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IN MEMORIAM
TO
VANCE R. DITTMAN, JR.

1904-1986

BY JOHN PHILLIP LINN*

In dedicating this issue of the *Denver University Law Review* to the memory of Vance R. Dittman, Jr., professor emeritus of law at the University of Denver, the students of the College of Law pay tribute to a beloved teacher and an extraordinary human being.

Professor Dittman joined the faculty in 1941, soon after his marriage to Catherine Pierson, whom he had first met when they were students at Yale. It was a time, as his colleague, Thompson G. Marsh, reminds us, when it was believed that law students should be taught by well-educated lawyers who had years of successful law practice. Dean Roger Henry Wolcott was delighted to receive Vance to the law faculty.

After graduating from Yale College in 1925 and from Yale Law School in 1927, and practicing law with distinction for fourteen years in New York and as a partner in the Denver firm of Enos, Dittman, Sherman and Morrato, Mr. Dittman was eminently qualified for the academic life he had chosen. However, his teaching career was soon suspended when he enlisted in the U.S. Naval Reserve for duty throughout World War II.

In the fall of 1945, Dean James F. Price welcomed the return of Professor Dittman to the classroom, to the University, and to the legal community. From that point, Vance enjoyed twenty-four uninterrupted years of service as "a lawyer's law professor." His principal subjects were contracts, evidence, civil and federal procedure. But he taught much more. He was appointed chairman of the department of business law in the College of Business Administration and was selected to teach legal aspects of education in the University's Department of Education.

The University of Denver Law School had been the first American law school to establish a clinical education program as an integral part of the curriculum of legal education. In 1947 Vance revitalized the Legal Aid Clinic program, which he described as "the laboratory in which students apply the theory of the classroom and come to appreciate the deficiencies of pure theory." His students interviewed clients and witnesses, researched the law of their cases after thorough factual investigation, drafted pleadings and other documents, and represented indigent persons in civil matters.

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The next year, Vance developed practice court programs to permit junior and senior law students to represent, without fee, indigent clients in criminal cases before justices of the peace and municipal courts. Under his directorship the practice programs attracted the interest of law schools, their students, and others across the country.

Indeed, in 1951, *LIFE* Magazine devoted four pages of its prestigious publication exclusively to a grand larceny trial conducted by two University of Denver law student counsel in a Denver court. With such training available to them, it was understandable that University of Denver students had little concern for the traditional appellate "moot court" cases in the classroom. Dean Gordon Johnston extolled the importance of Professor Dittman's exceptional contributions to legal education.

The course offerings of Professor Dittman were never merely lessons in substantive and adjective law. He gave to each lawyer-in-training an enduring example of confidence, integrity, civility, industry and commitment in the practice of law. His deep, rich voice captured the attention and stirred the imagination of all as he advanced theoretical and pragmatic inquiry.

Ability to entertain every point of view, to reconcile apparently intractable positions, and reach reasonable resolution of difficult problems made Vance an invaluable member of the law faculty and the University family. As president of the University Faculty Senate, and as a member of that august body, he worked fervently, as have many others, together with the University Trustees, to improve the financial foundation of the institution he dearly loved, and to reach for excellence in all of its undertakings.

He participated in conceiving, raising funds for, and dedicating the University of Denver Law Center that, when occupied in 1961, fulfilled the dreams of so many for so long within the University and the local bar associations. He remained ever conscious of the job of each law teacher to maintain close relations with the practicing bar.

Recognized as Colorado's outstanding authority on civil procedure, Vance was commissioned to produce a three-volume work in that area for the West Publishing Company. He collaborated with Dean Harold Hurst on a book devoted to procedural due process. Among his other many published works were *SEARCHES AND SEIZURES, CASES AND MATERIALS IN CIVIL PROCEDURE*, and *CASES AND MATERIALS ON TRIAL AND APPELLATE PROCEDURE*, in which he was joined by Professor Karl P. Warden.

On the occasion of his retirement in 1969, Vance could look backward over more than a quarter of a century of personal achievements within the University. Dean Robert B. Yegge acknowledged with gratitude his superlative service. But Vance was genuinely modest about his accomplishments. He preferred to look forward to truly golden years with Catherine in their lovely mountain home, Sky Meadow, in Indian Hills, west of Denver.

The Dittmans' deep love of nature had taken them to Sky Meadow

in 1950. A large and aged cottonwood tree nearby greeted them each time they returned from the city to the peaceful and inspiring refuge of Sky Meadow. There, Catherine pursued her interest in painting. Vance wrote his comprehensive three-volume work on civil procedure and commenced a hobby of weaving in preparation for retirement. They shared the blessing of great music and literature and the spiritual enrichment of nature's wonders.

In 1970, Vance learned of a movement to stage the 1976 Winter Olympics in Colorado. The influential organizers of that movement were viewed by Vance and other naturalists as reckless invaders of the environment who would permanently change Colorado for the worse. Although Vance had retired from teaching, he had not retired from his duties as a citizen. The first organization formed to oppose the Olympic plan was called Protect Our Mountain Environment, headed by Vance. The anti-Olympic movement led to an overwhelming statewide vote in 1972 against staging the Winter Games in Colorado.

While continuing to be active in other zoning and environmental matters, Vance and Catherine turned to their intended retirement activities. Catherine began writing and sculpting truly lovely works of art. Vance's weaving was exhibited in juried shows at the Denver Art Museum, and his beautiful speaking voice provided readings for the blind. They gave each other gifts of new trees to enhance the natural environment of Sky Meadow. Their personal, artistic and intellectual interests made retirement a very agreeable time.

In his final years, as his strength ebbed away slowly, Vance appreciated how generously fortune had smiled upon him. He had employed his talents in the worthiest activities. He had experienced a full life unified by intellectual pursuits and meaningful achievements.

During the evening of one of his final days, while hospitalized and totally unaware of anyone or anything about him, Vance aroused from his coma to speak as he had so many times before to so many students. He spoke eloquently, with fluency and clear enunciation, of virtue, morality, self-worth, prudence, temperance, justice, patriotism, industry and more. He spoke for hours into the night. It was his valedictory.

Only once thereafter did he recognize his darling Catherine. When she last left his side at the hospital she felt the end was near. When she returned to Sky Meadow that evening, the great old cottonwood provided no greeting. During the day it had fallen to the ground. Early the next morning, word came that Vance had passed away. It was August 23, 1986. Vance was 82.

