two professions his family had chosen, he answers that his intent actually *was* to enter the field of law enforcement, such as the FBI. However, after clerking with a district attorney's office during law school, he quickly changed his mind, and decided to become a prosecutor. As a law student, Judge Argo sat at counsel's table and assisted one of the district attorneys in the prosecution of a manslaughter case, further solidifying his career choice. Upon his graduation from law school in 1976, he joined the Cleveland County district attorney's office in Norman, where he

prosecuted felony cases of all kinds.

After leaving the district attorney's office in 1979, Judge Argo became general counsel for the Oklahoma Bar Association, investigating matters involving alleged misconduct or incapacity of lawyers that were called to the attention of the general counsel's office by grievance or otherwise, and reporting his findings to the state's Professional Responsibility Commission. Judge Argo notes that, during that time, the proceedings were held in local district courts, thus making it necessary for him to travel throughout the state and giving him the opportunity to meet many fine lawyers and judges, who are still friends of his today. Of course, it was disheartening to find lawyers who had violated their clients' trust or had failed to fulfill their responsibilities. But the worst part for Judge Argo was the attitude he often encountered on the part of former clients who felt that the bar association was just covering for bad lawyers. Accordingly, he worked hard with Oklahoma's Professional Responsibility Commission to open disciplinary proceedings to the public after the answer stage, and his efforts to do so were successful.

After leaving the general counsel's office, Judge Argo entered private practice: first with the firm of Lisle & Durbin in Oklahoma City and later with Bailey, Welch, Argo & Lillard in Norman. His friend, Jerry Durbin, who met Judge Argo while playing flag football and baseball, jokes that the judge "could stretch a triple into a single, but had quite a bat." All kidding aside, Durbin adds that "the things that make Doyle a good friend are the same things that make him a good magistrate judge: you can always depend on him and he's always got your back." Judge Argo's longtime friend, Nick Lillard, also fondly recalls working with the judge and trying cases in Norman together, both as young prosecutors and law partners: "Doyle is a fine trial lawyer. He and I tried several cases together and we routinely engaged in an evening ritual of beer and cheesecake at the Interurban. It doesn't sound very appetizing, but this rare combination always seemed to inspire us. Doyle is one of the most ethical and well-prepared lawyers I have known." While working with these firms, Judge Argo engaged primarily in general practice, handling criminal defense cases, plaintiff's personal injury cases, and commercial cases that resulted in litigation.

During this time, Oklahoma's governor selected Judge Argo to serve on the state's very first Crime Victims' Compensation Board. The Crime Victims' Compensation Act, which was enacted in 1981, sets up a mechanism for assisting crime victims by providing compensation for expenses incurred as a result of the criminal act. The original structure of the board called for three members — one lawyer and two laypersons. Judge Argo recalls that the first board received approximately 50–100 applications for compensation every month and that every applicant was then given an opportunity to be heard in person on his or her ap-



Judge Argo with his staff in chambers: (l t r) Marcia Davis, administrative assistant; Sharon O'Roke, law clerk; Joan Curran, law clerk; and Steve Rogers, courtroom deputy.

plication. At that time, the board did not have a staff to screen the applications, and the board members personally reviewed each one of them. Judge Argo also was then asked to serve as a part-time municipal judge for the city of Norman. He subsequently received the Oklahoma Bar Association's Golden Gavel Award for his work in helping the bar determine how the American Bar Association's adoption of the Model Rules of Professional Conduct should affect Oklahoma's ethical rules structure.

In May 1987, Doyle W. Argo was appointed as a U.S. magistrate judge for the Western District of Oklahoma. As he approached his 20th anniversary on the bench, he was asked to reflect on some of his accomplishments. One of the most rewarding to him personally was U.S. District Judge Ralph G. Thompson's referral of a large, complicated case involving an environmental issue. Judge Argo conducted monthly case management meetings and motions dockets, streamlining the case and keeping it moving forward. The case was eventually settled, avoiding a trial. Another development over his 20-year tenure that Judge Argo views with pride is the growth of technology in the Western District. He remembers that, when he began as a magistrate judge, the entire courthouse had only one terminal for conducting computer-assisted research. Today, all judges and law clerks there have computerized research at their fingertips, including an indexed research database containing the court's own previous decisions. With the conversion to electronic case filing, Judge Argo notes that he can quickly check the status of a case or instantly view any document filed with the court.

When asked what lawyers should know about him prior to appearing in his courtroom, his answer is straightforward: He wants them to be prepared and to be on time. Although attorneys are often unaware of it, today Judge Argo sends letters to the supervisors

of particularly prepared or capable lawyers who appear before him, believing that such professionalism should be recognized and encouraged by those on the bench.

His colleagues in the Western District also admire and respect Judge Argo. One states: "The example Judge Argo set is one of the principal reasons that I wanted to be a U.S. magistrate judge. There is not a finer judge or a better person than Judge Argo." Chief District Judge Robin J. Cauthron served with Judge Argo as a magistrate judge for five years before being appointed as a district judge, and they were also law school classmates and frequent golf scramble partners. She states, "I know no truer friend, or better judge, or more diehard Sooner fan. His golf needs work, but nobody's perfect."

Although Judge Argo has had many titles over his career, the newest may be his favorite: Grandpa. Morgan Kate was born on Nov. 27, 2005, and she may be giving OU a run for its money when it comes to bookshelf space in his chambers. Perhaps someday soon — at about 4 p.m. on the first Friday in September — you will hear it. Softly at first, it will build;

an unusual sound coming from the usually decorous chambers of Magistrate Judge Doyle Argo. Wait. Is it music? It will be the soft strains of a child's voice singing "Boomer Sooner." Now that would be a proud grandpa, indeed! **TFL**

Sharon O'Roke has been a law clerk to Judge Argo since 2001 and has practiced law in both Oklahoma and Texas since 1984. She also previously clerked for Hon. Ralph G. Thompson, U.S. district judge for the Western District of Oklahoma.