

**Judge Steven D. Merryday's tribute to the Honorable Wm. Terrell Hodges  
on the occasion of the Celebration of Life for Judge Hodges on February 15, 2023,  
at Tampa, Florida**

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**ON SEVERAL OCCASIONS I HAVE SPOKEN AND WRITTEN  
PUBLICLY ABOUT MY LATE AND CHERISHED FRIEND, TERRY  
HODGES. BUT ON EACH OF THOSE OCCASIONS, HE WAS ALIVE AND  
VERY MUCH PRESENT. ON EACH OF THOSE OCCASIONS, UNLIKE  
TODAY, THERE WAS NO SENSE THAT THE WORDS I WAS ABOUT TO  
SAY MIGHT PROVE TO BE THE LAST PUBLIC WORDS I WOULD EVER  
SPEAK ABOUT MY FRIEND. TODAY I HAVE THAT SENSE OF  
FINALITY; I SUPPOSE THAT IS A MAJOR PURPOSE OF AN EVENT SUCH  
AS THIS. AND I MUST CONFESS THAT, OWING TO THAT SENSE OF  
FINALITY, I HAVE NEVER ON ANY OCCASION FELT SO  
IRRETRIEVABLY INADEQUATE.**

BUT THAT INADEQUACY STIPULATED, I STILL HAVE A FEW WORDS TO SAY TODAY, AND I AM THANKFUL TO JUDGE HODGES'S FAMILY AND TO THE TAMPA BAY CHAPTER OF THE FBA FOR THE OPPORTUNITY TO SAY THEM.

AFTER I CAME TO CENTRAL FLORIDA FROM LAW SCHOOL IN 1975, I FIRST BECAME FAMILIAR WITH JUDGE HODGES, ALTHOUGH I HAD BRIEFLY MET HIM EARLIER AT A COUPLE OF EVENTS AT THE UNIVERSITY OF FLORIDA: BLUE KEY EVENTS, I THINK.

DURING THE NEXT SEVERAL YEARS AFTER 1975, I OBSERVED HIS HONOR FROM BOTH NEAR AND FAR: I READ WHAT HE WROTE IN HIS OPINIONS, AND I LISTENED WHEN HE SPOKE ON PUBLIC OCCASIONS. AND, OF COURSE, I TRIED CASES IN HIS COURT, BOTH WITH AND WITHOUT A JURY. IN FACT, I PARTICIPATED, HE TOLD ME, IN THE LONGEST NON-JURY TRIAL OF HIS CAREER — SEVERAL

**MONTHS OF COMPLEX, PAINSTAKING, ENERVATING, AND  
DECIDEDLY UNEXCITING TESTIMONY ABOUT ENGINEERING AND  
CHEMISTRY.**

**AFTER THAT LENGTHY CASE AND, I BELIEVE, AFTER ALMOST  
EVERY OTHER CASE DURING TERRY'S CAREER, BOTH THE WINNERS  
AND THE LOSERS LEFT THE COURTROOM AWARE THAT ON THEIR  
DAY IN COURT A FAIR AND RATIONAL TRIAL HAD OCCURRED  
BEFORE A FAIR AND RATIONAL JUDGE — AN ACUTELY  
INTELLIGENT, PERCEPTIVE, STUDIOUS, AND DISCERNING JUDGE.  
AS A RESULT OF THOSE MANY TRIALS AND MANY ORDERS AND  
OPINIONS, TERRY BECAME A JUDGE WIDELY ESTEEMED,  
RESPECTED, AND ADMIRER. AND MANY, INCLUDING ME,  
ATTEMPTED — TO THE EXTENT PERMITTED BY OUR LESSER TALENT  
— TO EMULATE HIM, BOTH AS A JUDGE AND OTHERWISE.**

BUT TO REMARK HIS ELEVATED STATUS AS A JUDGE, WHICH IS ALMOST UNIVERSALLY KNOWN AND, I THINK, UNCONTESTED AND INCONTESTABLE, DOES NOT PROGRESS VERY FAR TOWARD AN ADEQUATE DEPICTION OF THIS EXCELLENT MAN.

SO FURTHER TO THAT END: CONSIDER THAT EVERYONE HERE REGARDS HIM AS A SINGULAR JUDGE AND PERHAPS THE MOST ACCOMPLISHED AND COMPLETE JUDGE — CERTAINLY AMONG US IN THE MIDDLE DISTRICT — BUT ALSO MUCH MORE BROADLY, BY WHICH I MEAN ACROSS THE UNITED STATES. EVERYWHERE I TRAVELED AS A JUDGE, FROM SUN VALLEY TO SAN ANTONIO, FROM KEY WEST TO BAR HARBOR, MAINE, JUDGES, COURT STAFF, AND OTHERS — FROM SUPREME COURT JUSTICES TO DEPUTY CLERKS AND J.A.s — WOULD ASK ABOUT JUDGE HODGES AND

**EXPRESS NOT ONLY THEIR RESPECT AND ADMIRATION FOR HIM  
BUT THEIR AFFECTION FOR HIM.**

**YES, WE ALL REGARDED HIM AS THE BEST OF OUR LOT — BUT  
NOT BECAUSE OF ANY CLAIM HE EVER MADE, BECAUSE HE MADE  
NONE; NOT BECAUSE OF ANY ATTENTION HE EVER DIRECTED  
TOWARD HIMSELF, TOWARD HIS OPINIONS, TOWARD THE HIGH  
OFFICES HE HELD, OR TOWARD THE AWARDS AND OTHER  
RECOGNITION HE OFTEN RECEIVED; EVERYONE HERE KNOWS HE  
DID NONE OF THAT.**

**SIMILARLY, EACH OF US UNDERSTOOD THAT HE WAS ALWAYS  
A GUIDING VOICE IN OUR DELIBERATION AND AN INFLUENTIAL  
MODEL FOR OUR ACTION. BUT HE BECAME AND REMAINED A  
GUIDE AND A MODEL NOT BECAUSE OF ANY ASPIRATION,**

**AMBITION, OR SELF-PROMOTION ON HIS PART IN AN ATTEMPT TO GAIN ATTENTION OR ACQUIRE INFLUENCE; HE DID NONE OF THAT.**

**I SUBMIT THAT HE WAS A GUIDE AND MODEL AMONG US BECAUSE OF WHO — INTRINSICALLY AND ESSENTIALLY — HE WAS AS A PERSON. BECAUSE OF THE STRENGTH OF HIS CHARACTER; BECAUSE OF THE FORCE OF HIS REASON; AND BECAUSE OF THE EXEMPLARY EVENNESS, UNFAILING TRANQUILITY, CONTAGIOUS HUMOR, AND BUOYANT GOOD SPIRIT WITH WHICH HE SPOKE TO EVERY ONE OF US ON EVERY OCCASION — NO MATTER WHAT VIGOROUS CONTROVERSY WAS UNDER DISCUSSION, NO MATTER WHAT DIFFERENCE WE MIGHT HAVE HAD WITH HIM ON SOME ISSUE OR THE OTHER ON THAT DAY OR ON ANOTHER DAY, NO MATTER WHETHER WE WERE THE NEWEST JUDGE ON THE COURT OR THE CHIEF JUDGE. HE WAS ALWAYS AND INVINCIBLY HIMSELF**

— HIS GENUINE AND AUTHENTIC SELF. WITHOUT DISGUISE,  
WITHOUT ORNAMENT, WITHOUT DISTRACTION, WITHOUT  
DEFLECTION, AND WITHOUT DESIGN.

WAS IT NOT THE CASE, WHENEVER EACH OF YOU SAW HIM,  
THAT IN GREETING YOU HE ALWAYS SPARKLED A BIT AND SEEMED  
ESPECIALLY DELIGHTED TO SEE YOU. AND DID HE NOT ALWAYS  
HAVE SOMETHING PLEASING OR HUMOROUS TO SAY, SOMETHING  
WARM AND WELCOMING TO OFFER, A DELECTABLE LITTLE STORY  
TO TELL, A REMEMBRANCE TO SHARE. YOU KNOW THAT HE DID.

AND DID NOT EACH OF YOU WHO KNEW HIM ALSO  
EXPERIENCE A SPECIAL BOND WITH HIM, A SPECIAL APPRECIATION  
OF HIM, A SPECIAL RESPECT FOR HIM, AND A CERTAIN FEELING  
THAT HE LIKED AND RESPECTED YOU, ALSO IN SOME SPECIAL WAY.  
I THINK THAT YOU DID.

I SUBMIT THAT, ALTHOUGH MY DEAR FRIEND TERRY WAS A JUDGE OF SURPASSING SKILL AND REPUTATION, HIS JUDGING WAS NOT HIS MOST SPECIAL CAPACITY, NOT HIS GREATEST, MOST NOBLE CAPACITY. HIS JUDGING IS NOT WHY — DURING HIS LATER YEARS — SO MANY OF YOU INQUIRED SO OFTEN AND SO FAITHFULLY ABOUT HIS WELL-BEING AND WHY YOU LATER SO EARNESTLY MOURNED HIS PASSING — AND NOT WHY SO MANY GATHER HERE THIS AFTERNOON. THERE IS ANOTHER, MORE IMPORTANT REASON.

TERRY HODGES UNMISTAKABLY POSSESSED A GIFT, AN ENDOWMENT, A SPECIAL GENIUS FOR FRIENDSHIP. HE POSSESSED A SUBLIME GIFT FOR EXTENDING TO OTHERS, FOR SHARING WITH OTHERS, AND FOR NURTURING AND GLEEFULLY RECIPROCATING FRIENDSHIP. HIS FRIENDSHIP WAS NOT A CALCULATED, NOT A



PRACTICED, AND NOT A POSED CONTRIVANCE FOR PUBLIC CONSUMPTION OR FOR PERSONAL ADVANCEMENT. HIS FRIENDSHIP WAS NOT A DEVICE FOR SUPERFICIAL AND OPPORTUNISTIC NETWORKING. FOR THAT, HE HAD NEITHER TIME NOR TASTE.

EVERYWHERE HE WENT AND TO WHOMEVER HE SPOKE, TERRY OFFERED A SIMPLE, PRISTINE, AND UNCOMPLICATED FRIENDSHIP, WITHOUT COST OR CONDITION. AS I SAID, TERRY HAD AN ABIDING GENIUS FOR FRIENDSHIP.

TERRY WAS, BY MY STANDARDS AT LEAST, A MODERATELY LARGE MAN WITH BROAD SHOULDERS, A BOLD CHIN, AND EYES THAN SIGNALLED FOCUS AND CONCENTRATION. HE SPOKE WITH A STRONG AND MEMORABLE VOICE THAT CONVEYED, IN THE COURTROOM BUT ELSEWHERE AS WELL, A SENSE OF PRECISELY CALIBRATED BUT ALWAYS BENIGN AUTHORITY.

AND I KNOW THAT HIS SOMETIME STERN COUNTENANCE  
IMPRESSED IN THE HEART AND ON THE MIND OF MANY LAWYERS A  
RESPECTFUL AND GUARDED CAUTION. BUT BEHIND THE  
FORMIDABLE EXTERIOR WAS A HUMBLE AND ENDEARING MAN,  
WHO LAUGHED WITH ABANDON AND WHO DISPOSED AN  
INVETERATE EASE IN HIS PERSON THAT COMFORTED AND  
REASSURED ALL WHO KNEW HIM, AND ESPECIALLY THOSE OF US  
WHO LOVED HIM. HE WAS A MAN GOVERNED BY RIGHT REASON, BY  
A SOLEMN AND ACTIVE CONSCIENCE, BY A KIND AND FORGIVING  
HEART, AND BY HIS SPECIAL GIFT FOR FRIENDSHIP.

TERRY HODGES, MY DEPARTED FRIEND AND COLLEAGUE,  
MAY YOU REST IN ETERNAL PEACE IN THE JOYFUL COMPANY OF  
YOUR BELOVED PEGGY AND, AS YOU WOULD SOMETIMES SAY, AS

**NEAR AS POSSIBLE TO THE CONSOLING HAND AND LOVING HEART  
OF ALMIGHTY GOD, FROM WHOM ALL BLESSINGS FLOW.**