

**THAD SMITH, Attorney, 1909-2005**

Arthur Thad Smith, known to all as Thad, was a familiar figure in downtown Denver for 55 years.

Smith made his mark as General Attorney at Conoco's Denver regional offices. He was responsible there for providing law services to the company's extensive activities in the western states.

After 27 years in that important post, he retired from Conoco in 1974 at the reasonable retirement age of 65. Smith then went into private practice with Denver's distinguished Poulson Odell & Peterson firm, known particularly for its expertise in natural resources law. He stayed there for the next 27 years. Before beginning these careers, Smith had practiced in Denver for a year.

Smith didn't limit his activities to law work. He was an important contributor to the community and to the industry. He was a founder of Denver's Channel 6 educational television station, which is now the KRMA public broadcasting channel. He also served for ten years, including two terms as president, on the prominent Cherry Creek school board. He taught law at the University of Denver Law School and, before that, at its predecessor, Westminster Law School. He taught Sunday school at University Park Methodist Church. Smith was a founder and the president of the Rocky Mountain Mineral Law Foundation and, in that connection, was significantly involved with the publishing of the Landman's Legal Handbook, the bible for oil and gas landmen. Along the way, he was also a leader in the Western Oil and Gas Association.

Although Smith had two lengthy careers in Denver, he was not a neophyte when he arrived from New York City in 1947. He had graduated from Dartmouth in 1931, where he played hockey and tennis, and from Harvard Law in 1934. He then practiced law with his father in his home state of Massachusetts before serving in World War II as a naval air intelligence officer in the Atlantic theater. After post-war work in New York, he moved to Denver when he was 37 because he believed it was a city of the future.

As General Attorney at Conoco, Smith's responsibilities were far reaching. Although called the "Rocky Mountain Region" the company's Denver offices were headquarters for its activities in Montana, Wyoming, Colorado, New Mexico - and all other states to the west. This was Conoco's heartland and the company was engaged in exploration, production, transportation, refining and marketing enterprises throughout the area. The establishment of a hard minerals department in Denver and the development of important coal resources in Montana and Wyoming added to the Denver law department's workload.

Smith gradually established a network of reliable law firms in population centers throughout the west to provide on the spot assistance. However, his growing department in Denver remained the core of the operation. Here, Smith supported a law firm - as opposed to a corporate department - atmosphere. The attorneys were encouraged to make court appearances and time was given to bar association, pro bono and other professional and community endeavors.

Smith was particularly proud that two members of the staff, John Bermingham, a senator, and Bill Griffith, a representative, were elected to the state legislature while they were attorneys in the law department. Many others who learned to practice there went on to exemplary careers with law firms or elsewhere.

In his professional life, Smith was a man of few words. These were carefully chosen and ordinarily right on the mark. Charles Roberts, a former Conoco attorney, offers a reflection from the 1960s when Conoco was one of several major oil companies defending important private antitrust suits. This situation brought the lions of the Denver bar - name partners of the biggest firms - to the defense table. Smith was a key player in the scene, but he kept his comments sparse. As Roberts relates, when Smith did intercede in defense counsel deliberations, or in court, his words carried particular value and it was his suggestions that were most likely to be implemented.

Frugality with words did not in any way mask Smith's amiable personality. Bill Odell, of Poulson Odell & Peterson, volunteers that Smith "was an absolute delight to have around." Moreover, Smith was unfailingly gracious and kind. Odell "never heard a harsh word" from Smith about anybody in the 27 years that Smith was with the firm. As a mirror to this, Jerry Schissler, an attorney who began his career at Conoco and was later with Poulson Odell & Peterson, can't recall anyone saying anything unkind about Smith - this being perhaps the highest tribute to a man who spent decades in an occupation that is often contentious by nature.

Smith's hallmark trait was his imperturbability. Young attorneys, who entered his office to report a perceived - or for that matter, actual - calamity, came away much heartened by the senior man's unchanged demeanor. This characteristic, along with Smith's willingness to teach and to help out, inspired both enthusiasm and loyalty. Bermingham notes that Smith "could view things from our perspective and this created a positive atmosphere." Bermingham speaks for many when he calls Smith "the best 'boss' I ever had."<sup>1</sup>

It was this sort of loyalty that led Schissler, who eventually became the General Counsel at Burlington Resources, to fund a Natural Resources Practitioner-in-Residence program in Smith's name at the University of Denver Law School.

When Smith first arrived in Denver he found work in the law office of Joseph Pender. Shortly after, Smith took an opportunity to become, at that time, the sole Denver attorney for Conoco when Len Aiken, his predecessor in that position, moved on to other responsibilities with the company.

During his Conoco job interview with vice president Will Ferguson, when Smith unabashedly said that he knew nothing about oil and gas law, this comment was brushed aside with the statement that he would soon learn. Smith learned well enough to teach the subject at law school. Furthermore, as Conoco's activities grew, so did Smith's legal studies so that he became knowledgeable in many different areas. His scholarly approach to legal issues stood him in good stead not only in the legal community, but also in the course of his relationships with company managers who would routinely accede to Smith's advice, although not always enthusiastically.

Smith's same quiet, scholarly approach prevailed in his work at Poulson Odell & Peterson. So did his reputation for being unflappable. His association with that firm came about through his friendship with one of the firm's founders, Bob Poulson. Poulson had told Smith for years to come over to the firm when Smith retired from Conoco. Shortly after his retirement from Conoco, perhaps to Poulson's surprise, Smith took him up on the idea. In any event, the firm promptly gave Smith an office where he went to work as "of counsel."

Regardless of what may have been the original intention in regard to workload, Smith soon became heavily involved at the firm as the attorney for an international natural resources company that was expanding into the Rockies. He kept busy at this and other mineral and oil and gas work - areas he had somewhat grown away from because of other matters at Conoco - until he was in his late 80s. By this time, according to Odell, Smith had begun to keep a more relaxed workday. Odell quickly adds that this was considered to be acceptable. When he was 92, Smith quit going in at all.

Shortly after his arrival in Denver, Smith met Marty Badger, a Denver Public Schools social worker who had recently moved to Denver from Indiana. They were married in 1949. The Smiths had two children, John, now an attorney in Denver, and Sarah, also a Denver area resident. Smith was devoted to them and to his grandchildren Fred, Cliff and Evan.

Although not big in physical stature, Smith cast a large shadow in Denver and throughout the west. Dave Phillips, current executive director of the Rocky Mountain Mineral Law Foundation, calls Smith "a giant of a man."<sup>2</sup> Those who knew and worked with Smith will agree.

William V. Cox

Denver, Colorado  
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<sup>1</sup> Brennan, Rocky Mountain News, October 25, 2005

<sup>2</sup> Brennan, id.