

United States District Court
for the District of Kansas

Presentation of the Portrait

of the

HONORABLE EARL E. O'CONNOR

Former Chief Judge
of the
United States District Court
for the
District of Kansas

April 3, 1992

2:00 p.m.

United States Courthouse
812 North 7th Street
Kansas City, Kansas

LAW CLERKS

- FORMER** — John C. Piper (1971–1974)
" — T. Gerald Treece (1972–1973)
" — John R. Eichstadt (1974–1975)
" — Stephen P. Foster (1974–1976)
" — Kathryn H. Vratil (1975–1978)
" — Steven A. Fehr (1976–1978)
" — Georgann H. Eglinski (1978–1980)
" — David L. Wing (1978–1981)
" — Martha J. Coffman (1980–1982)
" — Patricia K. Hirsch (1981–1983)
" — Russell F. Kaufman (1981–1983)
" — David G. Seely (1982–1984)
" — Timothy M. O'Brien (1983–1985)
" — Carol Woodley Traul (1983–1985)
" — Kenneth A. Mason (1984–1986)
" — Lee Thomas Lauridsen (1985–1987)
" — Barbara A. Harmon (1985–1987)
" — Terri Lynn Bezek (1986–1988)
" — Tanya J. Treadway (1987–1989)
" — Craig E. Stewart (1987–1989)
" — Troy L. Harris (1988–1990)
" — Katherine E. Rich (1989–1991)
" — James M. Moore (1989–1991)
PRESENT — Tracy D. Venters (1990–1992)
" — John T. Bullock (1991–1993)

COURT ROOM CLERKS

- FORMER** — Eugenia Rudy
PRESENT — Michael L. Ratliff

COURT REPORTERS

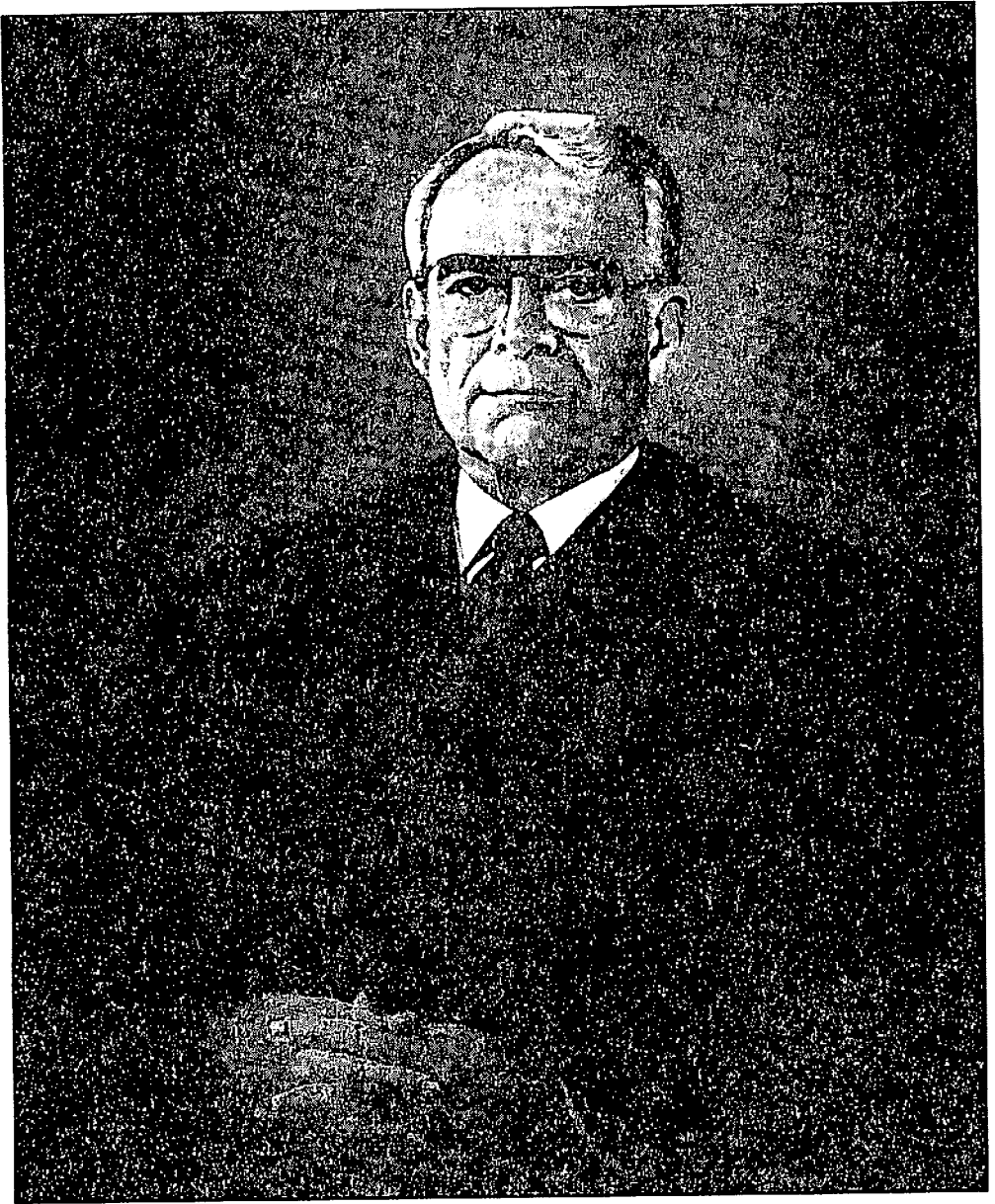
- FORMER** — Harold L. Pittell
PRESENT — Roberta J. Bishop

SECRETARIES

- FORMER** — Patti Jo Vickland
PRESENT — Mary F. Petty

10TH CIRCUIT JUDGES

- Hon. James K. Logan
Hon. Deanell R. Tacha



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Proceedings

MR. DELOACH: Hear ye, hear ye, hear ye. The United States District Court for the District of Kansas is now in session. All persons having business before this Honorable Court draw nigh and pay attention to the Court now sitting. God save these United States and this Honorable Court.

JUDGE KELLY: Remain standing, please, and we will have the invocation, Reverend Meneilly.

REVEREND MENEILLY: Lord God, by whatever name we may address You or not address You, You indeed are God of us all. And every court of justice is hallowed by Your Holy presence. Indeed a God who has bid us to love mercy, do justice and walk humbly with our God.

This day we give You thanks for Judge Earl O'Connor for his integrity, his intelligence, his ingenuity, and his insistance upon justice for all alike.

Let Your presence continue to hallow this occasion and You always be all the honor and glory, majesty, dominion and power forever. Amen.

JUDGE KELLY: Be seated, please.

May I extend a very special welcome to each of you today for this, a happy time in the United States Courts, a time to reflect on the distinguished career of a wonderful gentleman in a modest way for us to express our thanks for the considerable contributions he's made to this court, to the lawyers, to litigants, to his community, to his state and to his country.

And so all of you are welcome here today while we reflect upon that career.

There's a host of wonderful people here and time won't permit introduction of all of them, but there are some rather special to His Honor, his family and his friends, and I think we'll start first with his remarkable family, Jean O'Connor and the family here. Why don't you stand up. (applause)

This court is particularly pleased to know that we have with us some other special guests and a gentleman who has come from Utah, the chief judge of our Tenth Circuit, Judge Monroe McKay. (applause) And sitting beside him the recent past chief of the Tenth Circuit, Bill Holloway from Oklahoma City. (applause) And,

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of course, we have our colleagues here, Judge Logan and Tacha from Kansas of the Tenth Circuit. (applause)

We are pleased as well to have our Missouri colleagues here, Judge Howard Sachs and Joe Stevens and Brook Bartlett, Elmo Hunter, Dean Whipple and a retired Magistrate and dear friend of Judge O'Connor, Calvin Hamilton. We are very happy to have you here. Stand up, please. (applause)

I think most of you know our wonderful Magistrates and the judges of the Bankruptcy Court, but there are members here as well from the Kansas Supreme Court who have come over. I don't see them in the crowd, but I know they're here. Chief Justice Richard Holmes, I was told he was here; Fred Six; Bob Miller; and Bob Kaul—is he here, great to have you (applause)—our friends from the Kansas Court of Appeals, and I want to present Mary Briscoe, the chief of that court. Mary. (applause)

I think as we look around, we all know there's a host of other great judges here from the state courts and we welcome you here.

There's one group in this room that probably marks the respect that flows through Earl O'Connor, over the years accumulation of his law clerks. A very special family really to all of us. Twenty-two of twenty-three law clerks who have been with him over the years are here. Why don't you all stand. (applause)

Well, with that said, I think, then, it's time we get under way and with that said, to you, Dale, I'll turn this to you for your remarks. Judge Dale Saffels.

JUDGE SAFFELS: Thank you very much, Pat.

Reverend Dr. Meneilly, Chief Judge Kelly, Judge O'Connor and his wonderful family, Judge Van Bebber, Chief Justice Holmes and the members of the Supreme Court. Chief Judge Mary Beck Briscoe and the other judges of the Court of Appeals, the approximately 15 distinguished judges of the district courts of Kansas from Wyandotte, Shawnee and Johnson County, Kansas. Chief Judge Monroe McKay, former Chief Judge Holloway, Judge Logan and Tacha of the Tenth Circuit. And certainly our friends from Missouri, Judge Howard Sachs and the members of that court. My colleagues of the United States District Court for the District of Kansas, Chief U.S. Bankruptcy Judge Benjamin Franklin, and the other bankruptcy judges of this district. Chief U.S. Magistrate Judge John B. Wooley and the other Magistrates of the District, the spouses of all these distinguished jurists. Army Colonel William Green, Staff Judge Advocate, Ft. Leavenworth, other ladies and gentlemen.

It is a privilege and an honor to speak at Judge O'Connor's portrait hanging. Judge O'Connor is a contemporary of mine, having entered the practice of law one year after I entered that

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practice. For four decades Judge O'Connor has brought great wisdom and ability to the judicial system in Kansas and the United States. As you know, he has served at almost every judicial level in both the state and federal judicial systems, and was very seriously considered to serve on the United States Supreme Court back in 1968 when he was only 46 years old.

Judge O'Connor is frequently called a judge's judge. This means he embodies the proper measure of intellect, wisdom and judicial temperance, and, thus, commands respect from all who have either appeared before or served with him. In this regard, Judge O'Connor has frequently contributed generously in sharing his judicial abilities as he has often been asked to speak to trial and appellate court judges for the National College of State Trial Judges and other similar seminars.

The seed for Judge O'Connor's distinguished career was sown in Paola, Kansas, where young Earl O'Connor grew up on a farm. He received his grade school education in a one-room country school. It is said that one day while attending high school, Judge O'Connor played hooky in order to sit in on closing arguments in a personal injury case in the District Court of Miami County, Kansas. From this point forward, Judge O'Connor set his sights on a legal career.

Following completion of high school where he distinguished himself on both the debate team and the football team, Judge O'Connor entered the University of Kansas and studied accounting. However, in March of 1943, his studies were interrupted when he was called into active service to serve in the Army of the United States during World War II.

Following 18 months of service in the infantry, Judge O'Connor was selected to attend the Transportation Corps Officer Candidate School at New Orleans, where he later graduated and was commissioned a second lieutenant in the Army of the United States.

During his active duty, serving as an Assistant Transport Commander, Judge O'Connor made approximately 20 crossings of the Atlantic transporting troops, supplies, and even war brides. Subsequently, he remained in the Army Reserve and rose to the rank of colonel in the Judge Advocate General Corps where for many years he served as a Military Judge for General Courts Martial.

He retired in 1973 after 32 years of service in the Army. Periodically, he has been called upon to lecture at the Army Command and General Staff College at Fort Leavenworth, Kansas, on the American court system.

Following his tour of duty, Judge O'Connor re-entered business school at the University of Kansas and completed his accounting degree. During this time, he was on the Dean's Honor Roll and

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also was inducted into the honorary business fraternity, Beta Gamma Sigma.

Foregoing several promising business opportunities and maintaining his sights on a legal career, Judge O'Connor earned an LLB degree from the University of Kansas School of Law where he was on the Dean's Honor Roll and served on the Editorial Staff of the University of Kansas *Law Review*. Judge O'Connor was also a member of the moot court team and Justice of Phi Alpha Delta Law Fraternity.

Since his graduation from Kansas University School of Law, he has continued to actively participate as an alumnus. Judge O'Connor was named as the first president of the Kansas University Law Society in 1967-68 and has served on its Board of Governors. In 1972, he received the Distinguished Alumnus Award from Kansas University Law School. Judge O'Connor is a fellow of the American Bar Foundation and the Kansas Bar Foundation.

Following his graduation and admission to the bar of the Supreme Court of Kansas and the United States District Court for the District of Kansas in 1950, Judge O'Connor began his legal career in the private practice of law in Mission, Johnson County, Kansas, where he was associated with another KU classmate, George Lowe, who remains today as a prominent practitioner of Johnson County, Kansas.

Thereafter, Judge O'Connor became an assistant county attorney under John Anderson, Jr., who later eventually became the governor of the State of Kansas.

In 1953, Judge O'Connor was appointed as Probate and Juvenile Judge at the very young age of 30. And in 1954, he was elected to the position of District Judge of the Tenth Judicial District, Division One, in Johnson County where he served for ten years until 1965.

At the time of his election, he was believed to be the youngest person ever elected to serve as District Judge in Kansas. Not only did Judge O'Connor excel in his judicial capacity, but he also contributed to the legal community by authoring several publications. In 1965, Judge O'Connor co-authored the *Pattern Jury Instructions for Kansas*, which are still relied upon today. Other publications include: "Court Relations with Jurors," and "The Right to Trial by an Ignorant Jury." In the early 1960s, he served as President of the Kansas District Judges Association and also of the Johnson County Bar Association.

It was during this period that Judge O'Connor's outstanding abilities began to be recognized by the legal community as a whole. On August 20, 1965, a Kansas Supreme Court nominating committee selected three candidates to be recommended to Governor William H. Avery, who after determining that all three nominees

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were eminently qualified, selected Judge O'Connor to serve as a Justice on the Kansas Supreme Court, the second appointment to be made under the Non-partisan Selection Plan. In characteristic O'Connor form, he rolled up his sleeves and began to tackle an extremely heavy caseload. During his six-year tenure on the Kansas Supreme Court, it is reported that he authored approximately 190 majority opinions and some 30 dissenting opinions.

Having compiled an excellent record, Judge O'Connor was nominated by Senators James B. Pearson and Bob Dole to be an Associate Justice on the United States Supreme Court to replace retiring Justice Abe Fortas. Reportedly, all Kansas members of Congress joined unanimously in his nomination to the United States Supreme Court. Although the nomination of Judge O'Connor was not successful, his unanimous support from the Kansas delegation demonstrated the high regard in which he was held by all members of the legal community.

Later, upon Chief Judge Arthur J. Stanley, Jr.'s taking of senior status, Judge O'Connor was again nominated to serve on the federal judiciary, this time in the capacity of a federal district judge. Also nominated for this vacancy was John Anderson, Jr., former governor of the State of Kansas and former boss of Judge O'Connor. Judge Anderson's name was eventually withdrawn from nomination, and Senators Pearson and Dole jointly submitted Judge O'Connor's name to the Attorney General.

Following a favorable report by the F.B.I. and other investigative agencies, Judge O'Connor's name was submitted by the President to the Senate Judiciary Committee where he was approved. Ultimately, Judge O'Connor was confirmed and on November 10, 1971, former Chief Judge Wesley E. Brown administered the oath of office. Judge O'Connor became a United States District Judge for the District of Kansas where he has served with great distinction and humility.

Judge O'Connor's appointment to the federal bench came at a time of increasing litigation in all areas of the law. Nevertheless, over the past 21 years, Judge O'Connor has served the District of Kansas with even-handed justice. Statistics were recently compiled, and, quite frankly, they are amazing. As of last November, Judge O'Connor had tried over 280 civil trials, 360 criminal trials, conducted approximately 760 Monday morning criminal dockets and 64 civil motion calendars. These statistics include many high profile cases which are noted for their complexity and impact. Perhaps foremost among these is the Kansas City, Kansas, school desegregation case. In this case, Judge O'Connor issued a desegregation order which Kansas City, Kansas, schools have been operating under for the past 15 years.

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He also presided over several Kansas highway construction bid-rigging cases, which I am also intimately familiar with because I had the good fortune of trying a few of these myself. Other cases which come to mind are the Western Electric Company's class action employment discrimination case and the "Culture Farms" mail fraud case noted for its complexity and the fact that it involved the prosecution of 12 defendants with international implications.

In 1990, he disposed of the Wyoming Tight Sands cases in Kansas, which were very complex antitrust cases pertaining to the pricing of natural gas in Kansas and other neighboring states. Over the years, on numerous occasions, Judge O'Connor has also sat by designation on the Tenth Circuit Court of Appeals.

On June 26, 1981, until March 1, 1992, nearly 11 years, Judge O'Connor served as Chief Judge of the United States District Court for the District of Kansas. As Chief Judge, Judge O'Connor worked tirelessly in ensuring expeditious disposal of litigation both by example and in his formal administrative capacity as Chief Judge.

Judge O'Connor personally spearheaded the complete revision of the local rules in the United States District Court for the District of Kansas. Perhaps the crowning achievement of Judge O'Connor's active service to the judiciary is his successful effort to obtain Congressional and bureaucratic approval for a new federal courthouse in Kansas City, Kansas.

Many of you have seen the model of this beautiful and much needed structure in Judge O'Connor's chambers or viewed the site where construction is underway. This project took many years to bring to fruition, at least ten years I believe, and yet, Judge O'Connor successfully saw it through and will have the opportunity to serve in this new courthouse as a senior judge. The groundbreaking ceremony took place last fall, and completion is scheduled for spring 1993.

Over the years, Judge O'Connor has actively served on several judicial committees and conferences about which The Honorable Deanell R. Tacha will speak. His service on these committees demonstrates how generously he gives of his time and ability to the federal judiciary. He was a charter member of the National Conference of Federal Trial Lawyers, where he served in several offices and finally as chairman in 1978-79.

On a more personal level, Judge O'Connor has been an active member of the Village Presbyterian Church, the Old Mission Masonic Lodge in Prairie Village, and a former member and officer of the Olathe Rotary Club. Judge O'Connor is a devoted father and husband. He has three children, including Nelson and Clayton from his marriage to Florence Leffel who is deceased. These two

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sons and their wives, Debbie and Stacy, are with us today. He and his wife, Jean, have a daughter, Gayle, who is also present. And although it isn't in the script, he is also a devoted grandfather. (laughter) That is most important. His two grandchildren are here today as well, and they are, of course, Nelson and Debbie's children from Denver. I noted through the years that this gives him a real excuse to go to Mile High City to see these grandchildren, and also he looks forward to their visits to Kansas.

Jean is a very lovely and supportive wife who gave up her professional career as a registered nurse to become a wife, a mother and a homemaker for the judge and their children. The children are all successful in their chosen professions. The O'Connor boys are contemporaries of our son Chris Cowger. My wife, Elaine, remembers well the O'Connor kids coming to play at her home in Topeka. This was during the period Judge O'Connor was a justice of the Kansas Supreme Court.

From 1979 until 1989, I had the privilege of serving with Judge O'Connor in the United States District Court, Kansas City, Kansas, station. In the 1970s, Judge O'Connor singlehandedly managed the Kansas City docket. While other judges in the district assisted Judge O'Connor on an occasional basis, his increasing caseload prompted Congress to create another judgeship in Kansas City, Kansas. Indeed, Judge O'Connor was very instrumental in obtaining this additional judgeship. I had the good fortune to fill that position which led to my acquaintance and warm friendship with Judge O'Connor. Our friendship continues to this day.

During my Kansas City, Kansas, years, we had lunch on a regular, if not daily, basis. This gave me an opportunity to get to know Judge O'Connor as a person and as a judge. I learned much about how he handled the day-to-day concerns of being a federal district judge. Needless to say, this was a great benefit for me because he was and still is my mentor.

During our frequent lunches together, we also discussed personal matters, including items of happiness and sadness. To this day, we maintain contact with each other, and I will always value our friendship and will respect him as perhaps the ultimate judge's judge.

Although it is difficult to include all the highlights of such a distinguished career as Judge O'Connor's, I believe that all of you who are present today know that I have not overstated his accolades. Indeed, if anything, they have been understated.

I would like to note that much of the biographical information for these remarks was derived from the late Judge Templar's biographical sketch of Judge O'Connor published a few years before Judge Templar's death.

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Proceedings such as this one today are somewhat misleading. It is a portrait hanging ceremony and retirement party. Some time ago, Earl told me that he was going to retire to senior status on March 1, 1992. He was going to relax and travel and enjoy life. This is no more true when Earl said it than when Judges Stanley, Brown, Theis, Rogers and I said it. (laughter)

When we took senior status, we all seemed to be doing some work. Jean, don't believe that Earl is going to be taking you on a trip every month. (laughter) This won't happen. Earl will be going to the courthouse most working days as he has been for the last four decades. And he will still be doing productive service for the courts and public generally, and, Earl, all of us thank you for this. You are an outstanding judge, and I hope and pray that the good Lord in which we both believe will give you many years of good health to serve as a judge.

Earl, your portrait is great. Congratulations and thanks to you and artist Wilma Wethington for this great addition to the District Court of Kansas. It is a lasting tribute to you and Wilma. Wilma did the portraits of Dick Rogers and me which portraits are both hanging in the Topeka court area. If she can make Dick and I look good, she is an accomplished artist. (laughter)

Judge O'Connor, it has been a true honor and privilege to serve on the same court with you and to be your friend. May our God continue to bless you and your family.

Thank you very much. (applause)

JUDGE KELLY: Thank you, Dale. Now we will hear from Judge Tacha.

JUDGE TACHA: May it please the Court. There is something carried on the blustery winds of these Kansas prairies that over the years has scooped Kansans up and borne them into national leadership positions at the highest levels of public service. The likes of Dwight Eisenhower from out at Abilene in the executive branch; Bob Dole from Russell in the legislative branch. No less, no less, we gather here today to honor one of our own, who has served at a comparable level of leadership in the judicial branch.

It is little known amongst most of you and certainly the media and even the legal profession that the judiciary is itself organized and chooses from among its numbers a very few people to serve at the highest level of national administration.

Judge O'Connor was such a choice. Judge O'Connor has served at the very highest level of leadership in the Judicial Conference of the United States. He was, in a word, a leader of judges. Now, that is a tough calling to fulfill.

Imagine, if you will, trying to lead, trying to lead several hundred Article III judges, all of whom bathe regularly in the

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waters of constitutional independence (laughter) and feed very regularly at the trough of always having the last word. (laughter) Worse yet, there are several among them whose appellate mantle carried the illusion of always being right. Of course, only because they do have the last word. (laughter)

And somewhere there above the cacophony of elite federal legalese, Earl O'Connor's calm, good sense propelled him to the forefront of the federal judiciary. His service at the national level mirrors the great change that has confronted our judiciary over the past 15 years. Earl O'Connor was called because he was needed.

Long before case management was a buzz word throughout the courts of this nation, Judge O'Connor was a spokesperson nationally for the importance of active judicial involvement in the expeditious handling of cases, delay reduction and efficiency in the federal courts.

From 1975 to 1981, he served on the Judicial Conference committee on court administration where he branded on our consciousness the importance of judges, judges themselves stepping forward to lead the effort to speed litigation and cut costs.

Many of the important revisions in federal court practice can be traced directly to Judge O'Connor's efforts. Subsequent developments in Congress and throughout the nation have proved to us the prescience of Judge O'Connor's warnings.

Judge O'Connor's personal commitment has been evident to judges throughout this nation. And he has stood as the benchmark for personal leadership. Judge Saffels referred to the statistical records of this district, and I say to you that those records and the incredible time that Judge O'Connor spent personally on the bench are both testimonials to his longstanding concern about litigation delay and about the grave importance of judicial leadership in expeditious litigation.

Well, the problems got tougher, and as those problems confronting the federal courts grew ever more difficult, the judiciary, yet again, turned nationally to Judge O'Connor for that all important task of devising methods that would facilitate the handling of those very complex, very protracted cases that threaten to stall interminably the work of many courts in this nation. The onslaught of asbestos and massive environmental litigation required a whole new approach by the federal courts.

Judge O'Connor was appointed by the Chief Justice to the subcommittee on complex protracted litigation, and he, along with his distinguished colleagues, forced an intransigent, slow to change, very slow court system to come to grips with the reality of contemporary, often highly technological, litigation. As a result of the efforts of that committee, the rights of litigants in those

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terribly difficult cases that would otherwise have been so slowly moved through the court system have been determined much more expeditiously and, where appropriate, tragic injuries compensated much more rapidly. As always, it was evident that Earl O'Connor's commitment to molding the court system was at the foremost of meeting the needs of the people of this nation.

Now, it has been said again and again that Earl O'Connor is a judge's judge. What that means is that he cares deeply. He cares very deeply about the quality of the people appointed to the bench, their ability to do their work with sufficient staff and support, and the financial fairness of judicial compensation.

It was these concerns that led the Chief Justice to appoint Earl in 1982 to the Judicial Conference committee on the judicial branch, the committee that works with Congress in addressing those important issues of compensation and financial fairness for judges. Now, I suspect I don't have to tell any of you, and you can imagine in today's climate, that pay and PERKS for judges isn't the hottest topic on the hill.

Further, from the other flank, judges, sometimes for all the right reasons, have insulated themselves so much that they have precious little political sense, are pushing the committee to go for everything they deserve, money, jogging equipment, jets, money. So this committee has to have, above all, the political savvy, the diplomacy and the sheer strength of will to resist their colleagues on occasion. Well, who is that but Earl O'Connor?

The distinguished Judge Frank Coffin of the First Circuit who chaired that committee while Earl was on it puts it like this, and I quote from his letter: "Earl came to our committee on the judicial branch shortly after I did and proved to be one of our sturdiest limbs. He did not know how to say no to anything I asked him to do. It is with appreciation, affection and wishes for a happy senior status that I salute him with this rhyme:

When the going was tough
And the road really rough,
The third branch nearly a goner,
Into battle we'd hurl
Indomitable Earl
Our straight-shooting Judge O'Connor."
Signed, "Affectionately, Frank Coffin."

The substantial recent increase in judicial compensation in the federal court which made it possible for the judiciary to attract good people to replace the great judges like Earl O'Connor came shortly after his tenure on that committee and can be directly linked to the efforts of Judge Coffin and Judge O'Connor, from the years 1982 to '89.

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Earl, on behalf of the entire federal judiciary, we thank you for a very difficult and all important task. Our families join us in that thanks.

In 1988, Judge O'Connor was elected to represent the district judges of the Tenth Circuit as a member of the Judicial Conference of the United States. That body, chaired by the Chief Justice, is composed of the chief judge of each circuit and one elected representative of the district judges in each circuit.

All of the important administrative business of the judicial branch of government is transacted around a very imposing table in the Supreme Court conference room in Washington. And having had the privilege of sitting and listening to those debates, I can tell you that room literally echoed with the debates of all those distinguished jurists who have carried the banner of the federal courts for over two centuries.

Well, my friends from Kansas, Earl O'Connor's voice was powerful among them. His sound reasoning, his thoughtful persuasion, and his generous human spirit commanded respect and touched the landscape of the federal judiciary for years to come.

He brought to that table a heavy dose of Kansas common sense and brought to it the light of a patriot beacon illuminating in every issue, no matter how mundane, our central purpose of freedom and justice.

Earl O'Connor was for the judges of this nation a quiet conscience reminding us all that in the administration of justice, just as in deciding cases, we bear a heavy continuing responsibility for the future vitality of this great rule of law.

On April 19, 1990, Chief Justice Rehnquist appointed Earl O'Connor to the executive committee of the Judicial Conference of the United States, one of only three judges to serve on that prestigious policy development and decision-making committee. During his years of conference and particularly the executive committee, confronted some very difficult, ideological and administrative issues. Several of those issues were so controversial that they had the potential to divide permanently and very seriously the federal judiciary with permanent scars.

I am told by those who were there that it was Earl's calm demeanor, his tolerance for many views, and his basic commitment to the importance of collegial decision making that made the difference in keeping the Judicial Conference an effective conference functioning well.

Chief Judge Charles Clark of the Fifth Circuit chaired the executive committee at that time and he has asked me to read this letter.

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"Dear Earl: I was pleased that you were to be honored so that I could add my own to the many kind words that will be conferred. Our associations on the Judicial Conference, its court administration and judicial branch committees were not only helpful but most enjoyable.

"But the highlight was the years we spent together on the executive committee. I clearly recall that you joined us at a time when the conference was divided. Your calm, deliberate common sense approach to the committee's work in managing the conference helped in restoring a good working relationship to the full group.

"Thanks to you also, we accomplished many good things for the judiciary and avoided some mistakes in doing so.

"It was a privilege and a pleasure for Emy and I to be with you and Jean. We wish you all the best."

Signed Charles Clark.

Today for you my friends I have singled out just some of Earl O'Connor's most prominent national achievements. There are many, many more. What I want you to know is what I have come to know over the last few years, and that is that Earl O'Connor is a national leader, never sought the limelight, always tried to avoid it. But he has had a central part in shaping the administration of justice for another century.

Every time the judiciary has been threatened and beleaguered by new and difficult challenges, Judge O'Connor was there. Judge O'Connor threw the full measure of his energies toward creative solutions and constructive change. This level of service is not without its cost.

I would be remiss, indeed, if I did not recognize that at every step, at every step as Earl rose to national prominence, Jean was an integral part of his work. She has always taken great interest in the substance of what he did. Encouraged even higher levels of responsibility and inevitably was his best supporter and her own worst enemy. She was increasingly doomed to that Hobson's choice between staying home while Earl traveled to yet another committee meeting or, yes, trekking on to another airplane, staying in yet another hotel, smilingly participating in yet another spouse's program of dubious interest, all in exchange for grabbing a few hours of Earl's company at the end of yet another tedious committee day.

I shall never forget running into Earl and Jean at KCI very late one night when Earl and I were just changing planes, going from one meeting to the next. Jean had left the first meeting early, flown ahead of Earl, taken a different plane, repacked the bags, no doubt done some wash, checked the mail, probably tended some

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pets and was back at the airport late at night in time to meet us and fly off to the next meeting with new suitcases.

Jean, even the most articulate husbands are usually not very good at expressing their deepest emotion so I'll do it for him. And, Jean, for all of us, we thank you. You have been part of the team that truly made a difference, for the courts, for the litigants and for the nation.

And, Earl, my good friend, you are Kansas' hero. You have served us all so well. You have personified those blustery Kansas winds that sweep the best of our native sons and daughters into positions of national prominence. For those of us in the federal judiciary in Kansas, you are a role model and a mentor. You have made us nationally so proud to claim you as a Kansan. You have also challenged us to the highest levels of public service. You are a Kansas patriot, an example for yet another generation yet to come.

Somehow back there at that Lone Elm School outside Paola, you learned some lessons in patriotism and public service that has touched the life blood of this nation. You may be the Lone Elm. We thank you. (applause)

JUDGE KELLY: Thank you, Deanell.

Now we'll hear from you, Kathryn Vratil.

MS. VRATIL: May it please the Court and distinguished guests this afternoon.

When Judge O'Connor asked that I speak here today on behalf of his 25 past and former law clerks, past and present law clerks, he said that my allotted time would be 15 minutes. He assured me that citations to contrary authority would be absolutely prohibited. And even better, he promised me that there would be no interruptions from the bench. (laughter) I told him that this would be a unique experience for a lawyer in this courtroom.

Of course, I immediately recalled the boisterous joviality of Judge Rogers' portrait presentation in October of 1990 and in contrast, the reverent decorum of Judge Saffels' portrait presentation ceremony six weeks later in the court. So I asked Judge O'Connor what should be the tenor of my remarks. He said, "First, keep them light." He said, "This is not a sad occasion. More importantly," he added, "remember that I am still an active senior judge before whom you will practice." (laughter)

Fortunately, these instructions are not difficult. And although I do not relish the prospect of following Dr. Meneilly, Judge Saffels and Deanell Tacha on the same program, I am grateful and proud that we speak on behalf of the same cause.

We come here together to honor Earl O'Connor and to celebrate his service and devotion to this court. He has served his country

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well and he has rendered great service to the state of Kansas. We are indebted to him, and it is appropriate that his portrait serve as a permanent reminder of that debt. Each of Judge O'Connor's 25 law clerks already possesses, however, an enduring mental portrait of the man we proudly refer to as "Our Judge."

As law clerks, we came to Judge O'Connor by similar routes. We were fresh from law schools, we were eager to pursue virtue, knowledge and truth. The world was full of possibility and the future stretched brightly before us. In accepting our clerkship position for Judge O'Connor, we were hitching our wagons to the highest star we could find.

As the years unfolded, however, each clerk had unique experiences. And these experiences formed the background and the texture for our individual portraits of Judge O'Connor. I will not presume to display for you the entire gallery of those portraits. I could not do so even if time allowed.

I would like to share with you my own personal portrait of Judge O'Connor for I believe that it is representative. It is the portrait not just of a consummate lawyer and a judge, but that of a mentor and friend.

I had the great privilege of working for Judge O'Connor for three years, from 1975 through 1978. Many of you will recall that the court here in Kansas City during that time was quite a different place. Women practitioners, for one thing, were almost unheard of, and I was indeed Judge O'Connor's first woman law clerk.

Modern technology was also nonexistent. Law clerks typed their own opinions on manual typewriters, and we believed that we made a major breakthrough in law library science when we set up a file drawer of unpublished opinions indexed by subject matter.

Judge O'Connor was the only judge in Kansas, in Kansas City at that time. The judges who would follow were waiting in the wings. Judge Saffels was pursuing a lucrative law practice in Wichita and serving as the chairman of the board of directors of the Federal Home and Loan Bank in Topeka. Judge Van Bebber was beginning a distinguished career as chairman of the Kansas Corporation Commission. Judge Lungstrum had overcome the lure of big firm private practice in Los Angeles and was a third year associate with a prominent law firm in Lawrence, Kansas.

And, incidentally, young Monti Belot was a fledgling prosecutor in the U.S. Attorney's office here in Kansas City working under the leadership of Jim Pusateri. I will add that career wise, Monti had bounced from job to job. (laughter) We liked him, however, and we crossed our fingers that some day he would amount to something. (laughter) (applause)

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So, as I said, Judge O'Connor was the lone judge here in Kansas City. His devoted and never resting assistant, Mary Petty, was likewise a staff of one. With these two and two law clerks, we were a small and sequestered community. Judge O'Connor's mother kept us well supplied with home made angel food cake and an abundance of cookies. We took great enjoyment in the occasional visits of Judges Brown, Theis, Templar and Stanley. We were thrilled when Judge Logan and his staff took up temporary residence in our quarters while his new chambers were being constructed in Olathe. But it was Judge O'Connor who defined and embodied for us the court, the federal court in Kansas.

Over the years the circumstances have changed, but the essence of the clerkship experience, which is to say the high privilege of working with Judge O'Connor, has remained the same. So when I reflect on the law clerk's mental portrait of Judge O'Connor, what I see are these things:

First, a man of great humility. Wallace Stegner in his novel entitled *Crossing to Safety* suggests that no matter what the goal, ambition is a path which leads, as in *Pilgrim's Progress* through regions of motivation, hard work, persistence, stubbornness and resilience in the face of disappointment.

Stegner continues as follows:

"Unconsidered, merely indulged, ambition becomes a vice; it can turn a man into a machine that knows nothing but how to run. Considered, (ambition) can be something else—a pathway to the stars . . ."

In view of Judge O'Connor's earlier admonition, I leave to others the topic of his stubbornness. Perhaps Jean can elucidate on that at a later time. I know that Judge O'Connor has been blessed with abundant motivation and persistence, untiring work ethic and resilience in the face of many disappointments. Yet, he has consistently employed these qualities in the service of a higher calling than personal ambition. Judge O'Connor has sought the pathway to the stars for this court which he deeply loves.

In my personal portrait of Judge O'Connor, I also see wisdom. Judge O'Connor set before his clerks a judicial model of reasoned conviction, sincere compassion and faithful adherence to duty. These qualities are nowhere better evidenced than in the school desegregation case which Judge Saffels mentioned and which Judge O'Connor tried in late 1977.

The trial was grueling. The stakes were high. And the personal toll of that proceeding on Judge O'Connor was enormous. I have never forgotten the exacting analysis which he brought to his search for the court's constitutional duty in that case.

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Nor have I forgotten his human compassion for the affected individuals, from each individual student, teacher, parent and administrator to the established communities which were forever changed by the Court's decision.

In this regard, I am reminded of the judge's beloved pet, a beautiful Norwegian elkhound who answered to the name of Blackstone. Blackstone, of course, was a great British jurist. He wrote long ago that all principles of civilized law could be summed up in one single code. That we should live honestly, that we should hurt no one and that we should render to everyone his due. Judge O'Connor's decision in the school desegregation case represented nothing less than a wrenching effort, and in the end a largely successful one, to hurt no one and to render everyone his due.

In deciding this and all other cases, Judge O'Connor drew upon the wisdom of the United States Constitution, the United States Supreme Court, and I should not fail to mention at this point, the greater and more immediately accessible wisdom of our own Tenth Circuit Court of Appeals.

Judge O'Connor is a religious man, however, and he freely acknowledged his reliance upon authorities of a higher order. Judge O'Connor's faith is evident in his daily living and it is there for all to see. My own personal religious life was changed, however, by his unembarrassed willingness to share that faith on a one-on-one basis and for that sharing I am forever grateful.

Finally, in my personal mental portrait, I see a man who is unreservedly in love with his family, his friends, his work, his colleagues, and his country. I see a great story teller whose best tales center around such credible themes as Earl O'Connor as a gullible Kansas farm boy and some of the now legendary attorneys who populated the Johnson County bar in the '40s and '50s.

For all of these reasons and others, I am proud to have served as Judge O'Connor's law clerk in this court. Now, when you serve as a law clerk, you don't take away a lot of money. Each of us received an imprinting, however, which will last a lifetime. Daniel Webster once said that there's no character on earth which is more elevated and pure than that of a learned and upright judge and that such a judge exerts an influence like the dew of heaven falling without observation.

On behalf of your law clerks, Judge O'Connor, I want you to know that your influence has not been without observation. We are grateful beyond words. We hope that our gratitude was apparent throughout the years without the telling. But just in case, we tell you now, we admire you and we love you dearly. Our fondest hope is that future law clerks some day will refer to this ceremony as the mid point in your career and comment that this

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portrait which we are about to unveil is one of you as a very young man. (laughter)

JUDGE KELLY: How well said, Kathryn.

Well, now comes for the fun part. And I guess it's Tracy Venters and John Bullock, if you'll step forward, please.

(The portrait was unveiled.) (applause)

JUDGE KELLY: And now the reason that we're here, may I present the Honorable Earl O'Connor. (applause)

JUDGE O'CONNOR: Chief Judge Kelly and Chief Judge McKay and Judge Holloway and Judge Logan and Judge Tacha and my colleagues from the federal bench of the Western District of Missouri, my colleagues of this court and Chief Justice Holmes, justices of the Kansas Supreme Court, Chief Judge Mary Briscoe and the judges of the Kansas Court of Appeals and Kansas district judges, and I guess fellow members of the federal court family, and I might just say special and distinguished friends and guests, you're special or you wouldn't be here because every one of you have had some impact on my life at various stages.

You've heard an awful lot about Judge O'Connor already, and I am really embarrassed almost (laughter) but first of all about this portrait, considering what you had to work with, Wilma, you did a truly outstanding job. (laughter) In fact, I think you exaggerated the subject. You know, Wilma has become a very special person to this court. Over the past several years she's given so generously of her talents as an artist in painting these senior judges. And not only is she a renowned artist, she's a lovely, gracious lady and a pleasure to work with.

You know, this was my first experience—at Lone Elm we didn't have much in the way of portrait painting. (laughter) And this whole process required about four or five sittings of two to three hours each. And I remember well we spent all one night or a big part of the night, Wilma, on those hands, and I thought that was quite a thing. So the time was long in this portrait preparation.

During the time, though, there was one thing that happened. At the same time she was doing my portrait, she was also doing the portrait of Miss U.S.A. (laughter), which is an eight foot full length portrait of Kelli McCarty in a strapless velvet red, low cut evening gown life size. (laughter) So when the time became a little long, I could glance over at that. (laughter) And the thing that really concerned me was that Wilma is so talented, that little glint up there in my eye. (laughter) Wilma's husband, Otis Hadley, who is an artist in his own right is also here, and we enjoyed getting acquainted with him and really they're grand people and great friends of all of us.

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Well, this is quite a day in my life, and those remarks of Dale's and Deanell's and Kathy's were so lavish and really far more generous than I deserve and they were extremely flattering. You know, I could close my eyes and wonder who in the world they're talking about. (laughter) Almost embarrassing. But they do give me and permit me an occasion to reminisce and recall several important events in my younger years, many of which have never been publicized, and maybe they shouldn't be. (laughter) But they're events that have led to my being here today, celebrating this occasion with my friends and colleagues.

As Dale mentioned, I was probably first attracted to the law when I was going to Paola High School. And Keith Martin's dad, who was a prominent dairy farmer was being sued by a former hired man claiming that the Martin's Jersey bull had attacked and gored him. Well, there was much publicity about the case, and all the farmers from surrounding Paola, they attended that trial every day. My dad would come home and tell what happened in the thing, you know. So on the day of closing arguments, I skipped school, I did do that, to go hear them. The lawyers were Barney J. Sheridan and Karl V. Shawver, Jr. or Sr., and Karl, Jr. is here today.

Well, I was absolutely entranced. I thought it was the greatest performance I had ever seen in my life, really a production. And I can still see Barney Sheridan, who was Keith's dad's lawyer, demonstrating to that jury how that hired man had stood out behind a tree with a pitchfork and goaded that bull until he became more angry than ever. (laughter) Well, apparently the jury was convinced by that argument because the bull won the case. (laughter)

Having grown up in the country during the depression, I thought I was the most deprived child that ever lived. And I envied these city kids and all the things that they got to do. But I had some unusual parents and have come to realize that those early days probably had a great deal to do with my being here today.

My dad had the equivalent of a fourth grade education. My mother had gone through the eighth grade. And all they knew was farm life and hard work.

My mother, in particular, had her mind set that I was going to go to school and get an education. Now I will spare you all the Abe Lincoln experiences and episodes except to say that she did such things as raise chickens and put the egg money in an education fund for me. Those chickens ended up on the dinner table. She also baked and sold angel food cakes and added that money to the fund.

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So with that picture in mind, let me report this incident which happened in my second year of law school and it was during the spring semester, I remember it so well. I was literally knocking myself out studying and trying to keep up in the various courses and at the same time writing an article for the Law Review. And as I say, springtime was approaching. When I had the sudden realization that I must be out of my mind to be killing myself like this when I could just go back to the farm, take over a successful cattle operation and eventually as the only child inherit it all. (laughter)

So one afternoon I headed home to tell my folks of my bright idea, quit law school and come back to the farm. I hitchhiked home because in those days only the fraternity boys had a car. And I showed up at the farm shortly before dinner, they called it supper, and promptly announced my decision. Well, there was a long silence and finally my mother began to speak in resolute terms that I had hardly ever heard before. In fact, she was just downright mad and angry. And began saying things like, "Listen, I have worked and slaved all these years so that you could go to school and get an education and you're not about to quit now." Well, to make a long story short, she didn't even feed me supper. (laughter) She gave me a little egg money, had my dad take me to Ottawa where I got on the next Greyhound bus back to Lawrence. That was the end of my dream. (laughter)

I have often thought had I carried out that bright idea, I would probably have gone back to the farm, maybe have been fairly successful, and done what many farmers did in the 1970s and try to buy up half of Miami County and have found myself right down in Judge Franklin's bankruptcy court instead of here today. (laughter) So I thank you, mom and dad.

Many people ask what is the most memorable case you've ever had. Well, every case is important. But the one that stands out more than any other has already been referred to as the Kansas City, Kansas, school desegregation case. It was probably the most interesting case and certainly it was the most challenging because you were dealing with parents and children and, in fact, the entire community.

And I have always said that you have never really had the supreme task of being a judge unless you've had a school desegregation case. One reason is that there are so many emotional issues involved. The litigants usually want to bring in and try to rectify all of the social ills and injustices that have occurred over the last 100 years or more. And yet the Court must try to focus on the issues involving schools. But I will say that the people of this community, the patrons and children, including the administrators and teachers, are to be commended for their splendid cooperation in

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carrying out the Court's plan and operating under it with minimum problems for the last 15 years. And I think a lot of the credit for the success of that plan goes to the strong leadership of Dr. O.L. Plucker, who was superintendent of schools at that time, and a supportive school board with him during the early days of that plan's implementation.

Life's journey is not guided entirely by one's own doing. There's so many contributing factors over which you have little or no real control. I am firmly convinced that one's destiny must be grounded on a firm belief in God and the liberal application of the basic tenets of right and wrong.

And I thank the good Lord every day that he has blessed me with good health and Dr. Bob here helps me each Sunday to keep things in perspective and do some serious soul searching. In other words, he keeps my batteries charged.

And then there is the joy and satisfaction of having good friends, colleagues and family that lend their almost daily encouragement and support without which a person could neither achieve nor survive.

You know, even a mediocre judge can look pretty good and build quite a record when he has been fortunate to have extremely competent and conscientious people to work with, and that has been true for me in the state court system and most certainly in the federal court. I have had the privilege to work with so many fine judges, and I am proud to be a part of the Tenth Circuit which I have found in my travels is so highly regarded throughout the country.

This court has played an integral part in a substantial portion of my professional life. I truly love my work. I am grateful for the opportunities it has presented me. The court and its personnel are dear to my heart. And in my opinion, this court as an institution has served Kansas well. But it's small wonder when you think of such judicial stalwarts as Judge Hill and Judge Templar, now deceased, my predecessor, Judge Arthur J. Stanley, Jr., and these others you see on the bench now serving as senior and junior judges, or active judges.

But I am not worried one bit about the future of this court. When I see the new crop of judges that have come on board during the last few years, such judges as Judge Van Bebber, Judge Lungstrum and Judge Belot coming down the path, I have no hesitancy in predicting that the Court is in good hands for the years to come.

The success of the court's operation does not rest with the work of one judge. It rests with the dedicated work of the five magistrate judges, the four bankruptcy judges and the nearly 200 em-

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ployees of the Clerk's office, the Probation office and the Bankruptcy Clerk's office. These constitute the court family. And then there are adjunct departments with whom we work so closely such as the United States Attorney's office, the Public Defenders and the Marshals. But it's the professionalism and the conscientiousness of all these people that make it a pleasure as a judge to get up and come to work every morning.

I have had the good fortune to serve with two great clerks of Court, Art Johnson, now retired, and our present clerk, Ralph DeLoach. I thank God for having Ralph with me for most of my tenure as chief judge. He truly is the finest court administrator in this entire country. (applause) I have said many times he has literally added years to my life. And then the Probation office which is in the good hands of Leonard Bronec at the helm.

So now I have worked my way down to those persons who are closest of all to the judge, namely, his personal staff, consisting of his law clerks, court reporter and finally his personal secretary. As has already been mentioned, I have had 25 law clerks to inspire me and see that the work is done. And you have already heard from Kathy, and there's 24 others of like caliber. They are so important because they can really make a judge look awfully good or awfully bad. (laughter)

But I am proud of each of them. I just hope that they have gained half as much from being with me as I have working with them. They're such a delight, so refreshing, so eager, so enthusiastic. Besides that, they're so bright it's sometimes frightening. (laughter)

I have had two court reporters. I inherited Harold Pittel, just as Judge Stanley did before me. (laughter) He's probably the dean of the court reporters in that he has served longer as a court reporter than anyone else in the federal system. And for the last several years, I have had the good fortune of having Roberta Bishop, a most capable and gracious lady, since Harold's retirement.

When I came from the Supreme Court in 1971, I brought with me as my secretary Jo Vickland, now Jo Lindley. But matrimony took over within a few months and Jo stayed in Topeka. Then it was my good fortune to find Mary Petty who has been with me for 20 years. She's the one who has been house mother to the 25 law clerks, kept me out of trouble, and kept things at the office moving in an orderly and professional manner. And, in addition, she's been the sounding board and general troubleshooter for nearly everyone in the entire court system in Kansas. She's been a most able and loyal secretary and a great friend and, Mary, I salute you, we all do, and stand up. (applause)

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Last, but by no means least, is my family who has been so loyal and supportive in so many ways. And it has not all been easy, I assure you. It's often difficult to balance a busy career with a full family life. There were many times that I am sure that they felt slighted at the limited time we had together or the shortened vacations because of military active duty or professional obligations. And for those times I am truly sorry. Still each of you has been so important to me and you, in turn, have made my life so meaningful and worthwhile. I salute my wife, Jean, my sons, Nelson and Clayton, and my daughter, Gayle. I love you and thank you.

You know what they did yesterday. They gave me a free balloon ride. (laughter) And, of course, they asked me this morning, "Now, you're not really going to take that, dad." Yes, I am. And Jean is going with me. (applause)

So in conclusion, I thank those who were a part of this ceremony. I only hope that I can halfway live up to all of the nice things that you have had to say. And to my friends that are nonlawyers, really they embellished on a lot of this. (laughter)

And I will just say this, you know, I have some neighbors, I have some next-door neighbors, I am sure they're sitting back there, in fact, I see them, and they are absolutely aghast. (laughter) They can't believe when I am out there in my old trousers and shirt and so forth mowing the yard, they can't believe that that must be the same guy.

Well, I thank you all for coming. You honor the Court and you certainly honor me by your presence here.

Now, Jean and I want you to come to the reception immediately after this ceremony at the Civic Center so my family and I may shake your hand and visit with you.

And now may I leave you with these words and good wishes:

May our paths cross often, and
Our memories live on, to our
Mutual enrichment.

Thank you and God bless you. (applause)

JUDGE KELLY: Thank you, Earl.

Now, here to accept the portrait, my colleague, Judge Van Bebbber.

JUDGE VAN BEBBER: Thank you, Judge Kelly.

Judge O'Connor and Jean, chief judges, justices, judges and friends, I won't go through the entire litany again. I should use another term, I suppose. In my chambers we keep a little daily word calendar, one that has the word for the day, and two or three

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days ago the word was panjandrum which means very important person, and so I just should say panjandrums all here. (laughter)

It is an honor that I do not really deserve to have been asked to accept Judge O'Connor's portrait on behalf of our court and to make a few additional remarks on this occasion, and they are going to be few.

It is with the utmost pleasure that I do this and say that participating in honoring a man whose friendship has become very dear to me in the two-and-a-half years that I have been on the bench here in Kansas City and who is among the most distinguished judges who have sat on this court is deeply moving to me, and I am truly delighted to be a part of this.

Judge Saffels and Judge Tacha and Kathy Vratil have described for us the outstanding judicial career of Judge O'Connor and they have cited to us those characteristics of this notable man that we should all endeavor to emulate. And I would like to add just a few of my own observations about Judge O'Connor.

As Judge Saffels and Judge Tacha have both said, he is a real judge's judge. And he really is. His broad knowledge of the law never fails to impress me. And my experience as a U.S. District Judge began here in Kansas City, and he has never been too busy, even in the press of his almost overwhelming caseload and the exigent responsibilities of service on the executive committee of the Judicial Conference of the United States and as Chief Judge of this district court, he's never been too busy to sit down with me to discuss problems of substantive law and to advise me about procedure and to share with me his valuable advice. And his wise counsel has never failed me yet.

Words are not adequate to describe to you how wonderful it is to have such a resource just across the library. He has treated me with the greatest kindness since I have served on this court. To have become an even closer friend of Judge O'Connor is one of the outstanding rewards of my service here at Kansas City. And I should add here that what I have said about kindness and friendship also applies to his cherished wife, Jean.

Judge O'Connor has been an inspiration to all of us who seek to do justice. His attention to the administrative duties which rest upon the shoulders of the Chief Judge have made this court function. One of the strengths of Judge O'Connor's makeup that has impressed me the most is this. Although he has served more than 20 years on this court, to say nothing of his service on the Kansas Supreme Court and the Johnson County District Court, he is one of the most innovative judges among us. He is always looking for new ideas and for new and better ways to handle difficult problems that face the court.

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Thanks to his leadership, our district is an early implementation district with respect to the Civil Justice Reform Act, the so-called Biden Bill. And our delay and reduction plan is in place and is working and at work in this court.

In his role as Chief Judge, he has urged us to move forward to endeavor to improve the way the cases move through our court with dispatch and at reduced expense.

Hidebound and set in his ways are not words that may be used to describe Earl O'Connor. Well, it is heartening to know that Monday morning we will both be back here on this floor. He'll be starting his criminal calendar at nine o'clock and I'll start mine at 10:30. This is what we always do. And I'll see him just down the hall with his brown bag lunch in hand. And it's good to know that those events are going to occur and to keep on occurring.

As to our portrait, which is really why I was asked to speak, I would just say that today we add another marvelous portrait of another distinguished jurist whom we are proud to know as a friend and associate. It is a splendid example of the portrait artist's work and on behalf of the Court, I congratulate the artist, Mrs. Wilma Wethington, and thank her for capturing Judge O'Connor so perfectly.

The principal purpose for the hanging of this portrait in our courthouse is to create a permanent testimonial to the regard in which Judge O'Connor is held by the members of this court and by his friends and the friends of the court. It will hang here in this courtroom in the eminent company of the portraits of Judge Arthur Mellott, whom you see on the left, and of Judge Arthur Stanley on the right. It is a place of honor to which Judge O'Connor is entitled.

When we move to our new courthouse next year, it will be displayed there, and that location will surely be significant because I truly believe that without Judge O'Connor's efforts, the new building would still be a dream. But he has made it a dream come true and you'll be able to see that dream coming true when you go over to the reception at the Civic Center because our new courthouse is under construction right across the street, and you'll be able to see it.

The story of Earl O'Connor and that new courthouse provides enough material for an entire program of its own so I will say no more about that. I assume the dedication of the building will take care of that.

On behalf of the Court, it is my honor to receive this portrait today and to dedicate it as a reminder to all who enter here of the man whom it portrays and of his devotion to the cause of justice and to this court. (applause)

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JUDGE KELLY: Thank you.

Well, there we have it, friends. I said at the outset it was truly a happy time to come together and take a moment to reflect on the grand career of such a grand gentleman and great jurist, all of which Wilma has captured in that portrait. It's there. And not in eulogy time today to reflect on all of it. As Tom said, tomorrow, Monday, back to work and, Earl, that is the beauty of it all, and all of us wish you the very, very best, many years ahead.

With that said, we're in recess.

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