

1994

The Honorable Frank Joseph Battisti - October 4, 1992-October 19, 1994

Cleveland State Law Review

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Recommended Citation

Cleveland State Law Review, *The Honorable Frank Joseph Battisti - October 4, 1992-October 19, 1994*, 42 Clev. St. L. Rev. 365 (1994)
available at <https://engagedscholarship.csuohio.edu/clevstrev/vol42/iss3/3>

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IN MEMORIAM

THE HONORABLE FRANK JOSEPH BATTISTI

October 4, 1922 - October 19, 1994

The *Cleveland State Law Review* dedicates this issue to the late Judge Frank J. Battisti in tribute to his dedicated public service and contributions to the legal community.

Frank Joseph Battisti was born and raised in northern Ohio. Judge Battisti enlisted in the United States Army in 1942, and he fought for our country and our democratic values in World War II. He fought with the Army Combat Engineers as a rifleman and machine gunner in five campaigns in the European Theater of Operations, including the D-Day invasion and the Battle of the Bulge. He was discharged in 1945, and he later was commissioned in military intelligence and was honorably discharged.

Judge Battisti graduated from Ohio University in 1947 with an A.B., and he graduated from Harvard Law School in 1950. A devote Catholic, Judge Battisti considered joining the priesthood after law school. Instead, he began his career with the State of Ohio as an Assistant Attorney General. After a short stint as an attorney advisor with the Army Corps of Engineers in Washington, D.C., Judge Battisti worked in private practice from 1952 to 1958 in Youngstown, Ohio. While in private practice, Judge Battisti also taught at Youngstown State University Law School and served as an assistant law director to the City of Youngstown.

From 1958 to 1961, Judge Battisti was elected and served as a judge on the Court of Common Pleas for Mahoning County, Ohio. In August 1961, Judge Battisti was nominated by President John F. Kennedy to be a United States District Judge for the Northern District of Ohio, and he was confirmed by the United States Senate on September 22, 1961. He was sworn in on his thirty-ninth birthday, making Judge Battisti the youngest federal judge in the nation at the time. For twenty-one years—from 1969 to 1990—Judge Battisti served as the Chief Judge of the United States District Court for the Northern District of Ohio. Chief Judge Battisti was a member of the Judicial Conference of the United States from 1981 to 1984. In March 1994, Judge Battisti took senior status as a United States District Judge.

Judge Battisti was an intellectual whose fierce independence and compassion for his fellow-humans was repeatedly expressed through his judicial decisions. He also had a reputation for being one of the most courageous judges on the federal bench. In 1976 Judge Battisti ordered the desegregation of the Cleveland public school system, and he continued to monitor the progress of his integration plan up until his death. In 1980 Judge Battisti found that the City of Parma in Ohio was violating the Fair Housing Act by maintaining racially discriminatory and exclusionary policies. Despite receiving death threats he never yielded in his rulings requiring racial integration in Cuyahoga County.

Judge Battisti received a number of honors and awards: NAACP Freedom Award for Distinguished Service, 1994; Outstanding Servant Award, Greater

Cleveland Church Council, 1981; Carnegie Roundtable Award, 1980; Distinguished Service Award, National Italian American Foundation, 1978; Outstanding Trial Judge, Trial Lawyers of America, Atlanta, Georgia, 1976; Medal of Merit, Ohio University Alumni Association, 1973; and Commander, Order of Merit of the Republic of Italy, 1972.

It is well-known that Judge Battisti had a tremendous affinity for fly fishing. Indeed, it was on a fly fishing trip in the Rocky Mountains that Judge Battisti was bitten by an insect and contracted the typhus which caused his death. Given his courageous life-long fight for our democratic values, it is sadly ironic that a mere insect would take this larger than life figure from us.