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Dedication - The Honorable Orie L. Phillips

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DEDICATION

THE HONORABLE ORIE L. PHILLIPS

BY ROBERT B. YEGGE*

With this issue, the *Denver Law Journal* begins an annual survey of the opinions of the United States Court of Appeals for the Tenth Circuit. As the manuscript was being delivered to the printers, the legal community lost one of the first judges of the circuit, who served on the court for 45 years and who served as its Chief Judge for 15 of those years. In honored memory of him, this first issue of the Annual Tenth Circuit Survey is dedicated to The Honorable Orie L. Phillips.

While Orie L. Phillips received his legal education at the University of Michigan, his affiliations with the University of Denver College of Law were strong indeed. He took a vital interest in the College as an advisor, lecturer, and he was elected to the Board of Trustees of the University of Denver on June 2, 1952. He served on the Board of Trustees as Vice President from June 6, 1955, until May 8, 1959. In May 1962, he was chosen as one of only a few persons with the designation Honorary Trustee in recognition of his distinguished past service on the Board; he served as an Honorary Trustee until his death on November 13, 1974.

The judicial accomplishments of Chief Judge Phillips are singular. He was a distinguished jurist; his sound and wise opinions remain guidelines in most areas of law. And, as an administrator of the judicial system, he is one of the giants. Earlier in his judicial career, he established principles of judicial administration both for the Tenth Circuit and for the nation.

Orie Phillips was a renaissance man. His life and works, which are testimony to this accolade, are spread upon the records of his court—the Tenth Circuit—in the following resolution adopted by the Tenth Circuit and read at his memorial service by Chief Judge David T. Lewis.

* Dean, University of Denver College of Law

RESOLUTION

With overwhelming sorrow the Court notes the death of Judge Ori L. Phillips on November 13, 1974, in Naples, Florida, after a short illness. Judge Phillips was born November 20, 1885, in Illinois. After receiving a J.D. degree from the University of Michigan, he moved to New Mexico in 1910 and in the same year married Helen M. Bissell who died in 1968. They had no children. He practiced law in Raton, New Mexico, and for four years was a member of the state senate.

In 1923 he was appointed United States District Judge for the District of New Mexico and served until 1929 when he became a United States Circuit Judge for the newly created Tenth Judicial Circuit. In 1931 he moved to Denver to assist Chief Judge Robert E. Lewis in the administration of the court. He served as chief judge of the circuit from 1940 to 1955 when he took senior status. He continued to participate actively in court affairs and at the time of his last illness was working on cases which had been assigned to him.

Because of his interest in legal education, Judge Phillips taught as a visiting professor at several law schools. He was active in professional organizations including the American Bar Association, which in 1950 awarded him its medal for conspicuous service, and the American Law Institute which honored him by appointment to its governing council. A long-time member of the Judicial Conference of the United States, Judge Phillips served on many of its committees and chaired several of them. He had a strong influence in the deliberations and activities of the Judicial Conference. Many of the improvements which the Conference has made in judicial administration resulted from his efforts. During his long career Judge Phillips was a leader in the legal profession and a devoted supporter of the federal judicial system.

Judge Phillips loved the outdoor life and perhaps was happiest when either fishing or hunting. Skillful in each activity, he could hook the wary trout and bring down the jumping antelope in circumstances which would have defeated the less adroit.

The impact which Judge Phillips had on the Court of Appeals of the Tenth Circuit cannot be overly emphasized. For twenty-four years he fashioned its course through the myriad of problems which arose. His skill in organization and his abounding energy effectively aided the court in the successful adoption and

use of many innovations which subsequently were accepted in other circuits.

Judge Phillips was an outstanding judge whose judicial work deservedly gained national recognition. Thoroughly trained in the law he kept abreast of recurring judicial and statutory changes. Often he astounded his associates by his ability to produce a pertinent decision which he would identify not only by title but also by volume and page of the published reports. His first concern in any case was with the facts which he zealously searched out of even the longest and most complex record. He was a fair and careful judge who patiently listened to and considered every side of every case. His wise and courageous decisions brought him the respect of both lawyers and litigants. With a quick and incisive mind he swiftly reached the heart of a controversy and prided himself in the prompt disposition of the court's work. His superlative production of scholarly opinions won the admiration of his associates and solidified his recognized position as leader of the court. With devotion and dedication he served not only the people of the Tenth Circuit but also those of the United States.

In the annals of the court on which he served for so many years his position of preeminence goes unchallenged. His associates all honor him as a man and as a judge and cherish their many memories of him.

BE IT RESOLVED that the foregoing summation of the life and accomplishments of Judge Orié L. Phillips is adopted by the court as an expression of its pride in, and regard for, its departed member. He is truly an immortal of the Tenth Circuit.

IT IS ORDERED that this resolution be spread on the records of the court.

Done at Denver, Colorado, November 18, 1974.

David T. Lewis

Alfred P. Murrah

John C. Pickett

Jean S. Breitenstein

Delmas C. Hill

Oliver Seth

William J. Holloway, Jr.

Robert H. McWilliams

James E. Barrett

William E. Doyle