Timothy D. DeGiusti became the chief judge of the U.S. District Court for the Western District of Oklahoma on July 1, 2019. Chief Judge DeGiusti brings to the federal bench a unique personal story, one influenced by a pivotal chapter in this nation’s history. His many accomplishments, which include a distinguished career as a prosecutor and officer in the U.S. Army, are the fruit of devoted parents who valued hard work and education and passed these beliefs on to their children.

In *Dowell v. Board of Education of Oklahoma City*, Chief Judge Luther L. Bohanon issued an opinion that effectively began the desegregation of Oklahoma City public schools. During this time, “young Tim” (as he was affectionately known by friends and family) lived in the Capitol Hill neighborhood of Oklahoma City. His father was a first-generation Italian-American whose parents emigrated from Northern Italy in the early 1900s. At 16 years old, DeGiusti’s father moved to Oklahoma City, where he engaged in the terrazzo (Italian marble flooring) industry, ultimately doing business as Southwest Terrazzo. In fact—in a classic case of foreshadowing—Southwest Terrazzo worked on the terrazzo floors that decorate the Western District of Oklahoma courthouse where DeGiusti now sits as chief judge.

DeGiusti’s mother was born in Hooker, Okla., and raised outside of Rolla, Kan., just north of the Oklahoma panhandle. After a short stint in California during the Dust Bowl years, she moved to Oklahoma City during World War II, where she later met DeGiusti’s father. The couple went on to have five children (three boys and two girls), with Tim DeGiusti being the youngest.

Pursuant to Judge Bohanon’s order, DeGiusti was bussed from Capitol Hill in South Oklahoma City to Douglass High School, a predominantly black school located on the city’s northeast side. For many Oklahoma City residents affected by Judge Bohanon’s order, the court’s decree ushered in a dramatic change in their lives. For DeGiusti, however, the court’s order introduced him to a new world that produced lessons and friendships that have lasted a lifetime.

Frederick A. Douglass High School began as an elementary school. In January 1891, the Oklahoma City Board of Education met to form schools for Oklahoma City children. A motion was made and passed for the establishment of a “colored school” to be located in a long, barn-like building. By 1898, the elementary-aged students were ready for high school and Douglass High School was born. It currently sits in northeast Oklahoma City at 900 N. Martin Luther King Avenue. It has produced such notable alumni as jazz guitarist Charlie Christian, blues singer Jimmy Rushing, and writer Ralph Ellison.

During DeGiusti’s time at Douglass, approximately 90 percent of the student body was African-American (today, minority students make up approximately 97 percent of Douglass’ student body). Despite the racial disparity, Judge DeGiusti says the environment at Douglass enabled him to thrive. He was the president of his sophomore class and the student council. He played on the basketball team (the Trojans), and it was at Douglass where he met many life-long friends with whom he remains close even today. Indeed, it was at Douglass High School where DeGiusti first felt inspired to become a lawyer. As he describes it:

“The first time I ever thought about the law as possibly a career choice for me was when I was at Douglass High School. I was a sophomore or junior. We had a student teacher (Patrick Cudjoe) who was full of new and great ideas. And this teacher decided...
that we would put on a mock appellate argument. And it was an interesting case. It was a reverse discrimi-
nation case that had been handled by the United States
Supreme Court maybe a year or so before. I can’t even
remember now which side I argued, but I was selected to
argue one of those sides. And so I read the opinion and I
put a lot of effort into my presentation. And when I did
it and I don’t even remember if I won the argument, by
the way. But after I did it, I thought for the first time, you
know, this is something that maybe I could do. So that
seed was planted in the back of my mind.”

DeGiusti remembers his time at Douglass High
School as very enriching, not only from an academic
standpoint but also a cultural standpoint. It was there
that he learned how to blend with other cultures much
different than his own and to understand the point of
view of people who, at least on the surface, might appear
to be different than him. Judge DeGiusti values these life
lessons to this day.

From Douglass, DeGiusti attended the University of
Oklahoma (OU). Despite his earlier inspiration to practice
law, DeGiusti did not fully commit to attending law school
during his senior year of college. Instead, he gave serious
thought to teaching (graduating with a degree in ethics
and religion) and had been accepted into both Chicago
Theological Seminary and OU’s graduate program for phi-
losophy. Another option was going on active duty in the
U.S. Army (more on that later), as he had participated in
OU’s Army Reserve Officer Training Corps and received
his commission as an infantry officer. By the age of 20, De-
Giusti was an Army second lieutenant. Hence, the study
of law, in his own words, was “late to the dance” and for all
intents and purposes, third in line, as he had viable career
options before him in teaching and military service.

In the end, however, law school won out by a literal
coin toss. Struggling with the choice, DeGiusti flipped a
coin to narrow down his options; at the end it came down
to law school and active duty in the Army. He flipped the
coin and active duty in the Army won; he flipped it again
and ended up going to law school. On that decision, Judge
DeGiusti remembers knowing in his heart that he was not
yet ready to go on active duty in the Army:

“Something inside me, it just—I knew that I was not
ready at that moment in time to go on active duty in the
Army. My father recently passed away. I was uncom-
fortable, I think, leaving my mother—although she had
helped here from my brothers and sisters, I think I was just
uncomfortable at that time in leaving for the amount of
time that it would have taken to do a stint on active duty
in the Army or, for that matter, to go to Chicago to the
theological seminary and study there. So I ended up at
that point selecting an option that would keep me here in
the Oklahoma City area.”

DeGiusti attended law school at the OU College of
Law. Like many law students, he did not have any firm
thoughts on the type of law he wanted to practice as a
career, saying he was a tabula rasa. After about a year,
however, he found himself gravitating toward trial work
and litigation. He participated in the moot court com-
petitions each year and, in his last year, he became a moot
court finalist. Additionally, DeGiusti was on the national
trial team and a member of the Order of Barristers. Conse-
quently, oral advocacy and trial work became his focus.

In 1988, upon graduation from law school, DeGiusti
practiced for two years with Oklahoma City law firm
Andrews, Davis, Legg, Bixler, Milsten and Murrah as
a litigation associate. His closest friend at the firm was
Brad Henry, who would go on to become a state senator
and subsequently the governor of Oklahoma. Another
member of that associate class was Marcia Rupert, who
currently serves as Judge DeGiusti’s career law clerk.

DeGiusti always saw himself serving in the military in
some capacity. Indeed, while in high school, he enlisted
in the Army Reserve Components and attended boot
camp in South Carolina after graduation. After two years
practicing at Andrews Davis, he began champing at the
bit to try cases. However, law firms do not generally
allow brand-new associates to just go into the courtroom
and start trying cases, and Andrews Davis was no excep-
tion. Don G. Holladay, who was a partner at the firm and
DeGiusti’s mentor, spoke fondly of his time in the Air
Force Judge Advocate General’s Corp (JAG) and DeGi-
usti became enamored with that experience. So in 1990,
after just two years of private practice, DeGiusti went
on active duty in the Army JAG, where he was stationed in
Baumholder, Germany.

With JAG, DeGiusti got an extraordinary amount of
trial experience. He tried approximately 60 general and
special courts martial cases—everything from AWOL to
first-degree murder. One of DeGiusti’s most memorable
cases during his JAG years was his prosecution, with fre-
cent co-counsel Capt. Randy Kirkvold, of Spc. Albert T.
Sombolay, who was charged with espionage and contact-
ing the enemy. Sombolay eventually admitted offering to
provide military information once his unit was deployed
to Saudi Arabia; he provided a Jordanian intelligence
officer with samples of U.S. Army chemical protection
equipment and Saudi deployment information, and he
offered to photograph his unit’s activities in Saudi Arabia.
He was sentenced to 34 years in prison. It was the only
espionage case that arose out of the first Gulf War.

On one occasion, when DeGiusti was on military
leave back in the United States, Holladay asked him to
dinner. At that dinner, Holladay said he was authorized
to extend a standing offer for DeGiusti to rejoin the
Andrews Davis law firm. Accordingly, after serving three
years in the Army, DeGiusti rejoined the Andrews Davis
law firm in 1993, where he eventually met his wife of 21
years, Elaine, who was also an associate at the firm. At
Andrews Davis, he spent the next seven years develop-
ing a litigation practice. He also continued his military
service between the Army Reserve and the Oklahoma
Army National Guard, which is where he ended his mili-
cyber

In 2000, DeGiusti left Andrews Davis and became one
of three founding partners in the firm of Holladay, Chilton, & DeGiusti, joining Holladay and Gary Chilton. Contrary to today’s standards, there was no formal partnership agreement—the three men agreed to their partnership structure on a handshake. Although he loved Andrews Davis and the people there, Judge DeGiusti wanted to experience life in a small law firm. Holladay, Chilton & DeGiusti was a boutique litigation firm whose practice was much narrower than the “full service” firm, Andrews Davis. Nonetheless, DeGiusti’s practice did not change much, and he still occasionally tried military cases despite retiring from JAG, representing a number of clients in felony-level courts martial as a civilian defense counsel.

Although DeGiusti enjoyed his years in private practice, the most professionally fulfilling time for him were the years of active duty as an Army prosecutor. He longed to have that sense of duty again and began thinking about ways in which he could return to public service in the law. Accordingly, in 2006, at the encouragement of many people in his circle, including Holladay and Judge Ralph Thompson (his father-in-law), DeGiusti applied and was ultimately selected for a position in the Western District of Oklahoma. This did not come without its complications. First, such a move would obviously change the character of the firm he founded with his good friends. Second, DeGiusti’s appointment meant that Judge Thompson would have to step down from the bench due to a federal statute prohibiting simultaneous service by family members on the same court. Despite these considerations, however, DeGiusti received overwhelming support from Judge Thompson and his law partners, making possible his appointment to the federal bench.

As a federal judge, DeGiusti appreciates that he still gets to be directly involved with litigation and trials, albeit not as an advocate. He also enjoys working with students and law schools, and doing what he can to advance the law and make a positive impact on people. To this end, he is especially proud of his court’s drug reentry program, the Court Assisted Recovery Effort, which is designed to assist nonviolent drug offenders in making a successful return to society. And his love of lawyering and lawyers, as well as his own law practice experience, informs Chief Judge DeGiusti’s interaction with the bar. His message to attorneys is one of balance: “Ensure that you are healthy; that you are happy. That you are pursuing things in your personal life that are gratifying to you and help provide meaning to your life. And that you are doing the very best you can as a professional” to effectively represent your clients and advance the law.

Endnote