



IN MEMORIAM

Hon. Edward McManus

Senior Judge, U.S. District Court for the Northern District of Iowa

by Lee Hermiston

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Judge Edward McManus spent more than seven decades serving his country and state. The Northern District of Iowa judge spent more than 50 years on the bench, served as lieutenant governor and in the Iowa senate, was city attorney for his hometown of Keokuk, and flew as a flight instructor for the Navy during World War II. Along the way, he picked up a tale or two, those who knew him fondly recall.

“He was quite a storyteller,” said Deb Frank, McManus’ judicial assistant for 27 years. “You can only imagine the stories he had.”

McManus, 97, died March 20 in Cedar Rapids. His son said McManus was still taking cases, nearly 55 years after his friend, President John F. Kennedy, appointed him chief judge of the Northern District of Iowa.

“I think it was just part of his DNA,” David McManus, a Cedar Rapids lawyer, said of his father’s work ethic. “His mother died at 106. He was wired for that.”

Born in Keokuk on Feb. 9, 1920, McManus would later attend St. Ambrose College before transferring to the University of Iowa. There, he joined the Phi Delta Phi legal fraternity, which also included Hawkeye football legend Nile Kinnick and future Southern District of Iowa Judge Bill Stuart.

According to his obituary, McManus was admitted to the Iowa Bar Association in October 1941 and briefly practiced law with his father and brother before enlisting in the U.S. Naval Air Corps in March 1942, where he served as a flight instructor in Texas and Florida. He left the Navy as a lieutenant and returned to Keokuk to practice law with his father and brothers. There, he served as city attorney and wrote the city’s municipal code, his obituary states.

McManus—who had five sons with his first wife, Sally Hassett, and two stepsons through his second marriage to Esther Yothers Locher Kanealy—was elected to the Iowa Senate in 1954 and elected lieutenant governor in 1958. He unsuccessfully ran for governor in 1960.



Two years later, Kennedy appointed McManus the chief judge for the Northern District of Iowa, making him the first native-born Iowan appointed to the federal district court for the Northern District, according to his obituary. After relocating to Cedar Rapids, McManus set out to consolidate different federal court functions—which were spread throughout the district—under one roof.

“His decisions to centralize the operations of the federal court in Cedar Rapids and to implement a variety of case management reforms upon taking the bench in 1962 were truly visionary,” said Acting U.S. Attorney Sean Berry. “The changes implemented by Judge McManus left an indelible and positive impact on the efficient administration of justice for all litigants in the federal court.”

McManus was also passionate about bringing about speedy and inexpensive resolutions to his cases and prided himself in having no backlog after clearing out the initial backlog left when he took over as chief judge. He took senior status in 1985, which saw him remain a judge but with a smaller caseload.

Frank describes McManus as “stern, strict, and

demanding; but also very thoughtful, compassionate, and gracious.” She said he laid out expectations not only to his staff, but also to attorneys.

“It was a delight to work for him because I always knew where I stood,” Frank said.

Despite his businesslike demeanor, McManus had a good sense of humor, his son David, recalls.

“He liked a good joke,” David McManus said. “He

liked to go to parties. He liked to talk to people.”

According to his obituary, McManus was the third longest-serving federal district trial judge in the history of the United States. Frank said that was part of what drove him.

“I know he loved to work,” she said. “He loved what he was doing. I think it’s just the whole idea of coming to the office every day and doing what needed to be done.” ☉

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Lehder was found guilty of drug-related offenses and sentenced to life in prison.

Surprisingly, the proceedings that weigh on Judge Schlesinger most heavily are not those with the most publicity or novel legal issues. Instead, like many judges, he dwells on the routine sentencings, though he joked that when he transitioned from magistrate judge to district judge, he had to learn to count past one because he no longer handled only misdemeanors. He described sleepless nights before sentencings involving difficult facts and lengthy mandatory minimum sentences. That distress is unlikely to subside. He remembered some advice from a former district judge: “When you stop worrying about sentencing someone to prison, it’s the time to retire, because it means your heart has turned to stone.”

Thankfully, the stressful moments have been balanced by moments of levity, like the time a witness called Judge Schlesinger “Your Majesty,” or when a lawyer tried to invoke a “pet-vet privilege,” or when a *pro se* litigant treated him to a scene reminiscent of a Woody Allen sketch, running back and forth from the lectern to the witness stand to ask and answer his own questions. “That gave everybody a little laugh in the courtroom,” he recalled with a smile. “You have to have humor in every case.”

Then there are the moments when a bit of creative thinking makes a noticeable impact in a litigant’s life, like finding an exception in the Department of Agriculture’s regulations to avoid euthanizing a family’s beloved horse that had become infected with equine anemia or crafting a creative solution to help an inmate who was denied smoking-cessation medication because the prison was afraid he would hoard the pills:

I asked the doctor who was testifying, “Have you ever heard of applesauce?” And he said, “No, what does applesauce have to do with this pill?” And I said, “I can remember as a little boy I hated aspirin. And whenever I needed an aspirin, my mother would put it in applesauce and feed me the applesauce and that’s how I would get the aspirin.... If you’re worried about someone hoarding your pills,... why don’t you crush ’em up and put it in applesauce?” And with that, they asked for a recess, the case settled, and the man ultimately became a marathon runner. He quit smoking, he started working out in the prison yard, and when

he eventually was released from state custody, [he] started running in marathons.

Such stories are typical of Judge Schlesinger’s time on the bench. Sharp analysis and thoughtful consideration, peppered with a bit of humor, are his calling cards. Though he took senior status in 2006, he shows no signs of slowing down: He maintains a large caseload and remains an active figure in the Jacksonville legal community. He believes strong professional and mentoring organizations have made Jacksonville a “unique community” for legal practice in that “the lawyers are always cordial, they’re friendly, [and] they don’t get into fights the way lawyers from other parts of the country do.” He attributes that to “the mentoring and the socialization that takes place amongst the lawyers and the judiciary, which makes it a lot easier to do the job [of judge].”

In March 2017, the U.S. District Court for the Middle District of Florida, Jacksonville Division, honored Judge Schlesinger for devoting 50 years to federal service, including his time in the military, in the U.S. Attorney’s Office, and on the bench. Hon. Timothy J. Corrigan, a fellow U.S. district judge, aptly summarized his career: “We all owe a debt of gratitude to Judge Schlesinger, who has promoted collegiality among the members of the court and professionalism in the bar and has set a standard that all of us try to emulate every day.... I certainly expect that 10 years from now, we will be standing in this same courtroom thanking Judge Schlesinger for his 60 years of federal service.” ☉

Endnotes

¹*Jacksonville Coalition for Voter Protection v. Glenda Hood*, 351 F. Supp. 2d 1326 (M.D. Fla. 2004).

²*Aketepe v. United States*, 925 F. Supp. 731 (M.D. Fla. 1996); *aff’d*, 105 F.3d 1400 (11th Cir. 1997).

³*United States v. Lehder-Rivas*, 668 F. Supp. 1523 (M.D. Fla. 1987).