

## **Service in Memory of Judge Dickson Phillips**

### **Remarks of Thomas W. Ross**

**November 4, 2017**

I begin by thanking the members of Judge Phillips's family for the honor and privilege of participating today. When I learned of Judge Phillips passing in August, I was half way around the world in Tasmania. My world shook even that far from home. I was saddened by the news and was extremely concerned I would not be able to be present at the service. In my email exchange with Dickson he assured me there would be a service later in the fall and he would let me know when and where. I was relieved.

Then several weeks later Dickson wrote again with the request that I make remarks at today's service. I was overwhelmed and have worried every day since about how I could possibly find the words to capture what Judge Phillips meant to me and to so many. I finally concluded that no words exist to fully describe the man that was J. Dickson Phillips – courage, integrity, leadership, kindness, brilliance, teacher, mentor, Dean, Judge, expert fly fisherman, hero all come to mind. Perhaps the word I use to describe what I treasure most about our relationship is friend. Judge Phillips was many things to me, but none more important than a friend.

When I was a freshman at Davidson College in 1968 we installed a new President, Sam Spencer. In his inaugural address Dr. Spencer announced, among other initiatives, that he wanted the College to study the possibility of becoming co-educational. As an institution with a long history as an all-male school, he knew his proposal would be extremely controversial. He was right. Fortunately for Davidson and for the many, many outstanding women who have and are attending that wonderful place, including my own daughter, Judge Phillips joined the Board of Trustees that same year. Dickie Phillips, as he was known to his Davidson classmates in the Class of 1943 and to his baseball teammates who elected him their captain, served for nearly 20 years as a Davidson trustee. It was during his first four years on the board which coincided with my time as a Davidson student when I first learned of then, Dean Phillips. For you see, by the time I was a senior, the issue of co-education was a very hot topic on campus. My classmates

and I were very interested in women, and I mean in their admission to the College, which by the way happened the year after I graduated. And by the time the issue came up for a vote before the trustees in the spring of 1972, it was Dean Phillips, who was then serving as chair of the Education Committee, who presented a report to the Board of Trustees recommending that the College admit women. Dean Phillips was a major force in pushing for the controversial change. He took lots of flak from alumni and others, but he never wavered from what he believed was right. His leadership on the issue of co-education changed Davidson College in a historic, significant and positive way and was my first real life exposure to someone leading with courage. Dean Phillips had courage then and throughout his life. Those who know Judge Phillips history also know he was a hero – a true war hero in World War Two having earned a Purple Heart and a Bronze Star. He was a hero, a War hero yes, but a hero to all of us young men who wanted women admitted to the College as well.

Later that year in the fall of 1972, I showed up at the UNC School of Law. At that time, all first-year students took pretty much the same curriculum – contracts, torts, property, civil procedure and criminal law and procedure. Each student had one class that was much smaller than the others to allow, I suppose, more student faculty interaction. In one of life's incredible strokes of good luck, my small section was Civil Procedure with Dean Phillips as my professor. In that year, my respect and admiration for Dean Phillips grew exponentially. I realized that he was not only brilliant, but that he was a person who cared about others, he was humble and, yes, he was the quintessential teacher. I learned Civil Procedure. He gave me no choice. But I also learned much more from him – how to keep perspective, how to look at all sides of a problem, how to remain calm and how to put others first.

Dean Phillips left the law school before I graduated when he was appointed to the 4<sup>th</sup> Circuit. I graduated and went about my life and career. Several years later, after I had become a judge, I ran into the Judge Phillips at an Institute of Government faculty reunion. I went up to him and re-introduced myself since I was not sure he would remember me. I will never forget his words. He said, "I know who you are. I have followed your career and I am well-pleased." I walked out of that building without touching the ground. From that day forward we stayed in touch. He had been my role model, but he became my mentor as well. My wife and I went to Figure 8

with he and Jean, I fished with him, he attended my inauguration as President of Davidson, we went to lunch, we talked, we attended the same Church in this sanctuary, and through it all I continued to learn from him and I became perhaps his biggest fan. With respect to all of the distinguished judges in the audience today, I am not sure I have ever seen or known a judge who always displayed kindness, patience and grace in every aspect of his work and life. In fact, I am not sure I have ever known a person who was as humble and full of grace, kindness and patience. Neither I, nor many of you, could have chosen a better role model and mentor than Judge Dickson Phillips.

Judge Phillips loved Davidson College and UNC Law School. We shared that love and it was part of what bound us together. I asked Dickson for the privilege of telling one of Judge Phillips's favorite stories because he loved telling it and I loved hearing it. He told it not to show how smart he was; instead he told it because he wanted people to know how highly regarded a Davidson education is. The way he would tell it to me is like this – after he returned home from World War II he was in Laurinburg when one day, Terry Sanford, his close childhood friend, drove up. Dick asked Terry where he was going and Terry said, "I am going up to Chapel Hill to start Law School. You should come with me." Now according to Dick, this was just before classes were ready to begin and Dick jumped in the car and off they went to Chapel Hill. When they arrived, they went to the Dean's office where Terry told the Dean that Dick wanted to enroll in law school. According to Judge Phillips, the Dean replied by asking Judge Phillips if he had a college degree. Judge Phillips would then smile ear to ear and say, "I told him I graduated from Davidson College and the Dean immediately said, "well then, you are admitted. I don't need any other information."

I should point out that Judge Phillips's Davidson education was more highly regarded than mine as he graduated Phi Beta Kappa while I graduated SOT (Skin of the Teeth).

As I said when I began, words are not adequate. As Judge Phillips was so eloquently described in the newspaper obituary by Dickson, he as was a man of great intellect and personal strength, he was a soldier, lawyer, teacher, judge, churchman, outdoorsman and music lover. I think we all would add to that list by saying he was also a hero, role model, and mentor. And, he was

kind, caring, full of grace, and humility. He was loyal, wise, committed, dedicated, and lived life with integrity and courage. More than anything, he was our friend. He was my friend.

Judge Dick Phillips was a rare and accomplished man who spent his life trying to make our state, our Nation, and our World better. He lived a full life giving much to many. We will miss his stories, his sense of humor, his smiles, his leadership and the way he made us, individually and as a community, better than we ever thought we could be. We have been truly blessed to have known Judge Phillips and to have had him as a friend.

To conclude, I want to repeat some words spoken by Judge Phillips at the funeral service for his dear, close friend Terry Sanford. Judge Phillips said and I quote, "Terry took an oath when he was 12 years old and kept it. It started out, "On my honor, I will do my best to do my duty to God and my country." (End quote). When Governor Sanford and Judge Phillips joined 18 other young men to form Troop 20 in Laurinburg in June of 1930, Judge Phillips took that same oath. Today, I am certain we can all agree he kept true to that oath as well. He did his best to God and his country and much more.