



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
Joel W. Solomon United States Courthouse
900 Georgia Avenue
Chattanooga, Tennessee 37402

JUDGE WADE HAMPTON MCCREE, JR.:
A DISTINGUISHED PUBLIC SERVANT

February is Black History Month. Dr. Carter G. Woodson originally established it as a one-week observance in 1926. He picked the second week of February in memory of the birthdays of Abraham Lincoln and Frederick Douglass. In 1976, the celebration was extended to the entire month. It highlights the accomplishments and achievements of African Americans that might otherwise go unrecognized.

This month we celebrate the life and history of a remarkable man, Judge Wade Hampton McCree, Jr. Judge McCree was the first African American to serve on the federal district court in Detroit and the first to serve on the United States Court of Appeals for the Sixth Circuit, covering Tennessee, Kentucky, Ohio, and Michigan. Not only was he a trailblazer in the federal courts, but he also distinguished himself as a lawyer, public servant, and law school professor.

Judge McCree was born in 1920 in Des Moines. His father was a college graduate and the first African American pharmacist and pharmacy owner in Iowa before being appointed to a position with the FDA in Boston. Judge McCree grew up in Boston, attending the prestigious Boston Latin School. He graduated summa cum laude from Fisk University in Nashville before beginning his legal studies at Harvard Law School in 1941. With the country's entry into World War II, he left law school to serve for four years in the U.S. Army. He rose to the rank of Captain and earned the Bronze Star during two years of combat in the Mediterranean.

Following his Army service, he returned to Harvard Law School where he graduated twelfth in his class. He then moved to his wife's hometown of Detroit to begin practicing law.

His career in public service began when Michigan's governor appointed him to the state's Workman's Compensation Commission in 1952, and, two years later, to a trial judgeship on the Circuit Court for Wayne County. Judge McCree accepted the appointment despite the fact that he would face a retention election the next year and no African American had ever won a judicial election in Michigan at the time. In 1955, he changed that, winning the election due to the excellent reputation he earned on the bench.

He continued blazing a trail with his nomination to the United States District Court for the Eastern District of Michigan by President John F. Kennedy on September 18, 1961. He was the first African American to serve on that court.

On August 16, 1966, President Lyndon B. Johnson nominated Judge McCree to the United States Court of Appeals for the Sixth Circuit. He was the first African American to serve on that court, as well. While there, he “added greatly to the collegiality of the [court],” as remembered by Chief Judge Pierce Lively in 1987. Judge McCree was in fact known as the “poet laureate of the Sixth Circuit,” for both the quality of his written opinions and his habit of writing impromptu limericks to break the tension in difficult court conferences.

Judge McCree resigned from the federal bench when President Jimmy Carter appointed him Solicitor General in 1977, becoming the second African American to hold that position. As Solicitor General, he was the nation’s top appellate lawyer, deciding the federal government’s position in litigation before the United States Supreme Court, preparing the government’s legal briefs, and presenting oral arguments before the Supreme Court. He personally argued 25 cases before the Court in his four years as Solicitor General.

With President Carter’s defeat by Ronald Reagan, Judge McCree was to be replaced by a candidate of the new president’s choosing. But the Supreme Court held Judge McCree in such high esteem that Chief Justice Warren Burger is reported to have prevailed upon President Reagan to retain Judge McCree to the end of the Supreme Court’s term in June 1981.

Judge McCree declined numerous offers to join prestigious law firms in New York and Washington at the end of his government service. Instead, he chose to help train the next generation of lawyers. He returned to Michigan as the Lewis M. Simes Professor of Law at the University of Michigan, where he taught until his death on August 30, 1987. He was survived by his wife and two children.

Judge McCree was a remarkable man who provided outstanding service to his country in so many capacities—through military service, as a state and federal court judge, as a high executive branch official, and as a law school professor. As noted by the dean of the University of Michigan School of Law after his death, Judge McCree was “one of the great figures in law of his time,” and “few people can match the genuine significance of his career.” His life and legacy are an inspirational model for us all.

Curtis L. Collier
United States District Judge
Chair, Eastern District of Tennessee Civics and Outreach Committee

Carrie Brown Stefaniak
Law Clerk to the Honorable Curtis L. Collier
Past President, Chattanooga Chapter of the Federal Bar Association

Kristen A. Dupard
Law Clerk to the Honorable Curtis L. Collier