

Resolution in Memory of the

HONORABLE E. RILEY ANDERSON

E. Riley Anderson was born in Chattanooga Tennessee, on August 10, 1932. Six months later, after the family moved to Knoxville, his father died, leaving his mother, Mary Catherine Tillery Anderson, with the responsibility of support for Riley and his older brother, Joseph F. Anderson, throughout the Great Depression and World War II.

As a student-athlete at Knoxville Central High School, Riley excelled academically and athletically, eventually earning a place in the school's Hall of Fame.

In 1950, Riley enrolled at the University of Tennessee, where he earned both a Bachelor of Science degree and a Doctorate in Jurisprudence. After serving as a judicial clerk for the United States District Court, Riley joined the Oak Ridge firm of Wilson and Joyce, which later became Joyce, Anderson, and Meredith. He enjoyed a successful law practice from 1958 until 1987, when he was appointed by Governor Ned McWherter to the Eastern Section of the Tennessee Court of Appeals.

In 1990, Riley ran for and was elected to the Tennessee Supreme Court where he served honorably until his retirement in 2006. During his tenure with the state's highest Court, his colleagues selected him as their chief justice on five different occasions. A man of few words on the bench or off, Anderson's humble, soft-spoken demeanor earned the respect and admiration of the Tennessee bench and bar.

In his role as "chief," Anderson proposed and his court adopted a carefully crafted rule permitting cameras in our courtrooms for the first time. Interpreting broadly Article 1, section 17 of our constitution, a provision guaranteeing "open courts," our high court developed standards for media coverage designed to enhance public confidence in our system of justice. With the same basic objective, Anderson also asked his colleagues to adopt an educational program for high school students. Called Supreme Court Advancing Legal Education for Students (SCALES), the program has become widely popular, garnering recognition throughout the country for its contributions to secondary education. In high

schools all over Tennessee, lawyers representing “real” people involved in appeals to the supreme court, continue to argue “real” cases in the presence of hundreds of students each year.

Mindful of opportunities to work in concert for the public good, Anderson was also instrumental in the adoption of an election process providing Tennessee voters the means by which to assess the character and performance of its appellate judges, including the justices on his own supreme court. For the greater part of his term of office and afterwards, a Judicial Performance Evaluation Commission scrutinized the record of every appellate judge standing for re-election and published the results. This “Tennessee Plan,” although modified by a 2014 constitutional amendment, was designed to remove partisan politics from our appellate judiciary. The Plan continues to serve as model legislation for other states. Further, in an effort to inspire confidence in the criminal justice system, Anderson worked tirelessly in the area of capital case management. During his tenure, this state created a Post-Conviction Defender’s Office and expanded the number of judges on the Court of Criminal Appeals, strategies intended to improve the quality of counsel and to eliminate unnecessary delays in the appeal process. At least sixteen additional supreme court initiatives were undertaken by our supreme court during his tenure as Chief Justice.

In addition to his administrative role, Anderson authored many of the most difficult issues coming before the court. *Tennessee School Systems v. McWherter*, which involved the public school funding question, and *Planned Parenthood v. Sundquist*, which addressed issues arising out of the landmark U.S. Supreme Court case of *Roe v. Wade*, are primary examples in the hundreds of cases he wrote over his sixteen years on the high court. Anderson’s wife, Pandy, observed that “his sweet smile and gentle manner” often hid the fact that he “agonized” over each and every decision, especially during his various terms as chief. “I knew that he was opposed to the death penalty,” she said, “but his devotion to the rule of law always overcame his personal beliefs.”

In retirement, Riley and wife Pandy, blessed by children Colin Anderson, Karin Anderson, Scott Anderson, Blake Anderson, Sarah Woods, Tim Preston, and Emma Woodworth, and nine grandchildren, enjoyed golf, tennis, and reading in their homes in Tennessee and Florida, until Riley lost his long battle with cancer on July 4, 2018. In recognition of the life and career of E. Riley Anderson, the Tennessee Judicial Conference Foundation has established an endowment authorized to award scholarships in his name to students at each of the colleges of law in the state on a rotating, annual basis.

Now, therefore, be it resolved on this the 12th day of June 2019, that the Tennessee Judicial Conference hereby recognizes and honors the life and career of our dear friend and departed colleague, Chief Justice E. Riley Anderson; that this resolution be entered in the minutes of the Conference for publication in *Tennessee Decisions*; and that a copy be provided to his wife, Pandy, and the members of his family.

Respectfully submitted the 12th day of June, 2019.

Former Chief Justice Gary R. Wade
Dean and Vice-President
Lincoln Memorial University
Duncan School of Law