

Judicial Profile

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Hon. Timothy S. Hogan U.S. Magistrate Judge, Southern District of Ohio

AFTER SERVING 14 years as a U.S. magistrate judge for the Southern District of Ohio at Cincinnati, on Oct. 4, 2010, Hon. Timothy S. Hogan ended a distinguished career on the federal bench and returned to his roots in the state court as a visiting trial judge. Judge Hogan says he has been honored to have served on both the state and federal benches and hopes to be remembered “as someone who cared and tried to do a little justice along the way.”

Prior to his appointment to the federal bench, Judge Hogan served for 15 years as a state court judge in Cincinnati. He was first appointed to the municipal court bench in Hamilton County, Ohio, in 1981 by Governor James Rhodes. After 13 years in municipal court, Judge Hogan was elected to the Hamilton County Court of Common Pleas, where he served an additional two years.

As a municipal and common pleas judge, Judge Hogan perfected the art of having a good judicial temperament, says Judge Deidra Hair, his friend and municipal court colleague. “He could deal with the tragic, the mundane, the foolish and the humorous with equal precision and common sense.” Judge Hair has characterized Judge Hogan’s judicial philosophy as “Do the right thing, and the law will follow.” “Mercifully,” she says, “he has been particularly astute at knowing the right thing.”

While campaigning for judicial office in state court often took Judge Hogan away from his then young family, the campaigns were never dull. His longtime friend and colleague, Senior U.S. District Judge Sandra Beckwith, who served with Judge Hogan in both the municipal and federal courts, says they often campaigned together. “We shared the experiences that make running a judicial election campaign daunting, delightful and sometimes delirious,” she recalls. “We sat in open convertible cars in summer rain storms, ate Limburger and onion sandwiches, and enjoyed sitting in the front row of a German fest so we could be near the tuba duets.”

The Cincinnati Bar Association rated Judge Hogan “highly recommended” in all his elections for state



court judge. Judge Hogan attributes his success as a state court judge, in part, to using his judicial power in the public interest, working hard to avoid a backlog of cases and carefully listening to the participants in his trials: “Put yourself in the position of an untrained observer in your courtroom—would he or she get a sense that this judge is listening and trying to obtain a just result?” he asks.

Judge Hogan also worked hard to earn the respect of criminal defendants and to discourage hopelessness in those who appeared before him for sentencing. He often explained to defendants that “life is a marathon” and “failure is never fatal.” Judge Hogan attempted to discover the root causes underlying the defendants’ criminal activity and sentenced them with an eye toward rehabilitation.

As a federal magistrate judge in the Southern District of Ohio, Judge Hogan continued to inspire hope in the criminal defendants who appeared before him. Chief Judge Susan Dlott says Judge Hogan routinely demonstrated his genuine care and concern for individuals appearing before him. He not only advised criminal defendants of their rights but also

had “a personal conversation with the defendants who appeared in his courtroom,” explains the chief judge. Judge Hogan offered frank and practical advice to defendants, encouraging them to get the treatment they needed and to use their time wisely during the pendency of their criminal cases.

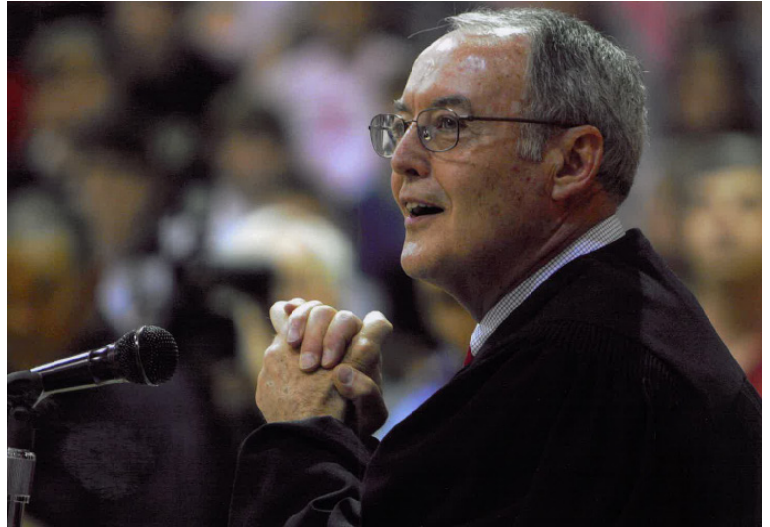
Although he excelled as a lawyer and a judge, the law was not Judge Hogan’s first calling. A love of sports and competition led Judge Hogan to the University of Dayton, where he had a football scholarship. Upon his graduation in 1964, the judge returned to Cincinnati and was hired as a teacher and football coach at the Summit Country Day School. Judge Hogan fondly recalls his time at Summit and coaching with his friend and mentor, Dick Holmes. While working at the school, Judge Hogan obtained a master’s degree from Xavier University and, more importantly, met Jeanne, his wife of 45 years. They were married in 1965 and are the proud parents of three grown children—Jennifer, Andy, and Tom—and eight grandchildren.

Although he loved teaching, Judge Hogan decided to pursue a career in law to help support his growing family and fuel his competitive spirit. Descending from a long line of lawyers—including his namesake and uncle, the late U.S. District Judge Timothy S. Hogan, a distinguished jurist for the Southern District of Ohio—Judge Hogan believed the courtroom would be “a great place to compete.” He attended evening classes at the Salmon P. Chase College of Law while teaching full time, then clerking at the law firm of Rendigs, Fry, Kiely & Dennis LLP. The judge earned his law degree in 1972.

Upon his graduation from law school, Judge Hogan accepted a position as an assistant city prosecutor with the city of Cincinnati. Within two years, he was promoted to senior assistant city prosecutor. As a prosecutor, Judge Hogan learned several valuable lessons, including the need to investigate cases thoroughly, present a cohesive and well-organized case to a jury, and deliver a closing argument, which he still believes is the most important part of the trial. “Tim was always the gracious advocate, whether in victory or defeat,” says Hamilton County Judge Dennis Helmick, who worked with Judge Hogan both in the city prosecutor’s office and in municipal court.

Judge Hogan loved trial work and experienced a great deal of success trying jury cases and arguing before the First District of Ohio Court of Appeals. His success in the trial and appellate courts ultimately led to his appointment to the municipal court bench. During his tenure there, Judge Hogan’s outstanding reputation as a fair and well-respected jurist was evidenced by the fact that he was twice selected by his judicial colleagues as the court’s presiding judge.

In October 1996, Judge Hogan was appointed magistrate judge for the Southern District of Ohio. Judge Hogan came to the federal bench with “a well-deserved reputation for fairness, neutrality and



Judge Hogan presides at a naturalization ceremony in 2010.

innovative thinking that has only been enhanced over the years,” explains Judge Beckwith. Unlike state court, the majority of Judge Hogan’s time in the federal court was spent outside the courtroom. His days revolved around ruling on motions, resolving discovery disputes, and conducting settlement conferences. He helped parties resolve their legal disputes in creative and practical ways. During one settlement conference, the judge sensed that the two people best equipped with the knowledge, experience, and tools to resolve the dispute were the chief executive officers of the competing corporations in the lawsuit. Judge Hogan arranged a face-to-face meeting between the two CEOs without their respective lawyers, and the CEOs were able to quickly hammer out their differences after a frank and open dialogue.

Although Judge Hogan derived a great deal of satisfaction from helping parties resolve their legal disputes without the need for a trial, he relished his role as a trial judge and was most “at home” in the courtroom. Judge Hogan worked hard to educate jurors about the legal process and make them feel welcomed and appreciated for their extremely important work. The judge also gave lawyers the freedom to present their case to the jury in their own style. “He has one of the best demeanors of a trial judge,” notes Chief Judge Dlott, “one that all judges should aspire to.” His demeanor and practical approach to judging earned him the well-deserved respect of attorneys, litigants, and jurors alike.

Just as he worked hard to educate jurors in his courtroom, over the years, Judge Hogan also dedicated countless hours to mentoring law students through externship programs with several law schools, including the University of Dayton School of Law, the University of Cincinnati College of Law, and the Chase College of Law at Northern Kentucky University, his alma mater. By welcoming externs into his chambers, Judge Hogan combined his love of teaching with his love for trial work and his enthusi-

astic support for the next generation of lawyers, many of whom have gone on to practice in federal court.

Reflecting on his role as a judge, Judge Hogan advised, "Don't be overly impressed with the robe. The job belongs to the public. It is just my privilege to occupy the space for a time." He said it's important for a judge to be humble. "You may appear impressive, but there have been and will be times when you are the least gifted lawyer in the courtroom."

Judge Hair believes that commonsense and the ability to reduce the complex to the easily understandable are among Judge Hogan's greatest skills. When asked which of his accomplishments he's most proud of, he replies: "That all my children are good parents and good examples for our grandchildren. That I have managed to obtain the trust of my colleagues on and off the bench. ... That I married the right girl. That I excel at cutting the grass, washing and waxing cars, power washing decks, and painting fences."

In addition to his work as a federal magistrate judge, Judge Hogan has been an active member of both professional and community organizations. He is a member of the Cincinnati, Ohio State, and Federal Bar Associations and a former president of the Potter Stewart Inn of Court. For more than 20 years, Judge Hogan has been a trustee of Central Clinic, a provider

of behavioral health and forensic services, and has served as chair of the clinic's board. He has served as a knothole baseball coach and a member of his church's education commission and is currently the chair of the Building Maintenance and Grounds Committee of a community condominium project near Lake Cumberland, Ky., where he enjoys boating and golfing in his spare time.

"Sometimes we are judged by what is said and not said about us," says Judge Helmick. "In my 36 years of knowing Judge Hogan, I've never heard an unkind word spoken of him. That is quite an accomplishment in this day of instant feedback and blogging." Indeed, Judge Hogan's life's work demonstrates that the universal praise for him as an outstanding jurist, lawyer, husband, and father is well-deserved. **TFL**

Laura Welles Wilson and Karen Litkovitz were both career law clerks to Magistrate Judge Hogan.