

Hon. Charles R. Butler Jr.

By
Christopher L. Ekman

It was never the ambition of Judge Charles R. Butler Jr. to become a federal judge. "I had never seriously thought about it," Judge Butler remembers now with a chuckle. Nevertheless, after careful consideration, he ultimately became a U.S. district judge for the Southern District of Alabama in November 1988. Nearly 11 years later, it is clear that now-Chief District Judge Butler has found his niche.

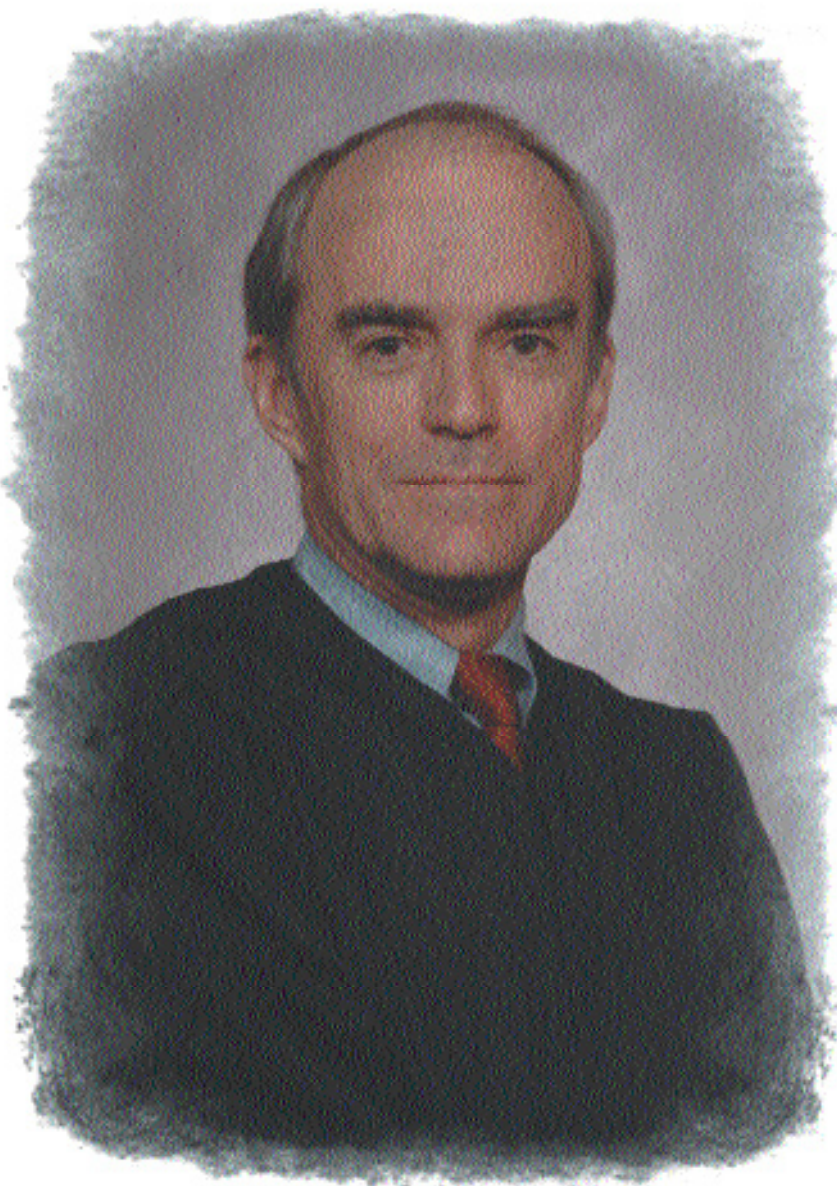
Judge Butler's circuitous legal career on the opposite side of the bench rendered him ideally suited for his current occupation. Upon graduating from the University of Alabama Law School in 1966, he worked at his father's law firm in Mobile for three years. As a junior associate, he was appointed to represent and successfully defended a man charged with rape. This deeply moving experience, coupled with his zest for jury work, led Judge Butler to become an assistant public defender in the Mobile District Defender Agency, Mobile's first state-court public-defender system, in 1969. He held this position for two years, taking a particularly active interest in constitutional issues. "I felt good about defending people," he recalls.

After witnessing first-hand the mismanagement and inefficiency that plagued Mobile's district attorney's office, Judge Butler opted to run for district attorney in 1970. Elected by a landslide margin, he became D.A. at the ripe age of 30. For three years, Judge Butler enjoyed this work. Eventually, however, he realized that it was not in his nature to be, as he puts it, "prosecuting, prosecuting all the time."

Eschewing a re-election opportunity, Judge Butler left the D.A.'s office in 1975. He went into private practice, hanging out a shingle with a former assistant district attorney. The fledgling firm's first client was "a shrimper from Bayou LaBatre who came in with \$150. To us, it seemed like \$150,000," laughs Judge Butler. For the next 13 years, he developed a highly diverse civil practice running the gamut from estate planning and

divorce matters to general commercial litigation, title work, and oil and gas litigation.

Upon his appointment to the federal bench in 1988, Judge Butler harbored no preconceived notions or ideals about his new job. At the swearing-in ceremony in his stately antique courtroom, Judge Butler recalls, he felt a sudden, overwhelming sense of belonging. This epiphany has been borne out by his subsequent experiences. "I've been on all four corners of the mat, and now I'm in the center," he reflects. "I feel like my legal abilities are best used by my doing this." His nearly 11 years as a federal judge have done nothing to dim his genuine enthusiasm for presiding over trials and hearings. "I love the arena of trial," marvels Judge Butler.



Sometimes he will inquire about his court reporter's work load, then quip, "Do you need another trial? I'll try to get you one."

Both on the bench and in his private life, Judge Butler strives for simplicity. His judicial philosophy boils down to nothing more than being fair and patiently listening to both sides of an argument. In practice, of course, fairness is not always that easy. Judge Butler has a keen respect for the awesome power wielded by a federal judge. He neither shuns nor embraces that power. When called upon to make a difficult decision, Judge Butler studies the issue carefully. He often engages his law clerks in spirited discussions around the small wooden table in his chambers, probing the whys, wherefores, and repercussions of potential outcomes. Judge Butler ardently struggles to do the right thing, both from a technical legal standpoint and from the perspective of fairness and equity. As a civil attorney with years of experience in the judge's courtroom points out, Judge Butler "tempers his approach to decisions with a full dose of common sense."

Judge Butler recognizes that both lawyers and the public are counting on him to make a ruling not only accurately but also quickly. As a result, Judge Butler's *modus operandi* is to make the best decision he can in a short period of time, then to move on. A criminal defense lawyer who routinely appears before Judge Butler confirms that "he will work through problems in a quick and reasoned way. He is very efficient." After making a decision in a particularly close case, Judge Butler has been known to shrug his shoulders and point out that if he is wrong, the U.S. Court of Appeals the Eleventh Circuit will tell him as much. "I don't second-guess myself very often," he says.

Judge Butler's simple and direct courtroom demeanor is mirrored in his off-the-bench pursuits. In chambers, he is renowned for his appreciation of *The Far Side* desk calendars and for his uncanny ability to detect and consume surreptitiously even the most well-concealed office snacks. On weekends, Judge Butler and his wife, Jacqueline, often travel to their isolated country home in rural Alabama, where he enjoys such decidedly non-juristic pursuits as chopping wood, rebuilding board-by-board a nearby house, and hunting with his sons. Of paramount importance to Judge But-

ler are his relationships with God and with his family, including the two young grandchildren whose photographs are proudly displayed in his chambers.

Attorneys appearing before Judge Butler are well advised to be prepared, honest, and concise. "Lawyers get my attention when they are straightforward, not obtuse or argumentative or loquacious," he reveals. Practitioners who frequent his courtroom observe that lawyers also get Judge Butler's attention by being verbose, misleading, or inefficient. One trial attorney, who describes Judge Butler as "bright as hell" and "the kind of judge most of us want," offers this advice: "He expects you to shoot straight. You pay a price with him if you don't." Similarly, one criminal defense lawyer observes that Judge Butler is "a very, very good trial judge" who runs a tight court and expects lawyers to be concise in their arguments. That lawyer also cautions, "You have to be on your toes. He'll be quick, so you have to know your case."

Recently, Judge Butler's name has been bandied about as a potential candidate for the Eleventh Circuit. While Judge Butler is appreciative of the honor of being considered for such a prestigious post, he wants no part of it. Judge Butler relishes being in the courtroom. He is in his element when presiding over trials and hearings, working closely with lawyers, and being in regular contact with all segments of the community. Unquestionably, Judge Butler has found his niche. ■

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