

# THE Messenger

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## Last day on the bench

**‘The courtroom is one of my favorite places. It’s live theater.’**



-Messenger photo by Peter Kaspari Judge Thomas Bice reads a court document during a guilty plea hearing for Phillip Williams last week. Today is Bice’s last day as a full-time judge, as this weekend he will reach the mandatory retirement age of 72.

Judge Thomas Bice has found his work in the 2nd Judicial District to be very rewarding.

One of his favorite aspects of being a judge includes *“helping people resolve their disputes in a civilized, dignified manner.”*

*“I’ve also enjoyed working with my colleagues, my court reporter, staff who are highly professional,”* he added. *“I’ve also felt a sense of fulfillment in working with the various law enforcement agencies in the area, particularly the North Central Drug Task Force.”*

But Bice has also had to look convicted murderers in the eye just before sentencing them to prison.

He recalled the case of Michael Swanson, a teenager who was convicted of killing two convenience store workers in Humboldt and Algona in 2010.



-Messenger photo by Peter Kaspari Judge Thomas Bice, of the 2nd Judicial District, poses on the bench at the Webster County Courthouse. Today is Bice’s last day on the bench, as this weekend he’ll turn 72, the mandatory retirement age for judges in Iowa.

Bice presided over Swanson’s trial and sentencing in 2011.

*“It takes courage to look a killer in the eye,” Bice said. “Whether it be someone that’s committed murder or serious sexual abuse or serious drug offenses. It takes backbone to look those people in the eye and do what you’ve got to do. It’s part of the job, but I think the average citizen probably has no understanding or appreciation for that.”*

He’s served as a judge for 10 and a half years, being appointed to the bench in October 2008, and was sworn in as a judge in November 2008. It’s capped off a legal career that started for him in 1972, after he graduated from Drake University School of Law and was hired at the Johnson Law Firm.

But today, Bice’s tenure as a regularly-scheduled judge on the bench ends, as it’s time for him to retire.

*“My 72nd birthday is this week, and by Iowa statute, judicial officers are required to retire at age 72,” Bice said Thursday. “Basically, it’s mandatory retirement.”*

Although he’s reached mandatory retirement age, Bice isn’t going away from the bench completely.

*“I’m going to continue as a senior judge, which means I’ll work 13 weeks out of a given year,” Bice said. “So I’m still going to have an oar in the water, so to speak.”*

Bice loves being in the courtroom.

*“If I had my choice, the courtroom is one of my favorite places,” Bice said. “It’s live theater. And you never know what people are going to say and how things are going to turn out. For me, that’s part of the excitement of the job.”*

Over the past 10 and a half years, Bice said it’s impossible for him to count the exact number of trials he’s presided over.

*“I’ve tried plenty of cases, though,” he said.*

Some of the most recent cases he's presided over include the 2014 trial of Corey Trott, who was convicted of first-degree murder in the death of Rockwell City Police Officer Jamie Buenting; the 2018 trial of Levi Gibbs III, who was found guilty of second-degree murder in the death of Shane Wessels, of Fort Dodge; and earlier this year, he presided over the first-degree robbery trial of Cletio Clark, who was found guilty and will be sentenced on Monday.

But Bice is quick to add that presiding over trials is just one aspect of being a judge.

Much of his work goes on behind the scenes.

*"We have a lot of responsibility for overseeing the issuance of appropriate orders, whether it relates to civil matters, dissolution of marriage, child support, child custody, probate matters," he said. "The work is basically constant now."*

He added that, as a judge, while he works normal hours at the courthouse, he's also on call 24/7.

*"We're responsive to warrant requests from law enforcement and, as you might understand, criminal activity very rarely occurs between 8 a.m. and 5 p.m.," he said. "It's not unusual to get phone calls from law enforcement at odd hours of the day, seeking assistance with search warrants and other legal matters that involve judicial officers."*

Bice said something the public may not understand about serving as a judge is that it takes courage to be in that position.

*"We have to stand up in front of people and issue rulings that affect their lives and affect the lives of their loved ones," he said. "At times, we have to send people to prison."*

That is one of many challenges he's had to face as a judge.

*"Everything we do is a challenge," he said. "Every day is a new day with a new problem to solve. But that's what makes the work exciting"*

*and refreshing. That's one of the things that I've enjoyed about this job is every day is different. New people, new problems to solve."*

*"We don't always get the job done, but we give it our absolute best effort."*

As for his retirement, Bice said there is plenty he'll miss about serving as a judge full-time.

*"I'll miss the association with lawyers, court personnel, my court reporter, and just generally helping people," he said. "Being a judge is really one of the higher callings, in my opinion, of public service. And from that perspective, it'll be missed."*

He does have some plans for how to fill his newfound free time.

*"Family, recreation," he said. "I love to fish. Just enjoying life."*

But don't expect Bice to stop paying attention to legal matters just because he won't be a full-time judge.

*"But I intend to stay as engaged with the legal profession and the judiciary as circumstances will permit," he said.*

In fact, when he takes on the title of senior judge on Monday, he'll return to the Webster County Courthouse and will be on the bench until Memorial Day.

Bice said he'll technically be filling in for himself, as a replacement District Court judge hasn't yet been named.

*"I like to think of it as being semi-retired," Bice said. "I'll still be around here."*

In his tenure as a judge, Bice said there is quite a bit he's learned.

*"I have learned humility. I have learned patience," he said. "And being a judge of a general jurisdiction court, you never stop learning the law. There's always something new that pops up."*

*“But, again, that’s part of the excitement of the job, the challenge of the job,” Bice added. “You think, after being in the legal profession for 47 years that, from a legal standpoint, I’d know it all. But it just doesn’t happen. The body of law is too massive and you always are in the process of learning, researching. But I find that exciting.”*

Bice has served on the bench in all 12 counties in District 2B, which is where he’s served as a judge. Those counties are Webster, Hamilton, Humboldt, Calhoun, Sac, Pocahontas, Greene, Carroll, Boone, Story, Marshall and Hardin.

But about half of his time was spent in Fort Dodge.

*“That’s my domicile; my home base, if you will,” he said. “But basically, every other five-week rotation, one term I would be out on the road and serving these other counties.”*