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A TRIBUTE TO PETER S. POPOVICH

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Other chief justices may have been more famous, or stayed in the position longer, or authored more opinions, but it would be hard to find an individual who enjoyed being Chief Justice of the Minnesota Supreme Court more than Peter S. Popovich. We have a hunch, however, that Chief Justice Popovich has brought the same dedication and commitment to most of the endeavors he has undertaken, including his days as a state legislator, his work with numerous school boards, and his efforts as the first Chief Judge of the Minnesota Court of Appeals.

Working for Chief Justice Popovich one learns the true meaning of work ethic. No one, except the janitors, arrived earlier than the Chief, and no one left later. Unless he had an early meeting, his distinctive blue Cadillac would be parked behind the Capitol when we arrived and was still there when we left. In the year we were at the court, we never heard the Chief utter the word vacation. In fact, we remember a discussion with his wife when she told us she was trying to convince him to take up golf as a leisure activity. She was not successful. We hope she will have more success in convincing him to pursue leisure activities during his busy retirement.

The Chief functioned like the captain of a ship, making sure that all aspects of the operation were running smoothly. You never quite knew when he was going to show up at your desk or give you a call. We used to call him “the wanderer” because every day around three o’clock, he would make his way to the clerks’ quarters. We always thought he was checking up on us. It was not until our year was over that we found out his afternoon strolls were taken in an attempt to wake himself up when he was feeling drowsy.

The Chief kept a watchful eye on everything at the court. He

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Law clerks for Chief Justice Popovich during his first year as Chief Justice, Minnesota Supreme Court, 1988 to 1989.

knew the status of every petition for certiorari filed with the court and in which chamber a circulating opinion had gotten stalled. He knew all the employees at the court and no problem was too small for his attention. Once when he was giving a tour of the new Judicial Center, we came upon a group of employees and the Chief noticed their coats hanging on the backs of their chairs. The Chief made a mental note to have hooks installed so everyone could have a place to hang up coats.

The Chief's past work as a state legislator and as the attorney for school boards gave him a unique perspective in his role as a judge. Unfortunately for his clerks, it sometimes brought extra work. Many times a case would come before the court involving the interpretation of a state statute and the Chief usually remembered something about the creation of the law. Being a firm believer in checking out the legislative history, he often suggested that his clerks head for the Legislative Reference Library to don headphones and listen to fascinating tapes of legislative hearings to find the critical discussion that the Chief remembered. Sometimes we were successful in finding what we searched for; other times, we had to conclude that the Chief was remembering an off-the-record conversation which had taken place in a smoke-filled chamber.

Although Chief Justice Popovich was definitely a hands on manager, he never hesitated to delegate responsibility to his clerks. He encouraged frank discussion about cases before the court and was always eager to hear the opinions of the clerks, especially on controversial cases. And if neither of us agreed with him, he did not hesitate to try his ideas out on the other judges' clerks! Although he was definite about his opinions, his willingness to listen and consider our ideas and opinions made our experience more fulfilling and generated more thoughtful and well-reasoned decisions.

Most people would probably agree that Chief Justice Popovich, on first impression, appears to be serious, intense and even unapproachable. That impression, however, is not entirely accurate. During our year at the court, the Chief willingly obliged when asked if he would talk for a few minutes to the children in my [Jean's] son's class when they came to the Capitol on a field trip. He thoroughly impressed the group of ten to twelve year olds with his explanation of how the court works and the insider's tour of the court which included going

into the judge's conference room and his office and letting them try out his big chair.

To work with Chief Justice Popovich was to be challenged—challenged to work hard, to pay attention to detail, to be thorough and to think of all the angles. It was also an opportunity to observe and collaborate with a man who loves his work. We feel fortunate to have had that opportunity and we salute him!

