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## In Memoriam to the Honorable William E. Doyle

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IN MEMORIAM TO THE HONORABLE  
WILLIAM E. DOYLE

1911 - 1986

*The Board of Editors of*

THE DENVER UNIVERSITY LAW REVIEW

*humbly dedicate this issue*

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William E. Doyle 1911 - 1986

Judge William Edward Doyle was a man who lived his life compelled to "do justice." He was born on February 11, 1911 in West Denver to Irish parents. His father William R. Doyle, was a teamster on a Tivoli Brewing Company delivery cart. Judge Doyle inherited his father's work ethic and began working at the early age of eight as a newspaper boy. He attended West High School and distinguished himself as an all-city football star. Judge Doyle then attended the University of Colorado. Initially, he entered college as a pre-med student, but changed his focus when the law captured his interest. After graduating from C.U., Judge Doyle attended the George Washington University Law School in Washington D.C. and received his J.D. in 1937.

Judge Doyle came back to Denver after law school and began working in the District Attorney's office as an investigator. After passing the bar exam in 1938, he became a Deputy District attorney and quickly gained a reputation as a fine trial lawyer. In 1939, he married Helen Sherfey, a classmate at George Washington University. They eventually had two children, Michael and Susan. Judge Doyle remained in the District Attorney's office until 1941, when he opened a private law office. World War II, however, forced the young attorney to leave his new practice and he served as an infantryman in Africa, Italy, Sicily, France and Germany. After the war, Judge Doyle returned to his private practice and began teaching torts at Westminster Law School. Remarkably, Judge Doyle continued to teach this course five days a week, at 8:00 a.m., for twenty years. He also taught courses at the University of Colorado's Law School, the University of Denver's Law School, and prepared students for the bar exam with a one-man refresher course.

Judge Doyle's judicial career began in 1948 with a brief appointment as a Denver District Judge. That same year he returned to criminal prosecution as the Denver Chief Deputy D.A., a post he held until 1952, when he returned to private practice. In 1956, Judge Doyle managed the successful U.S. Senate campaign of his brother-in-law, the late John A. Carroll. In 1958, he was elected to the Colorado Supreme Court where he served until 1961. At this time the Judge could be found on

weekends playing a fast game of touch football in Congress park. He participated in a variety of athletic endeavors while on the bench and often spent his lunch hour working out at the Y.M.C.A.

In 1961, President Kennedy appointed Judge Doyle to serve on the U.S. District Court with Judge Alfred J. Arraj and Judge Hatfield Chilson. While serving on the federal bench, Judge Doyle rendered the *Keyes v. School District*<sup>1</sup> decision which reinstated a mandatory plan for school busing in the Denver public schools. Despite wide spread public disapproval and a subsequent bombing of his home, Judge Doyle remained steadfast in his pro-integration stance. A Denver attorney and close friend of Judge Doyle's commented at the time that the Judge was "fearless" in rendering and enforcing the *Keyes* decision. Judge Doyle retained control over his 1968 busing order for eight years and never retreated in the face of controversy.<sup>2</sup>

In 1971, Judge Doyle was appointed to the Tenth Circuit Court of Appeals. He served on the Tenth Circuit full time until assuming senior status on December 28, 1984. While sitting on the Tenth Circuit, Judge Doyle penned 644 published opinions. To see the depth of his thought and clarity of his writing, one need only look at the dissent Judge Doyle filed during this survey period in *Silkwood v. Kerr McGee Corp.*<sup>3</sup> Truly, his contribution to the Tenth Circuit region was immense.

Judge Doyle's thirst for knowledge remained keen throughout his years on the bench. He returned to school, and in 1982, at the age of 71, received a master of law's degree from the University of Virginia College of Law. Judge Doyle completed this program by attending courses in the summer and by correspondence.

Judge Doyle was the quintessential jurist. By his own proclamation, he followed Judge Learned Hand's "idealist school." Judge Doyle felt that the idealist is one who "mitigates, evolves, pioneers, in the law and keeps an open mind." He reflected that "the law is not a static thing. It moves. You can't use a pat principle to decide any case, because disputes arise in different contexts." Judge Doyle's jurisprudence exemplified these words. His decisionmaking approach varied depending on the case before him. For example, he was tough on criminals, while feverishly guarding the rights of individuals in civil law.

Foremost, Judge Doyle believed in doing justice. He protected the Constitution tirelessly and was not easily detoured when confronted with a tough issue. He once noted that "you have to be your own man if you're going to be any kind of Judge." In fact, Judge John P. Moore, a fellow Tenth Circuit Judge, recently pointed out that "Judge Doyle's penchant for justice made him rather difficult to work with at times. He

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1. 303 F. Supp. 279 (D. Colo. 1969).

2. Judge Doyle wrote six opinions regarding the *Keyes* case. *Keyes v. School Dist.*, 380 F. Supp. 673 (D. Colo. 1974); *Keyes v. School Dist.*, 368 F. Supp. 207 (D. Colo. 1973); *Keyes v. School Dist.*, 313 F. Supp. 90 (D. Colo. 1970); *Keyes v. School Dist.*, 313 F. Supp. 61 (D. Colo. 1970); *Keyes v. School Dist.*, 303 F. Supp. 289 (D. Colo. 1969); *Keyes v. School Dist.*, 303 F. Supp. 279 (D. Colo. 1969).

3. 769 F.2d 1451, 1462 (10th Cir. 1985) (Doyle, J., dissenting).

could challenge any panel member to deeply search his or her conscience, to do thorough research." Judge Doyle was his own man and his impact on the law and society will not be soon forgotten.

