Francis Lorson, who retired in 2002 as the Supreme Court's chief deputy clerk and for decades was viewed as the court's institutional memory, died on Friday at age 69.

Dapper, discreet and friendly all at once, Lorson was a major behind-the-scenes presence at the court for 30 years: the go-to person for justices, practitioners and reporters seeking information on the sometimes inscrutable traditions, rules and procedures of the nation's highest court. With his formal, almost old-world bearing, Lorson seemed born to the morning coat he wore during court sessions.

"Call Frank Lorson" was the common mantra among practitioners wanting to know court deadlines and requirements. And Lorson shared his knowledge with out-of-town novices and D.C. veterans alike, all with the goal of helping the court carry out its tasks efficiently. "My guiding principles are, first, a loyalty to the institution and its precedents," he told this reporter in a 2002 interview. "Second, a loyalty to each of the individual justices."

Lorson loved the court to his core, and even after retirement was often seen slipping into a seat to watch an oral argument or greeting friends at court-related social gatherings, even as his health declined. His cause of death was not announced.

"For many of us, Frank was 'the court' on any question related to procedure," said advocate Tom Goldstein of Goldstein & Russell. "He knew everything about how the court functioned, and the justices had the confidence to let him speak authoritatively when dealing with lawyers. He was a charming man who made everyone's life easier."

Patricia Millett, head of appellate practice at Akin Gump Strauss Hauer & Feld said on Monday, "Honestly, what stands out most to me in memory is his perfect combination of professionalism with kindness and understanding for the difficulties lawyers confront."
Practitioners mourn Francis Lorson, the court's institutional memory

The National Law Journal (Online)

This article also appears in the following ALM publications:

NLJ Supreme Court Insider January

David Frederick of Kellogg, Huber, Hansen, Todd, Evans & Figel, said of Lorson, "He was the perfect bridge between the bar and the court, because any lawyer could call him for advice, and he'd give sound counsel with consistency in ways that protected the court while facilitating what advocates needed."

Lorson could also lay down the law when squabbling attorneys threatened to disrupt the court's processes. He once told of an episode in which five lawyers who represented one side in a case disagreed over which one would argue before the high court. In a conference call, Lorson gave them a deadline the next day for deciding, adding that if they could not choose one lawyer, "there will be no oral argument." That may have been an overstatement, but the disagreement soon ended.

Lorson worked with 17 justices in his 30 years at the court. Among his duties was escorting newly commissioned justices to their seats on the bench, from John Paul Stevens in 1975 to Stephen Breyer in 1994. He also worked with so-called "special masters," appointed by the court as fact-finders in disputes between states that were brought to the court. In that role, he found himself traipsing around Ellis Island in connection with the 1998 case of New Jersey v. New York. Lorson often met with visiting jurists from around the world, and he in turn traveled to other nations to assess and learn about their court systems.

Lorson's position also left him privy to court decisions before they were released, but he said in 2002, "I never once breathed it to anyone. It's part of the loyalty to the Court."

For nearly 30 years, Lorson was also the keeper of the court's journal—the official log of the court's activities. In addition to routine entries on the status of cases and admissions to the bar, Lorson also included what he called "discretionary items" that he thought would interest future readers.

One entry in 1987 noted when a lawyer appeared in uniform to argue a case, and another in 1986 recorded the fact that two former solicitors general—Erwin Griswold and Rex Lee—were arguing against each other. Lorson also recorded for posterity the day in 1982 when deaf lawyer Michael Chatoff argued with the aid of computer-assisted interpretation that helped him respond to questions.

In October 2001, Lorson made a subtle note of the dramatic period when the court met in a different building because anthrax spores had been found at a court mail-handling facility. A normal day's entry began with the word "Present," followed by a colon and a roll call of justices who were on the bench. On Oct. 29, 30, and 31, 2001, the journal began differently: "Present in the E. Barrett Prettyman United States Courthouse:" followed by the justices' names. In Lorson's view, nothing more needed to be said.

After his retirement, Lorson took on an assignment helping New York Times reporter Linda Greenhouse sift through the papers of the late Justice Harry Blackmun before they were released to the public in 2004. The Blackmun family had given Greenhouse and NPR correspondent Nina Totenberg early access.

Greenhouse on Sunday paid tribute to Lorson. "Frank Lorson was an invaluable collaborator in my effort to make sense of Justice Blackmun's enormous archive—but that underestimates what I most appreciated about our decades'-long friendship," wrote Greenhouse, who now teaches at Yale Law School. "I learned a great deal from him over the years: not court secrets—never!—but about how a great public servant conducts himself with utmost professionalism and reverence for the deepest values of the institution."

A memorial service for Lorson is scheduled for Thursday, January 17 at 10 a.m. at the Immaculate Conception Catholic Church at 1315 8th Street N.W. in D.C.

Tony Mauro can be contacted at tmauro@alm.com.

LOAD-DATE: January 15, 2013