

The Honorable Barry G. Silverman*

Procter Hug, Jr. – “Proc” to his friends – was born, raised, and practiced law in Nevada, so it is entirely fitting that Nevada’s only law school devote an issue of its law review to Proctology. Others in this issue will analyze the hundreds of opinions that Judge Hug has authored during his twenty-five prolific years on the Ninth Circuit. My job is to tell you a little about the man himself.

Procter Hug, Jr. was born in Reno, Nevada in 1931 at a very early age. His father, the original Procter Hug, was the football, basketball, and track coach of Sparks High School, where young Proc coincidentally lettered in football, basketball, and track. The elder Hug routinely denied charges of athletic nepotism, always pointing out that he would have done the same thing for any of his children. Proc’s father went on to become the principal of Sparks High School and then Superintendent of the Washoe County School System. Regardless of whatever influence young Hug may have had with the front office, the fact remains that Proc set the 1949 Western Conference High Hurdle record, the first of many hurdles that Proc would overcome.

Proc thrived in high school. In addition to his athletic achievements, Proc won the 1949 Nevada high school debate championship, where, according to the best of his recollection, the question debated “had something to do with the Taft-Hartley Act.” At graduation from Sparks High, Proc was named “Outstanding Boy of 1949.”

The “Outstanding Girl of 1950” was the former Barbara Van Meter. Proc and Barbara met when she was a sophomore and he a junior. Immediately there were sparks at Sparks. Proc and Barbara were in the school play together, went out for a Coke after rehearsal one afternoon, and have been together ever since. Proc and Barbara have three children and eight grandchildren.

After graduation from high school, Proc matriculated at the University of Nevada at Reno, but the charges were dropped. While earning a B.A. in Business, Proc was student body president and a member of the varsity track team. He also was enrolled in the Navy’s Reserve Officer Candidate Program. Upon graduation from the University of Nevada, Proc was commissioned an ensign.

Proc was first billeted to the Navy Supply School in Bayonne, New Jersey. Except for an occasional trip to Elko or Carson City, Ensign Hug really hadn’t seen much of the world outside of Reno and Sparks. Primed for adventure, he volunteered for duty in the European and Asian theaters. As luck would have it, the Navy assigned him to the Nevada theater – the Hawthorne Naval Ammunition Station, a 600-acre storage facility in the Nevada desert halfway between Reno and Las Vegas. In the Navy, there is sea duty and there is shore duty. Hawthorne is shore duty in the extreme. To be sure, Hawthorne wasn’t the South Pacific, but it wasn’t all bad. Proc and Barbara were married while Proc was in the Navy, and their first child was born at Hawthorne. Proc was honorably discharged in 1955, having risen to the rank of Lieutenant JG.

In the fall of ’55, Proc enrolled at Stanford Law School. Proc and Barbara supported themselves by selling pot – well, actually pots and pans – Nes-

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coWare Waterless Cookware, to be precise. Living in married student housing, Barbara and Proc worked as a team. During the day, Barbara would call and set up appointments. Then at night, Proc would take his sample case of NescoWare Waterless Cookware to the victim's house and demonstrate "how to preserve the flavor and nutrition of your food the waterless way." At Proc's law school reunion a few years ago, several of his classmates recalled the time that Proc brought his sample case to a law school party and tried to sell cookware to those in attendance. At that point in his life, the man had no shame.

Amazingly, even with his busy waterless cookware schedule, Proc not only managed to graduate in less than two-and-a-half years, but also to make the Stanford Law Review and publish a student note.¹ Here's another amazing fact: while still in law school, Proc successfully petitioned the Nevada Supreme Court for permission to take the Nevada bar exam *before* graduating from law school. Somehow, Proc convinced the court to allow him to take the Nevada bar exam in July, 1957, which he passed in October, 1957, even though he would not graduate from Stanford until January, 1958. As a result, immediately upon graduation, Proc became a member of the Nevada bar.

Upon returning to Reno, Proc joined two of his University of Nevada classmates, Charlie Springer and Howard McKissick, in a law firm called Springer, McKissick and Hug, which they touted as a full-service firm. In other words, they took court appointments and anything else that came through the door. It was around this time that Proc became active in politics, eventually winning election to the Nevada Board of Regents. When Charlie Springer was appointed to fill the unexpired term of the Nevada Attorney General, in 1963, the firm dissolved. Proc then joined what became Woodburn, Forman, Wedge, Blakey, and Hug, the firm with which he practiced until President Carter appointed him to the Ninth Circuit in September, 1977.

Judge Hug became Chief Judge Hug in 1996 and served in that capacity for nearly five years. He took senior status on January 1, 2002, and as a senior judge, now has a somewhat reduced caseload. How does he spend his newfound free time? By attending every single one of his grandchildren's athletic events and music recitals. Proc and Barbara also are planning to go to Europe with the kids and grandkids. Proc denies any intention to resume his interest in waterless cookware.

As I said at the outset, it falls to others to describe Procter Hug's judicial career. Suffice it to say that he is beloved by his colleagues, respected by the bar, an inspiration to new judges, and a devoted friend. The Outstanding Boy of 1949 became an outstanding man.

¹ Comment, *Wife Recovers Husband's Gambling Losses*, 9 STAN. L. REV. 400 (1957).