



Hon. Guy R. Humphrey

U.S. Bankruptcy Judge, Southern District of Ohio

by Elizabeth A. Rogers



Elizabeth A. Rogers is a bankruptcy and financial restructuring associate at Stevens & Lee, P.C. in Wilmington, Del. She graduated from Georgetown University Law Center in 2019. Her clerkship with Judge Humphrey introduced her to the unique world of bankruptcy practice.

For Judge Guy Humphrey, wrestling is a definitive part of life— a college sport, a father-son passion, and an approach to his role on the bench. At hearings, he often declines to set hard time limits, telling litigants to take all the time they need. As a former wrestler, he cannot be tired out. Judge Humphrey approaches the law with precision, tough questions, and a relentless determination to get things right. It is this sort of endurance that has marked his entire career.

Judge Humphrey grew up with five siblings in Burton, a tiny Ohio town with New England architecture famed for locally produced maple syrup. His roots ran deep. Judge Humphrey's great-grandfather, a carpenter, had once owned a bobsled factory in town, and his parents raised him on the same street that the family had called home for generations.

He fondly recounts stories from the array of jobs he held during his youth. From church cleaning and snow shoveling to an early morning paper route and summer work at a Christmas tree farm, he found ways to stay busy and save for his college education. During one paper route run, he was caught out in the historic 1978 blizzard that blanketed the town with four or five feet of snow in a matter of hours and closed the school for two weeks. During summer vacations, the family of seven crammed into an old station wagon and set out to Florida, the Adirondacks, and national parks, sleeping in tents at night. He recalls his giddy excitement when the family upgraded to a pop-up camper.

He became interested in a legal career during his high school years after a minor traffic infraction necessitated his appearance in state court. Judge Humphrey recalls that the state magistrate gave him a chiding lecture and slap on the wrist that he describes as firm but fair. Although it was his first experience in a courtroom, he began to picture himself within the legal profession.

Judge Humphrey graduated from Berkshire High School in 1978 as class president, despite earning the nickname "Rip" after Rip Van Winkle because of his "extraordinary ability" to sleep through class. A year later, he landed at Kent State University where he walked on to the school's NCAA Division I wrestling



team. Judge Humphrey views wrestling as a highlight of his college years and the sport that built his personal character. He explains, "Wrestling is a super sport for developing character. On the mat, it's just you and the other person. There aren't ten other teammates to blame or rely on in that moment. Win or lose, it's on you." Judge Humphrey views his role as a judge in a similar light. When he takes the bench, the decisions are his to make. He prepares exhaustively for hearings with his law clerks, but in the courtroom, he makes calls alone.

Judge Humphrey also praises the camaraderie he experienced on his college team. "It was the era of disco," he says with a laugh. He and his teammates trained hard together and blew off steam at a local watering hole called "Crazy Horse," a local dive replete with a giant disco ball. He relied on these friendships during law school and has maintained them throughout his professional career.

He also views wrestling as a sort of training ground in self-control and long-term thinking that uniquely prepared him for bankruptcy practice. On the mat, competitors must learn to control their emotions and react within the rules. During his school competitions, each home team kept a box of oranges next to the bench. After each match, the home team competitor



grabbed two oranges, offered one to his opponent, and stood next to him while they ate. This experience taught him to think about what would happen at the end of the match. Whether in litigation or sport, cordial relationships are key. An opponent in one hearing may be co-counsel in another. On the bench, Judge Humphrey is a strong proponent of civility education for attorneys.

He completed his studies at Kent State in three years. During his final summer, he interned at the Portage County Public Defender's Office. Client interview and subpoena duties sent him to the county jail and neighborhoods throughout Cleveland. This experience reinforced his interest in a legal career. He found the interactions between counsel and witnesses to be very interesting and enjoyed the intellectual nature of the work.

When he entered the Ohio State University Moritz College of Law the next year, personal computers were just beginning to hit the market. During Judge Humphrey's second year of law school, he landed a clerk position at a two-attorney civil litigation boutique firm and was later hired as the firm's first associate. He credits Steve Fitch and the late Mike Szolosi, the partners for whom he worked, as mentors and lifelong friends who launched his legal career.

After a few years at the firm, Judge Humphrey briefly moved back to Geauga County and hung his own shingle. His practice there included probate and estate work, general litigation, criminal defense, real estate, and consumer bankruptcy. He views this experience as foundational to his later work because it gave him such a broad background. He explains, "Bankruptcy touches every conceivable area of the law so having knowledge of these practice areas was invaluable to my time in practice and as a bankruptcy judge."

Several years later, Judge Humphrey returned to his former firm in Columbus just in time for the case that would propel him into corporate bankruptcy practice. In 1989, Cardinal Industries and several dozen corporate affiliates filed a Chapter 11 bankruptcy petition in the Southern District of Ohio. Cardinal also filed Chapter 11 petitions for around 1,000 of its affiliated single asset



real estate ("SARE") limited partnership entities. The *Cardinal* cases were so significant that nearly every attorney in the Columbus bankruptcy bar played some role in the litigation. Humphrey represented lenders and creditors in the SARE cases, cutting his teeth in the Chapter 11 arena. After *Cardinal*, Judge Humphrey gained debtor-side experience representing a regional hotel chain in Chapter 11. His practice eventually expanded to include both debtor, creditor, and asset-purchaser representations as well as significant commercial litigation in state and federal courts. During his final years in practice, he developed a niche in representing equipment financiers and acted as outside general counsel for several regional corporations. He also sharpened his mediation skills while serving as a volunteer mediator, resolving disputes in a number of cases at the request of the bankruptcy court. He carried his career-long commitment to the value of mediation to the bench, where he helped to establish a district-wide mediation program shortly before the global COVID-19 pandemic. Judge Humphrey regularly mediates cases as a settlement conference judge and spearheaded the district's outstanding bankruptcy mediation program.

In 2007, the U.S. Court of Appeals for the Sixth Circuit appointed Judge Humphrey as a United States Bankruptcy Judge for the Southern District of Ohio seated in Dayton. Judge Humphrey served two terms

Top left photo: Judge Humphrey at Conference; top right photo: Judge Humphrey and wife Alisa in New York; bottom photo: The Humphrey family with Olympic gold medalist, wrestler Kyle Snyder.

on the Bankruptcy Appellate Panel for the Sixth Circuit where colleagues extolled his contributions. He quickly developed a reputation for polished opinions and careful analysis of sophisticated legal issues.

Judge Humphrey's years on the bench have been full of interesting cases and memorable litigants. He recalls that his first trial involved a witness who was nine-months pregnant and testifying on behalf of the Chapter 7 trustee in a fraudulent conveyance. In another case, a separate married couple were battling over assets. When questioned by an attorney, the husband interrupted to yell, "That lady ain't my wife!" The scene was so comedic that Judge Humphrey struggled not to lose his composure on the bench. On one occasion, a debtor explained that his tax refund was unavailable because he used it to pay off his son's drug dealer. Judge Humphrey says his jaw dropped. Now, he views this as a sobering episode that brought the reality of poverty and struggle to the courtroom.

The COVID-19 era presented its own challenges as the court shifted to online videoconference hearings. In one instance, an attorney mistakenly believed he had logged out of an ongoing omnibus hearing and began to disrobe in his office. Luckily, Judge Humphrey recalls, courtroom staff were able to remove him from the hearing before anything traumatic occurred. "It wasn't quite as good as the cat lawyer video, but it was pretty close," he recounts.

Judge Humphrey views his work with law clerks and interns as a favorite part of his time on the bench. During his investiture speech, he cited the importance of mentorship and opportunities for young lawyers. In chambers, he maintains an open-door policy. He takes a hands-on approach to legal issues and fervently enjoys debating questions until the right answer is clear. He tells new law clerks, "We take the time to get it right. That's the important thing." And this commitment to excellence is clearly reflected in the respect of his colleagues and the local bar.

Despite his erudite leanings, you won't find Judge Humphrey on the national speaker circuit or in the halls of academia. His commitment to community runs deep, and nowhere is this more evident than in his dedication to local involvement. While Judge Humphrey is a member of several national organizations and values those networks, he devotes his time to bolstering and developing local attorneys through involvement with the Dayton Chapter of the Federal Bar Association, the regional bankruptcy bar, and the local bar association. Seeking to encourage discourse between local attorneys and the judiciary, Judge Humphrey acted as the driving force behind the Southern District of Ohio's attorney-led bankruptcy bench-bar conferences. He also serves on the board of Dayton's American Bankruptcy Law Forum, an inclusive regional organization that prioritizes high-quality and affordable professional education and provides opportunities for bankruptcy attorneys to connect across generations and practice areas.

He is a fierce advocate for opportunity and practices

what he preaches. During the summer of 2022, Judge Humphrey masterminded and led the pilot Diversity Externship Program for the United States Bankruptcy Court for the Southern District of Ohio. Through the program, the court hosts externs in each of its three seats – Dayton, Columbus, and Cincinnati. Each extern receives a stipend for living expenses through a collaboration between the federal courts and the Dayton Chapter of the Federal Bar Association. But even prior to the program, Judge Humphrey emphasized diversity and interest over prestige in his extern hiring. He prioritizes law students who are eager to learn and might especially benefit from their time in chambers. In his view, externship programs are an opportunity to teach writing skills and offer exposure to the federal court system. For many, the experience proves pivotal to their career, opening doors and pathways they could not have otherwise accessed.

Judge Humphrey is also fascinated with local legal history. In his spare time, he works on a history of his courthouse's historic courtroom. Copies of historical records, cemetery listings, and a local legal history tome are splayed across a table in his office. Regional attorneys and law students alike have enjoyed taking Judge Humphrey's fascinating tour of the building, a retelling of local lore replete with bizarre true stories and the occasional bit of bankruptcy practice advice.

Judge Humphrey married his childhood sweetheart, Alisa, in 1982. The couple met in kindergarten and dated throughout high school and college. He has two sons, Garrett (33) and Wade (21), whom he jokingly refers to as his "two only children" because of the twelve-year age gap between them. During his early years on the bench, Judge Humphrey maintained his commitment to strong family involvement and often spent his evenings and weekends coaching Wade's wrestling team or traveling to competitions. These days, he often can be found tackling do-it-yourself projects with son Garrett. He enjoys woodworking, spending time with his wife at their lake-side cabin in Tennessee, and connecting with friends.