



United States Courts for the Ninth Circuit

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OBITUARY

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Ninth Circuit Court of Appeals Mourns Passing of Judge Alfred Theodore Goodwin

SAN FRANCISCO – Judge Alfred Theodore “Ted” Goodwin, 99, of the United States Court of Appeals for the Ninth Circuit, died on Dec. 27, 2022, in Bend, Oregon. Judge Goodwin was born on June 29, 1923, in Bellingham, Washington, and served as a judge for over 65 years. He is one of only two known judges in the nation to have sat on state and federal trial and appellate benches, respectively. Notably, at the time of his death, Judge Goodwin was the oldest federal judge in the country, as well as the longest-serving current federal judge.



Judge Goodwin happened to be helping out at a cow branding in spring 1967 when a National Geographic photographer came to visit the ranch he was helping out at to shoot a series of photos for a feature article on the people and work of the high desert east of the Cascade Range. The photographer did not know he was taking photos of a judge at the time.

In his second year as an undergraduate student at the University of Oregon (UO), and participant in the Reserve Officers’ Training Corps (ROTC), he was called up to serve the military in World War II. He served in Europe and the Far East from 1943 to 1946. Upon returning to UO, Judge Goodwin earned his undergraduate degree in journalism in 1947, where he edited the student newspaper and worked at the Eugene Register-Guard. He earned his Juris Doctor degree from the University of Oregon School of Law in 1951.

Judge Goodwin began his esteemed legal career in general practice before being appointed to serve as a judge in the Lane County Circuit Court. He was later appointed to the Oregon Supreme Court, serving there for almost 10 years.

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Following that tenure, in 1969 then President Nixon nominated Judge Goodwin to the U.S. District Court for the District of Oregon. Two years later, President Nixon nominated Judge Goodwin to the Ninth Circuit Court of Appeals and received his judicial commission on Nov. 30, 1971. For the first 10 years he kept chambers in Portland but in the early 1980s, upon the request of the chief judge, he moved to Pasadena, California. Judge Goodwin was a member of the Judicial Conference of the United States, the Ninth Circuit Pacific Islands Committee and the Ninth Judicial Circuit Historical Society.

As a committed proponent of better relations among the bench, bar and press, he focused on pretrial publicity and chaired committees in Oregon and for the American Bar Association (ABA) to help improve the public's confidence in the judiciary. He also chaired the ABA committee on law school accreditations and was a member of the regulatory body that considers clergy discipline for the Presbyterian Church (U.S.A.).

While on the Ninth Circuit, Judge Goodwin ruled on several important cases. He was a member of the "spotted owl panel," whose rulings affected timber industry practices. Judge Goodwin

wrote the majority opinion in Newdow v. U.S. Congress (2002–2003), where the court held that it was a violation of separation of church and state to force schoolchildren to recite the "one nation under God" language in the Pledge of Allegiance.

For 20 years Judge Goodwin also served as the court's en banc coordinator and as chief judge from 1988 to 1991, when he took senior status. Upon taking senior status, Judge Goodwin moved to Sisters, Oregon, where he lived close to the land, spending time on horseback and raising sheep. He continued to serve as a judge for the next 31 years, up to his death.

"I had the privilege of sitting with Judge Goodwin soon after my appointment to the court. I will never forget his kindness, pragmatism, and his inimitable judicial temperament. Simply put, being a judge was in his bones, it was his calling. May he rest in eternal peace," expressed Ninth Circuit Court of Appeals Chief Judge Mary H. Murguia.

"I first met and befriended Ted (and subsequently Mary) in the 1960s when we served together in a Civil Affairs Army Reserve unit here in Portland," said Judge Diarmuid F. O'Scannlain. "He moved his chambers from the Pioneer Courthouse to Pasadena just before I joined the Court. I treasured Ted as a friend and as a colleague. I shall always remember him as a valued mentor and a superbly talented judge with a gifted wit. May he rest in peace."

"You all can see the famous charismatic cowboy justice photo in the San Francisco courthouse," said Judge Mary M. Schroeder. "It is on the third-floor rear corridor, near the Mission St. entrance. I am pretty sure it is how Ted would like to be remembered. I believe he rode Oregon cattle round ups well into his eighties."

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“A few years ago, Bill and I attended a ceremony at the University of Oregon Law School, celebrating Judge Goodwin,” said Judge Susan P. Graber. “The law school named a room in his honor. Prominent among the memorabilia there is the famous photo of Ted on horseback roping cattle . . . while a sitting Oregon Supreme Court Justice . . . that appeared on the cover of National Geographic Magazine in the mid-1960s. It wasn’t a posed shot; he was, in fact, dealing with his own cattle. I remember Ted as that vigorous cowboy. And I remember him as a wonderful judicial colleague—thoughtful, pragmatic, smart, non-ideological, and kind.”

Judge Goodwin is survived by his beloved wife, Mary; five children: Michael, Karl (Kit Stafford), Meg, Sara (James Clement) and Jim (Dawn Mead); seven grandchildren; brothers, John, and Sam; and sisters, Ruth, and Miriam, all of whom reside in Oregon. He was predeceased by brothers James, Dan and David.

Donations can be made to Partners in Care, in Bend, Oregon, or the Oregon Historical Society.

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