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Young's 40 years on federal bench fueled by family, patriotism



U.S. District Court Judge William G. Young (NICOLE GOODHUE BOYD)

## Young's 40 years on federal bench fueled by family, patriotism

Kris Olson

9 Minute Read

court/).

- Known for presiding over shoe bomber, “Big Dan’s” rape cases.
- Serves courts in Massachusetts, Florida, and Oklahoma.
- Revered for dedication to justice, jury trials, and public service.

Even landlubbers understand what an oar does. If you don’t have a pair, a rowboat might be useless. But wielded expertly, alone or in tandem with teammates, oars can propel a craft forward mightily, even in the face of unkind headwinds.

A small silver oar hangs in Courtroom 18 on the fifth floor of the John Joseph Moakley U.S. Courthouse. It is a replica of ones used to symbolize the power of the British admiralty courts, which date to the 14th century. The court’s marshal would carry in the oar and place it in front of the judge during trial.

In Courtroom 18, the silver oar typically sits on the left side of the judge’s bench, out of the way and just another decorative element. But when the judge is hearing a maritime case, the oar is moved to the right side of the bench so that the litigants and the jury know that the court is “sitting in admiralty,” the judge explains.

However, the oar just as well might symbolize that jurist, U.S. District Court Judge William G. Young, who marked his 40th anniversary on the federal bench on May 24. At age 84, Young continues to churn through a full docket, and not just Massachusetts cases but matters from the Middle District of Florida and the Eastern District of Oklahoma as well.

While he did not stick to the nautical theme, U.S. District Court Chief Judge F. Dennis Saylor IV remarked on Young’s inexhaustible capacity to administer justice at a recent celebration organized by Young’s former law clerks.

Describing the different approach he plans to take to his own soon-to-be senior status, Saylor said, “After 21 years, I’m ready to take my foot off the gas. Judge Young not only has his foot on the he’s driving two or three cars at the same time.”

Recently, a judge needed to recuse himself just before the start of a jury trial. Saylor sent out an email blast to see if one of the other [judges](https://masslawyersweekly.com/tag/judges/) (https://masslawyersweekly.com/tag/judges/) would be able to preside over the trial.

“I knew [Judge Young] was going to say ‘yes’ because he has said ‘yes’ 100 percent of the time,” Saylor said.

While tending to his caseload, Young has also for decades made time to teach evidence and other classes at local law schools.

Clerking for Judge Young wasn’t just a job, Annabel Rodriguez, now an associate at Verrill Dana, told attendees at the celebration in Young’s honor.

“It was a master class in how to become a well-rounded attorney,” she said.

Young taught his <sup>ACCEPT</sup> ~~CLERKS~~ the law, how to write, and how to think critically, Rodriguez continued.

"But he also emphasized something just as important: respect — respect for our colleagues, respect for attorneys who appeared before him, and most importantly, for the parties in the courtroom," she said.

When she swaps stories with other lawyers about Young, Rodriguez said they all come to the same conclusion.

"Judge Young is a teacher, he is a mentor, he is a leader, and he is a role model for lawyers everywhere," she said. "At a time when judges are facing growing criticism, Judge Young stands ready at the helm to uphold justice and the rule of law."

**Boston criminal defense attorney Martin G. Weinberg calls Young the paradigm of a trial judge, who prefers the courtroom to his chambers.**

**"You can tell he treats the courtroom like a place of hallowed ground," Weinberg tells Lawyers Weekly.**

**One of the things that makes Young unique among his peers is that when he says he will not punish a criminal defendant for exercising his trial rights rather than taking a plea, he means it.**

**"In Judge Young's courtroom, you can safely contest the government's charges and say 'prove it' ... and not get a sentence that is a day longer than if you had walked into the courtroom and pleaded guilty [on day one]," Weinberg says.**

Deep beliefs in democracy, the rule of law, and the power of jury trials provide much of the fuel for Young's tireless efforts. But an even greater energy source is his wife, Beverly, and their three sons and nine grandchildren.

### **Three heroes**

Young grew up on Long Island in the town of Huntington, where he and Beverly still have a place looks out on Duck Island Harbor.

Young's mother, Margaret, was a teacher, and his father, Woodhull, was a maritime painter who became the curator of the William K. Vanderbilt Museum on Long Island. One of his father's paintings overlooks Young's desk in his chambers; another two are in his courtroom. "I thought I wanted to be a lawyer, for no good reason," Young says.

From Huntington High School, Young went to Harvard. His aunt had offhandedly remarked about his argumentative skills, but Young had no real understanding of what it meant to practice law.





*'I think what's so striking is the enduring values,' Judge William G. Young says of the U.S. District Court.  
(NICOLE GOODHUE BOYD)*

A ROTC student who majored in history, Young deferred his acceptance to Harvard Law School to serve in the Army from 1962 to 1964 — during peacetime, he is quick to add.

"That was a real growing up," Young says.

Harvard had been more diverse than the town in which he had been raised, he explains.

"But it wasn't as diverse as Battery B of the 20th Artillery," Young says.

Young and his wife married as he was graduating law school in 1967. Until he had the good fortune to land a clerkship with Supreme Judicial Court Chief Justice Raymond S. Wilkins, the couple debated whether Young should hang a shingle in the New York suburbs or stay in the Boston area. Young calls Wilkins, his father and his first sergeant in the Army "my three heroes."

After his clerkship, Young landed in the litigation department of Bingham, Dana & Gould. Bingham represented the "big clients," including what was then known as the First National Bank of Boston and The Boston Globe. Young was part of the team that represented The Globe in its aspect of the Pentagon Papers case.

Another client of Bingham's was Lloyd's of London, which counted among its clients companies in the ocean trade. Those personal injury and admiralty cases would more frequently go to trial, which allowed Young to get into court more often than he might have otherwise been able to at a large firm.

In 1972, Young left Bingham to become chief counsel for Gov. Frank Sargent. Part of the allure was that Sargent was about to make an unprecedented number of judicial appointments to fill vacancies created by a constitutional amendment.

Sargent lost the 1974 gubernatorial election to Michael S. Dukakis, Bingham brought Young back into the fold, and he made partner. It wasn't a complete surprise when, two and a half years into his first term, Dukakis tapped Young for a seat on the Superior Court. He had been interviewed by Dukakis' chief counsel, after all.

"But I didn't really expect him to do it," Young says.

Young took his seat on the Superior Court bench about a month after the Blizzard of '78.

### **A young Teddy Roosevelt**

Young considers the challenge he heard to the constitutionality of the initiative petition that gave rise to Proposition 2 1/2 a big case, too. But the state court case for which is best remembered is the "Big Dan's" rape case, which inspired the movie "The Accused," starring Jodie Foster.

Because of a "Bruton issue" — a codefendant could not be tried alongside another defendant who had confessed — Young oversaw two concurrent proceedings, each with a different jury. One session met in the morning, the other in the afternoon.

"I was given two law clerks, which was really a luxury on the Superior Court," Young says. "I really valued them because that was the only way I could keep the evidence straight."

The case was the Karen Read trial of its day, Young recalls. By Massachusetts rules, the cameras were positioned to ensure that they would capture images of neither the alleged victim nor the jury. That meant a lot of screen time for Young himself.

As a national TV commentator was filling airtime commenting on the case, he remarked that the judge "looked like a young Teddy Roosevelt."

That was a little much for Haskell Cohn, a founder of the Boston law firm Mintz, Levin, Cohn, Ferris, Glovsky & Pope. ACCEPT smile, Cohn told Young that he knew Teddy Roosevelt, and "you don't look anything like Teddy Roosevelt."

Beyond that, Young's foremost memory is that the cases, which resulted in the convictions of four men, were "both well-~~well~~-tried and well-defended."

## Over to the federal bench

As President Ronald Reagan was nearing the end of his first term in August 1984, he nominated both Young and his now-colleague Mark L. Wolf to the federal bench. The confirmation process was paused to await the results of the November election but got back on track after voters returned Reagan to office.

Media attention would once again find Young at a Jan. 30, 2003, sentencing hearing at which the judge imposed a life sentence on Richard Reid, who had admitted to trying to blow up a U.S. jetliner with explosives in his shoes.

Young says the potential implications of the constitutional requirement to allow Reid to make a statement did not dawn on him until the morning of the sentencing.

"I didn't want the story to be whatever rant he had against the United States," Young says.

At the hearing, Reid declared, "I am at war with your country."

Young deemed him unworthy of the status of "soldier."

"You are not an enemy combatant," Young told Reid. "You are a terrorist. You are not a soldier in any war. You are a terrorist."

Young continued that, to him, Reid hated the one thing most precious to Americans: freedom.

"Here, in this society, the very winds carry freedom," Young had said. "They carry it everywhere from sea to shining sea. It is because we prize individual freedom so much that you are here in this beautiful courtroom. So that everyone can see — truly see — that justice is administered fairly, individually and discretely."

He concluded by directing Reid's attention to the flag in the courtroom.

"See that flag, Mr. Reid?" Young asked. "That's the flag of the United States of America. That flag will fly there long after this is all forgotten. That flag still stands for freedom. You know it always will."

Going "viral" may not have been a thing in 2003. But the exchange captured the attention of the New York Post. The front page that day had Young's portrait in a circle along with Reid's, lower down on the page. The images were superimposed over the image of the American flag with the word "Justice" in big white letters stretched catty-corner across the page.

But lest the judge's head swell from the acclaim, someone created for him a triptych that also includes the New York Post's front pages from the day before and the day after. On the left is a Bronx borough president being "perp walked" by FBI agents after being charged with corruption. On the right is an expose of a would-be blushing bride on the popular reality television show "Joe Millionaire," who had been revealed to be a bondage model with a series of foot-fetish videos.

Young considers the reality check a prized possession.

## Court of consistency

Even though he has more than earned the privilege, Young resists the invitation to suggest in any way that the court's best days are behind it.

"I think what's so striking is the enduring values," he says.

Not long ago, Young found himself seated next to U.S. District Court Judge Rya W. Zobel, who is inactive but also on senior status. Zobel was moved to reminisce about how much she had looked up to the more ~~ACCEPT~~ ges when she was a new judge.

"Now, we're them," she had said.

When Young first came to the federal court, he joined U.S. District Court Judge Charles Edward Wyzanski Jr., who had been nominated to the bench by President Franklin D. Roosevelt. He also joined Judge Robert E. Keeton, the first professor to greet him at Harvard Law School.

Throughout the ensuing 40 years, Young says he has been "surrounded by magnificent people." He says he has never been prouder of the court.

"They are just wonderful friends, and we don't pick them, which is very good," he says. "They're picked for us, and they become part of our group."

For a while now, Young has also been making new friends in other federal circuits. He is managing dispositive motions in civil cases — about 25 of them — out of the shorthanded Middle District of Florida, which is spread out across five separate locations.

He is also helping the Eastern District of Oklahoma dig out from an influx of cases resulting from the Supreme Court's 2020 decision in *McGirt v. Oklahoma* (<https://www.oyez.org/cases/2019/18-9526>), in which the court overturned a man's state child rape conviction, ruling that the case should have been tried in federal court because the alleged offense had occurred on tribal land. Young likens the effect to if the Massachusetts federal courts suddenly had to start accepting all of Boston's Superior Court criminal cases.

Also hanging in Courtroom 18 is a portrait of U.S. District Court Judge Peleg Sprague, who served on the Massachusetts federal bench from 1841 to 1865. Sprague presided over one of the court's most important cases, in Young's estimation, which presented the issue of whether President Abraham Lincoln exceeded his authority to declare a blockade while Congress was not in session.

Sprague would sign his opinions, "Peleg Sprague, judge of the United States." Recently, Young adopted the practice in his own opinions, adding in a footnote that he is using the descriptor to refer to all the state and federal judges with whom he has served.