

**Paul J. Hickey, Cheyenne, Wyoming lawyer
(retired from Hickey & Evans, LLP)**

Oral History Interview, August 8, 2023
for the Historical Society of the Tenth Judicial Circuit



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Major dates

Born: 1950 in Cheyenne, Wyoming.

Education

B.A. History University of Wyoming 1972

J.D. University of Wyoming College of Law 1975

Professional career

1975-76: Law Clerk to Hon. James E. Barrett, U.S. Court of Appeals for the Tenth Circuit.

1977-79: Assistant County Attorney, Laramie County School District #1, Counsel 1978-2004.

1976 to 2022: Lawyer, private practice, Cheyenne, Wyoming

Professional Affiliations

Wyoming State Bar foundation; President 1993-1995

Wyoming State Bar, President 1997-1998

Historical Society of the Tenth Circuit Court of Appeals, Director 2005-2018, President 2012

American College of Trial Lawyers, Regent, 10th circuit States 2016 to 2020

University of Wyoming College of Law, chairman, Dean's Advisory committee, 2001 to 2021

State Commissions

Wyoming Water Development Commission (1987-1995), Chairman, 1993

Wyoming Natural Gas Pipeline authority, Chairman 1991 to 1993

Interview of Paul J. Hickey: August 8, 2023

SPEAKERS

Paul J. Hickey and Patrick J. Hickey

Patrick Hickey

We're doing this interview as part of the oral history project for the 10th Circuit Historical Society. This is Patrick Hickey with his father, Paul Hickey on August 8, 2023. Paul, you have a unique perspective in that your father was a judge on the 10th Circuit. You were a law clerk for the 10th Circuit, you've argued before the 10th Circuit. And you've also been involved with the 10th Circuit Historical Society. What do you think makes the 10th Circuit unique?



Paul Hickey & Patrick Hickey
United States District Courthouse
Cheyenne, WY

Paul Hickey

The uniqueness of this Circuit has many dimensions. The cases reviewed by the Court reflect the unique aspects of each of the six states that collectively comprise the 10th Circuit. Wyoming is a State with vast natural resources, water, coal, oil, gas, uranium, trona, wind, and most recently rare earth elements. There are numerous natural resources cases from Wyoming and other States that have been decided by the Court. Native American legal issues have been litigated in several of the six states and ultimately decided by the Court. Kansas, with its rich and unique history in aviation has certainly contributed many interesting cases over the years from this industry.

Public land issues and National Parks which are also a part of several of our States, are also a significant and unique area of law that is part of our Circuit. I could go on.

It's a wonderful Circuit. Part of its uniqueness is the personalities of the excellent judges that have served this Circuit, and the outstanding lawyers who have practiced before the Court. From Santa Fe to Jackson Hole, Vail and Park City, Wichita and Oklahoma City, this is a special area of the Country, and for my preferences, the best part of the Country to live in.

Paul's father, John Joseph Hickey

Patrick Hickey

We're doing this interview as part of the oral history project for the 10th Circuit Historical Society. The purpose is for you to tell us about your career and your experiences. And I'd like to start by asking you about your parents and your childhood. Your father, John Joseph Hickey had an incredible career and served in World War II as a private and eventually became a captain. He was a lawyer in private practice in Wyoming. He was a County Attorney for Carbon County, Wyoming. He was a US attorney. He was the Governor of Wyoming. He was a United States Senator from Wyoming. And he was also a judge on the 10th Circuit. Out of all those incredible positions, which one do you think he enjoyed the most?

Paul Hickey

Well, let me Address Dad's career by taking up his decision to enlist in the Army during World War II. On the night of Pearl Harbor, in Rawlins, Wyoming, your grandad was the County Attorney for Carbon County, Wyoming. He told his friends that night that he would resign his position as County Attorney and enlist to serve his Country. So, the next day, he delivered a

letter to the County Commission resigning his position as County Attorney and drove to Denver with a friend to enlist in the Army.



Captain Joe Hickey, Europe 1944
(Left, Standing)

He was a private at Warren Air Force Base in Cheyenne and later transferred to Lompoc, California, for officer training school. Then in June of 1944, he was at Normandy, shortly after D-Day. I did not know that my father served in World War II until I was probably somewhere around 10 years old, or maybe even a little bit older. When your uncle John, and I found out that he did serve in World War II, we said, “how come we haven't heard your stories, Dad?” And his answer was there is only one thing I want you two to know and that's

that “war is hell, and I hope to God you never have to serve”. The fact that he would resign an exempt position from military service, as a 33-year-old lawyer and enlist in the Army, says a lot about the character of your grandfather.

As you know, he was a US attorney appointed by Harry Truman in the early 1950s. When President Eisenhower was elected, as is a common practice, he resigned that position. He was next in private practice in Cheyenne with Ellery, Gray, and Hickey until 1958. Sometime in 1957, he decided he would run for governor. It was a much different political climate in the late 1950s, than it is today. There was a popular sitting governor, a Republican named Milward Simpson, the father of Senator Al Simpson and Pete Simpson. So the odds of a Democrat

beating an incumbent governor in the beginning days of that campaign probably looked a little daunting. The story that Dad used to tell was that when he announced to his law partners that he was going to run for governor they supposedly gave him \$350, and told him to buy a new suit so he would look good on the campaign trail. He said they expected to have him back in the Firm in a few months. He campaigned very hard. Your grandmother, as much as taking care of two small kids would allow, was a very supportive spouse of his campaign. And lo and behold, he was elected governor in 1958.

Patrick Hickey

What were the big issues in that campaign that he was running on?

Paul Hickey

He was a moderate and urged reforms to make State government more efficient. One of the larger issues was the death penalty. And a clear point of difference between the two candidates was, as a former county attorney in Carbon County, and as a former US attorney and prosecutor, Dad believed that the death

penalty was appropriate in certain cases. Governor Simpson did not agree with that. He opposed the death penalty. There had been a horrible spree of murders in 1959 and 1958 committed by Charles Starkweather. The murders occurred in Nebraska and Wyoming. The Starkweather arrest occurred during that 1958 Campaign. The tragic murders committed by



Governor J.J. "Joe" Hickey
1959 - 1960

Starkweather, put a backdrop for the death penalty in the 1958 election. I believe Starkweather was charged with murdering eleven people.

Patrick Hickey

You think that of all these amazing jobs that he had that governor was probably the one he enjoyed the most?

Paul Hickey

I do, yes. Dad was a people person. He loved to be a part of a group or a crowd. I think the energy and excitement of the Governor's office was something that he truly enjoyed. Most of all he liked working with and helping people in Wyoming resolve their challenges and issues.

Patrick Hickey

Your Father also served in the United States Senate. How did that happen?



Paul Hickey

The fact that he served in the United States Senate is an interesting story. A well-known Wyoming politician, named Keith Thomson won the election to the United States Senate in 1960. Senator elect Thomson had previously served in the US House of Representatives. Sadly, he died of a heart attack before he was sworn into the Senate. Your granddad was then Governor of Wyoming. He was a Democrat with a pretty high profile nationally. John Kennedy was elected President in 1960. Following his election in 1960, and the death of Keith Thomson, Kennedy urged your grandfather to resign as Governor of Wyoming and allow the Acting Governor to appoint him to the United States Senate so that the Kennedy-Johnson

administration would have another Democratic member of the Senate. Dad had been a player at the 1960 Democratic Convention. He had been asked by Lyndon Johnson to second his nomination for President at the Convention. Lyndon Johnson came to Cheyenne at least once during the 1960 campaign. He rode in the Frontier Days Parade that year and came to the Governor's Residence. At the 1960 Convention, Dad followed then Speaker of the U. S. House, Sam Rayburn, and seconded Johnson's nomination.



President Kennedy and Senator Hickey;
White House, August 1961

Dad was also a friend of President Kennedy. Both Kennedy and Johnson liked him. So against the advice of your grandmother, he resigned as Governor of Wyoming and was then appointed to serve in the United States Senate. We moved to Washington, DC. Dad later ran again against Milward Simpson in 1962 for the Senate seat, and this time Milward won. I think a significant comment to make about those two campaigns as part of the stories that were passed along to me, was after Dad had won the governor's race, he was visiting with Milward and coordinating

the transition between the two administrations and said to then Governor Simpson, "I would love you to come and get involved with Ellery, Gray and Hickey, the law firm that I'm leaving in Cheyenne. I think you'd be a wonderful addition Milward to that law firm. I think it would be in very good hands if you'd come and take the position that I used to have". And Milward said as I was told, "Well, Joe, my roots are in Cody, I'm going to go back to Cody, and I'll be a lawyer there". Fast forward a couple of years later, and Milward wins. And Milward says, "Joe, I wish

you'd consider going to Cody, and as you are transitioning know that the law firm in Cody would be benefited with a lawyer of your skill". And Dad said, "Well, no, I think we're pretty well rooted in southern Wyoming, Milward, but thanks for the offer". I think that speaks volumes about the civility that was in politics in the state many, many years ago now.

Paul's grandparents and Rawlins, Wyoming

Patrick Hickey

We've talked about some of your Dad's incredible career and some of the friends that he had, including, Presidents Kennedy and Johnson. He knew people who came from wealthy backgrounds. Your father did not. I want to start with his childhood in Rawlins. He was born in Rawlins in 1911. His obituary from the *Casper Star* newspaper says he was born to pioneer parents. What do you know about your pioneer grandparents?

Paul Hickey

I know very, very little about my grandfather, John Hickey, who died in I think 1913 when my Dad was two years old. Johnny Hickey, as they called him, worked for the Union Pacific Railroad. I know more about Dad's mother even though she died when I was two years old. Grandmother Hickey was an O'Meara before she married Johnny Hickey. She was an immigrant from Ireland. As the mother of a two-year-old boy when her husband died, she turned her house on Cedar Street in Rawlins into a boarding house in order to support herself and her son. You are right Patrick, Dad had a very humble beginning. He began selling newspapers, somewhere around six or seven years old, He would ride a bicycle between

Rawlins and Sinclair, Wyoming where there was a refinery, and a good number of folks who would buy the Rawlins newspaper. He did what he could as a young boy to help his mother. make ends meet.

Patrick Hickey

Why were his parents described as pioneer parents? What was Wyoming like when they moved out there?

Paul Hickey

Well think of statehood coming to Wyoming in 1890. Remember that much of Wyoming, like much of the West, followed the construction of the Transcontinental Railroad, which didn't happen until 1860. So, the window between statehood and eventually the building of the railroad to open the West up is a pretty short window of 30 some years. The railroad is why Johnny Hickey, my grandfather, came to Rawlins. So Johnny Hickey as an early railroader in Rawlins and his Widow Brigit O'Meara Hickey running a boarding house in the early years of the 1900's made them part of the pioneers of the town. My mother's grandfather, Frank Blake, also came with the railroad to Rawlins in the late 1860s. He was very much a founding pioneer of Rawlins and Carbon county. The ranch he started continues in our family today.

Patrick Hickey

I was looking at the census for Wyoming and it looks like in 1910, there were maybe 125,000 people in Wyoming. And for Carbon County, they didn't even list the population. So, it sounds like in that time period, it really was kind of the Wild West. And you mentioned that your father

had had a tough childhood because his father died in 1913 when your father was only two years old. And your father's obituary says that as you mentioned, he worked as a paperboy. It also says he was a blacksmith apprentice, and a tire repairman, in order to help his single mother. What did your father tell you about his childhood in Rawlins in the early 1900s?

Paul Hickey

Dad loved Rawlins. And he found a lot of positive things about everything to do with Rawlins, including growing up there. I think he looked at Rawlins as the community that gave him so much support. He was very positive about his experiences as a child around Rawlins. There's no denying that it was a tough town. It was a railroad town and an agricultural community in those days, primarily sheep. Later, of course, the cattle industry has been by far the dominant part of the livestock industry in Carbon County. But great people and tough people who have always found ways to survive and thrive in tough times. Dad would often say "Rawlins my home town, God how I love it."

Patrick Hickey

Tell us more about your father's childhood.

Paul Hickey

It all revolves around his mother, Brigid Hickey, running a boarding house to take care of herself and her son. She worked hard so that her son could go to law school, following graduation from high school in 1929. He went to Laramie and joined a fraternity, the SAE fraternity. He worked at the fraternity kitchen helping to serve the meals, and scraped and

found a way to, in five years, get through undergraduate and law school. He graduated I believe in 1934, in a class of six. Dad, and a fellow student from Wamsutter, Wyoming named John Jack Bugas, are maybe the two alumni of the class of 1934 that are best known. Jack Bugas became a vice president of Ford Motor Company. The Bugas family has been very generous with scholarships to the University of Wyoming.

Dad's career is a great story of the significance of a college education. Following his graduation, he went back to Rawlins and served as the City Treasurer. He was later elected County Attorney. After World War II, when he returned to Rawlins, the courthouse that still serves Carbon County, was built. Dad was the emcee at the dedication of the Carbon County Courthouse, an event he said made his Mother proud.

Patrick Hickey

You're really good at remembering dates because my notes show that your father graduated from high school in 1929, and then graduated from law school in 1934. And then he set off on this incredible professional career. Considering that he really didn't have a father as a role model to be a lawyer, to be a professional, where do you think his ambition came from?

Paul Hickey

There's no doubt that his mother, Brigid Hickey, was the strongest influence in his life. She wanted everything that the world had to offer available to her son. And as an immigrant mother and owner of a boarding house, did everything in her power to see that her son succeeded. I know my mother used to say that Dad could never do anything wrong in the eyes of his mother. She was devoted to him. Her whole life revolved around him and his career. After my

Dad died, and we had the opportunity to go through family records, we found a scrapbook that grandmother Hickey kept of Dad's career. She had every clipping from when he came home during World War II, to him emceeding this ceremony to dedicate the Carbon County Courthouse, to the other things that she witnessed until her death in about 1954. She would have loved to celebrate her son as Governor, Senator, and eventually Judge of the 10th Circuit Court of Appeals.

Patrick Hickey

Your Father was an only child, correct?

Paul Hickey

That's correct.

More on Paul's father, John Joseph Hickey including his personality, service as 10th Circuit judge, and untimely death

Patrick Hickey

We talked about this a little bit. You were a school age child, when your father achieved most of his professional success, including being Governor and a United States Senator. What was it like having such a prominent father, especially in a state like Wyoming, which has a small population.

Paul Hickey

Two great qualities of my father were his love of people, and the fact that he never took himself too seriously. He was the first person in the room to find the service staff and thank them for what they were able to do for an event or for whatever the occasion was. I think, because of his personal circumstances, he felt a real connection to those less fortunate. As I remember, growing up, he had some core values that remain, I think, the most important core values for any individual. They are integrity, care and concern for his fellow human beings, a desire to leave his community, his state, and his country in a better condition because of his efforts to improve them. He had a tremendously strong faith. He was a practicing Catholic. I believe his core values and faith, which he passed on to his family, grounded him and us to accept the circumstances of a life with a public figure in a sparsely populated state.

Patrick Hickey

Your father died when he was only 59 while serving as a judge on the 10th Circuit. What do you think the rest of his career would have looked like if he hadn't died relatively young?

Paul Hickey

He loved being on the Court, although he found the time between oral argument and being with his colleagues on the Court, very isolated. I think he would have grown into a leader in the Court. I'm sure the number of opinions would certainly have been much greater than the number that he produced in the four years that he was on the Court. Knowing the leadership roles that he



Judge Joe Hickey
10th Circuit Court of Appeals
1966-1970

always found in any organization that he became a part of, I have no doubt that he would have been on national committees and finding ways to assist in the administration of the judiciary. As an aside, in those days, New York University had a new judge school. It was primarily to highlight writing styles and a judicial writing style. United States Supreme Court Justices lectured at this school. Dad attended in 1967 I believe. Out of the class of many federal judges attending, Dad was elected “valedictorian”, and was asked to give a speech for the class at the conclusion of this couple of weeks of training. I think it was just indicative of the fact that he was a natural leader. He was someone who people quickly came to understand he had a unique quality to lead.

Patrick Hickey

In some of the materials I was reading about him, they referenced that he had a really good sense of humor. Do you remember that? Or do you remember any jokes that he liked or anything about how his sense of humor shone through in any of his jobs?

Paul Hickey

Yes, I think he found humor in every circumstance and occasion that he could. Gosh, we all know that anybody that could survive being a governor or a United States senator, and all of the rigors of political life and some high-profile existence in our community of Wyoming had to have some humor to get through all of it. And he certainly did. He passed it on, certainly to your uncle and to me, and we enjoyed his humor in the years that we had. He was always good at poking fun at himself and enjoyed making others laugh. He had great stories of growing up in Rawlins that he loved to share.

Patrick Hickey

You have one brother, John, and he's two years older than you, right?

Paul Hickey

Yes.

Patrick Hickey

John was born in 1948? Right?

Paul Hickey

Correct.

Patrick Hickey

Did your father talk about what parts of being a judge he enjoyed?

Paul Hickey

Well, sure. I think the 10th Circuit, as any federal appellate court, gets some very interesting cases, both civil and criminal. The most important cases litigated in the Country get reviewed by an appellate court. He enjoyed the challenges of the cases and the assignments that were given to him. Because of his strong prosecutorial background, he authored opinions in a lot of criminal cases.

Having reviewed his opinions some years ago I recall he authored opinions on a wide range of civil cases including constitutionality of Municipal regulations and ordinances. Indicative of the era, he sat on the Court he authored an opinion on a conscientious objector's appeal of a draft board's decision. Mention should be made of the fact that your granddad was asked to become general counsel for the Union Pacific Railroad while he served on the Court. He was flattered by the offer personally made in Cheyenne by the CEO, and chairman of the board of Union Pacific. He declined their offer to leave the Court and move to New York which was then headquarters of Union Pacific. The fact that he declined this opportunity also speaks to his enjoyment of serving on the Court.

Paul's mother, Winifred Espy Hickey

Patrick Hickey

We've talked a lot about your father, let's now discuss your mother Winifred Espy, who became Winifred Hickey after marriage to your Father. She was also a prominent person in Wyoming having served as a state senator, county commissioner, University of Wyoming Board of Trustees member, and on numerous other State and local boards, often as the only woman.



Win Hickey, 1960

Considering all the things that her husband accomplished, where do you think her ambition came from?

Paul Hickey

She had a very strong relationship with her father, who was a mayor of Rawlins, a leader in the livestock industry, and served on state boards having been appointed by one or more governors to those positions. I think her father encouraged her, and her brother, Francis B. Espy. My uncle, I think, was a very strong influence on her growing up and was an outstanding man who did very well at the University of Wyoming in geology and in athletics. Certainly, my Dad had an influence on her and encouraged her to serve her state before his death.

Patrick Hickey

So out of all the things that your mother accomplished and all the positions she had, is there, one that you're most proud of her?

Paul Hickey

Well, I think we ought to back up and maybe tell her story a little. Mom and Dad both graduated in 1929 in Rawlins. I'm sure they had lots and lots of opportunities to do things together because they literally lived across the street. A common bond Mom and Dad shared was World War II. And at the conclusion of World War II, and at the time of Victory in Europe, Mom and Dad both wound up in Paris. She served in the Red Cross and worked with the USO. They got engaged in Paris in 1945. They came back from World War II and got married a couple of years later in Rawlins. Mom had graduated from Loretto Heights College in Denver. She attended the University of Chicago, did some postgraduate work in social work there. She worked with the state welfare office during the depression in Wyoming, and was a highly motivated professional woman at a time that a lot of women didn't have college degrees and



Win Hickey, Red Cross
1942 - 1945

didn't have professional opportunities. When she decided to go into World War II, I think it was a huge step and a big statement about the confidence that she had as a young woman to think that she could also join the war effort. But she did, and had great stories of her experiences in London during the bombing, and could tell stories that put chills on your uncle's and my necks when she would talk about those nights in bomb shelters around London. She shared her experiences during World War II serving in the Red Cross and the USO as part of our bedtime ritual.

When Dad got involved in politics, she became I think, a tremendously strong and supportive spouse. Following Dad's death, Mom first served on the Laramie County Commission. I believe she was the first woman to serve as a county commissioner in Laramie County, Wyoming. After that she successfully ran for a couple of terms in the Wyoming State Senate. She served as the minority floor leader during her eight years of service in the Wyoming Legislature. She also served on the Board of Trustees of the University of Wyoming, having been appointed by Governor Hathaway to that position. An anecdotal story that usually puts a smile on everyone is she claimed that as the only woman on the board of trustees, she would be in vigorous debates about various issues. There would be a break in the meeting. The men would, of course, need a bathroom break and head to the men's room. She would be the lone woman going to the woman's room. And she said, "I could hardly avoid hearing all this conversation on the other side of the wall where all these men were. After a couple of these

breaks, I said, if you guys don't quit deciding these issues in the men's room, I'm going to start using that bathroom”.

She had another fun story that she was asked after her service in the Wyoming State Senate, and on the county commission board, “Win what is your advice to a young woman wanting to get involved in politics?”

Grandmother would get very serious, and she'd look them in the eye and she'd say, “if you want to get involved in anything, whether it's politics, or business or any profession, you have to be better than your male counterparts”. And then she'd break into a great big smile and say, “and you know, it just isn't that hard”. And I would say, I think grandmother had it right! I am most proud of her for being a great mother to John and I. She passed along her strong faith and the important values that guided her life.

Paul Hickey

For all the different positions that she held, which one do you think she liked the most?

Paul Hickey

I think the Senate, I think she very much enjoyed being one of 30 members of the Wyoming State Senate during the 1980s. She retired from the Senate in 1990. In those days, one of maybe three or four women that were serving in the Wyoming State Senate. She enjoyed the floor debates and was a very effective legislator.

Patrick Hickey

Both of your parents received recognition for their service to Wyoming and the country. What do you recall of their recognition?

Paul Hickey

Mom was an outstanding alum of Loretto Heights College. She actually shared that with the then First Lady of Colorado, Mrs. McNichols. Steve McNicholas was governor of Colorado at the same time that Dad was Governor of Wyoming. Both of the first ladies were graduates of Loretto Heights College, which was a highly regarded women's college until it closed in 1988. Both first ladies were acknowledged as outstanding alums during their terms, first ladies of Wyoming and Colorado.

She was also given an honorary degree from the University of Wyoming. I fondly recall the kind words of appreciation for all of the service that she had given the state spoken at that ceremony. Your granddad was an outstanding alum of the University of Wyoming. Your granddad is also an outstanding alum of the College of Law of the University of Wyoming. I'm sure those awards meant a lot to him because of the significance of his education at the University of Wyoming. It was the foundation that allowed him to accomplish so much in his lifetime.

Paul's career: Education and decision to become a lawyer

Patrick Hickey

Considering all that your parents accomplished, how did that affect your decisions about which career you're going to pursue?

Paul Hickey

I knew at a young age that I wanted to become a lawyer. I admired my Father and believed that the challenges and the opportunities of practicing law would be a great career. I recall when Dad was US Attorney, he had a jury that returned a verdict one evening when I was a little kid. Dad put me in the car and we went to the old federal building in Cheyenne to find out what the jury had decided in a case that he had prosecuted for the United States. And I remember how cool it seemed that we were going into this building, going into this courtroom, and that as a four or five-year-old child, I was able to witness all of this courtroom proceeding. It made an impression on me. It became very clear to me and probably as early as seventh grade that I wanted to be a lawyer.

Patrick Hickey

You were born in 1950, in Cheyenne, and went to St. Mary's High School, and then obviously went to the University of Wyoming. What did you study in undergrad at the University of Wyoming?

Paul Hickey

I was a history major, and took a number of business classes. My degree was a Bachelor of Arts in History.

Patrick Hickey

You were in college in the late 1960s and early 1970s, which was a very tumultuous time in the United States. What was it like going to college in Laramie during those years?

Paul Hickey

The campus in Laramie was like every campus in the Country at that time. There was unrest and protest. The concern was focused on the Vietnam War. Why were we continuing in that war? As you know from all of the history that you've read of those years, that at Kent State University, college students were sadly killed on that campus. The unrest on many campuses found a boiling point. That happened in Laramie. There were protests at the University of Wyoming on Prexy's Pasture area of the campus in front of Arts and Sciences, Engineering, and Agriculture. Those protests had Wyoming Highway Patrol members on call and trying to maintain crowd control. I think there were probably members of the National Guard there as well. There were attempts to get into the administrative offices of the University of Wyoming. And it was a very, very challenging time. Our governor then was Stan Hathaway. I remember Governor Hathaway telling me after I became a lawyer, and we had some time to spend together, that he vividly remembered as one of the darkest days of being governor is when all

this protest came to the state Capitol in Cheyenne. It was a tumultuous time throughout the Country including in Wyoming.

Paul's career: law school and clerkship with Judge James Barrett

Patrick Hickey

You graduated with a degree in history and then immediately went to law school at the University of Wyoming. What type of lawyer did you want to be when you started law school?

Paul Hickey

Well, when I started law school in 1972, I didn't know where my career would go. I knew that the University of Wyoming College of Law was strong in natural resource. We were all proud Dean Frank Trelease, one of the leading water law authorities, not only in the United States, but internationally, having written water codes for both states and other countries. And so, if there were any leanings, in going into law school it was towards natural resources. The Socratic method of teaching was alive and well in law schools in the 1970s. There was a very strong intimidation factor if you were the student, wondering, as a freshman am I going to survive. I remember Dean Trelease, saying, "look at the student to the left of you, look to the student on the right of you. Only one of you will make it to the third year of law school. And that was sort of the introduction or orientation to be prepared for a rigorous, tough experience. As it turned out, law school was certainly challenging, it was also a great opportunity to learn. I enjoyed the three years very much.

Patrick Hickey

What did law school look like in the 1970s in Laramie? What did you wear to class?

Paul Hickey

The building was very close to where the Business College is now. The current building on the east end of campus was built in 1977. There was no notion of handicap accessibility. There used to be a dress code that students must wear suits and ties to the College of Law before I was in law school. When I was in law school, we could wear Levi's or something like "business casual". The dress code of earlier eras was not a part of my experience at the College of Law.

There were not nearly as many women in the class as there are now. That is a great improvement. The incoming class at the University of Wyoming for this Fall, actually is something like 55% women. I think in my class of 75, we had only four women. We had a disabled student who was in a wheelchair. John Lake was a veteran, injured in the Vietnam War. John would wheel his wheelchair to the bottom of the stairs on the first floor and wait until there were a couple of fellow students who could then carry him in his chair up the two flights of stairs to where the classrooms were. There was no elevator, there was no ramp. It's wonderful to see how accommodations have been made to the challenges that disabled student's experience, not only in law school, but in all public and private facilities.

Our class was close. We got together socially, as well as to study together. Great friendships were made with classmates from those three years at the College of Law.

Patrick Hickey

After law school, you're a law clerk for Judge James Barrett of the 10th Circuit. What do you remember about clerking for Judge Barrett?

Paul Hickey

I clerked for him from 1975 through 1976. Judge Barrett was an excellent judge. And more importantly, a tremendous person. He certainly was a mentor in my career. I am indebted to him for the opportunity that he gave me. I applied to be his law clerk in my second year of Law School. Following the interviews, Judge Barrett told me that he had selected me to be his clerk, and that my two-year term would be from the Fall of 1975 until the Fall of 1977. And I looked shocked, and I said, "Judge, I didn't realize this was a two-year commitment". He said, "Yes, I have a permanent clerk. And for my other clerk position, it is for a two-year term". I said, "Gosh, Judge, can I give this some thought. I just want to get into the practice of law. And I hadn't realized this was a two-year term". Judge Barrett said, "Sure". A couple of days later, I went back to see him, went into chambers, and I said, "Judge, I've given this a lot of thought. And I would be 27 years old by the time I ended this clerkship if I stayed for the second year. As much as I want to be a clerk, and as much as I respect you and want to work for you, I just can't stay here two years. I need to get started in the practice of Law". Judge Barrett looked at me and he laughed. He said, "Well, I'll make this a clerkship for a year. Will you work for a year?" Every time I would see Judge Barrett, after I ended the clerkship, he enjoyed reminding me that I thought 27 years old was too old to get started in the practice of Law.

Judge Barrett was right and I was wrong. I would have certainly benefitted by the additional experiences had I stayed for the second year. But it was a great year. It was a wonderful way

to hone writing and analytical skills. It was special to hear the stories of Judge Barrett's career as a Lawyer in Lusk, Wyoming and as Attorney General for Wyoming. It was also a great way to make friends throughout the states of the 10th Circuit. It was a wonderful experience. I've often said, if possible, graduating law students should work in a judicial clerkship before beginning the practice of law. You learn a lot, and I believe become a better lawyer because of it.

Patrick Hickey

When you say that you learned a lot as a law clerk, what did you learn as a law clerk for the Judge Barrett?

Paul Hickey

In addition to what I mentioned, my research abilities improved. We spent much time checking citations, reading and researching cases and all the things that ultimately result in bench memos or draft opinions for the Judge to consider. But I think more importantly, was learning what makes a good lawyer. Who are the excellent lawyers in the Circuit? What are the qualities and the styles of those lawyers? Ultimately, how could I as a young lawyer try to emulate and learn from those who had gained the respect of the Court.

Paul Hickey

In those days, what was it like being a law clerk. Did you hand write opinions. Did you write them on typewriters when you were doing draft work?

Paul Hickey

We had chisels and stone. After the stone split, we'd look for another tablet. Well, your Father's old Patrick, but not quite that old! Yellow pads were used to write draft opinions and memos. There may have been some talented folks in the early 1970s that were picking up computer skills. I was not one of them. And so my draft opinions would go to the administrative assistants that Judge Barrett had. Those assistants would then produce a draft for me to look at and edit, and then I would give the Judge a typewritten draft for his review. Although, we weren't yet in a laptop era of computers in the early 1970s, computers were certainly becoming a part of the business practices of most professional offices including the federal courts.

Paul's career: prosecutor in Laramie County

Patrick Hickey

After clerking you went to work as a prosecutor in Laramie County. Why didn't you make your career as a prosecutor?

Paul Hickey

I was 26 years old, when I ended the clerkship. As I mentioned, I thought I had to get started with the practice of law as soon as possible. I had first of all an opportunity to join a civil firm that was Rooney and Horiskey. John Rooney and Jim Horiskey were also mentors to me. They were great friends, and great lawyers. And at the same time, the District Attorney, Tom Carroll, said that he had a part-time position for a prosecuting attorney. I visited with both John Rooney and Jim Horiskey, and said, I think I'd like to do this part-time position. It would get me into the

courtroom. I asked them if it would be acceptable to them if I could meet my responsibilities to the law firm, and also be on the county attorney's staff as a prosecuting attorney. They both said, it's a great opportunity to get into court. So that's how it all happened.

Tom was a wonderful prosecuting attorney, in my opinion, probably one of the best prosecuting attorneys that Laramie County has ever had. Whatever the demands of the trial schedule were, Tom was calm, cool and collected. He had a calming effect on young lawyers and his entire office. I'll never forget he gave me my first felony trial, a case about a defendant who had taken a large jack, the kind of jack he would use to change a tire on a pickup, and had beat a young 19 year old across the knees. The victim was so severely injured that he lost a scholarship to compete as a college wrestler. There was a lot of emotion in the case. Tom asked me to try this case. I said, "sure, it's a big case. I'd appreciate it if you would assist me."

As I was preparing the case for trial I occasionally called Tom to see if he could review an outline or could react to my suggestions of who the witnesses would be. Tom would politely tell me, I'll get to you when I can, Paul. And it got to the point where I had not had any time with Tom, up to the day of the trial. I literally meet Tom on the stairway, while going into the courtroom to pick the jury. I said, "Tom, I was trying to get you over the weekend. Our trial starts here in 15 minutes", and he says, "I know, I'll put my coat down, and I'll meet you in the courtroom". Tom asked me to give the opening, which I had assumed I might be doing. After I gave the opening, Tom leans over to me and says, "We have a great case, I'm excited about our chances." But this was the cool, never to be flustered, never to be nervous, Tom Carroll. We did get a conviction.

Patrick Hickey

How long were you a prosecutor?

Paul Hickey

A little over two years. My time as a prosecutor was shortened because our senior partner, John Rooney, became the Attorney General of Wyoming in 1978. John said, because of his leaving, I would need to pick up a pretty full load of the firm's civil cases.

Paul's career: private practice in Cheyenne, Wyoming

Paul Hickey

I then took on responsibilities as the attorney for the school district, the Diocese of Cheyenne, the Catholic Church, the regulated utilities that we represented, many other clients and all of a sudden, I have a pretty demanding civil practice. That's why I left the county attorney's office. Tom Carroll was understanding and supportive.

Patrick Hickey

And how many lawyers were at your firm at that time?

Paul Hickey

There were four of us after John left. Jim Horiskey, Bill Bagley, Dave Evans and myself. I should mention that John Rooney, who played college football at the University of Colorado

with Justice Byron White, later became a justice of the Wyoming Supreme Court. I had an opportunity to visit with Justice White about his teammate John Rooney and Justice White told me he never would have been an All American if he hadn't had John opening up the holes for him to run through.

Patrick Hickey

You mentioned that at a pretty early point in your legal career, you started handling a wide range of cases. You worked in telecom, regulated utilities, oil and gas, education, as well as a variety of others. Do you consider yourself a certain type of lawyer?

Paul Hickey

Well, I would always begin that answer with saying I enjoyed trying lawsuits. I was a trial lawyer. The areas of substantive law that I believe I had expertise in over the course of my career were both education law for the years that I did it, and natural resources in a variety of different areas within natural resources, and regulated utilities.

Paul's career: major cases

Patrick Hickey

You retired from the practice of law in the last year or so. Is there a case or a couple of cases over the course of your career that you're most proud of, or that really stand out to you?

Paul Hickey

There are several. I would begin and answer with this observation. When a lawyer as experienced as John Rooney, leaves a law firm and says to a 28 year old lawyer, here are long term clients who have a variety of issues that are already in court and before the Public Service Commission it was a great opportunity. It also was a daunting challenge. I've always said I got thrown into the deep end, and that if I couldn't swim, I was in a lot of trouble. But, if I could swim, I had the chance to not only maintain but further develop an excellent practice. Well, fortunately, and with the good grace of the Lord looking out for me, and a lot of wonderful people assisting me, I think I swam and the firm continued to grow.

Shortly thereafter, as a young lawyer in my 30s, there was a very substantial antitrust case in federal court in Wyoming, it was Colorado Interstate Gas versus Natural Gas Pipeline of America. A group of lawyers from Chicago came out to interview different firms, and the General Counsel of the client was with them. And at the conclusion of their interviews, I got a call that they had decided to hire me to be the Wyoming lawyer defending Natural Gas Pipeline of America in this Sherman Act antitrust litigation. It was quite a case.

Without over-telling the story, I think the highlights are it went on for several years and resulted in a jury trial for approximately a month. I presented witnesses in areas of the case. We had several lawyers involved in the trial. The jury returned a verdict against Natural Gas Pipeline of America for \$712 million. That was a gut punch. I remember the courage that I thought it took our lead counsel, John Cusack, to call the General Counsel of the client, to tell him what the jury's verdict was. And it was a very short conversation, but I shook John's hand afterward and

I said, John, that takes a lot of courage to have to make that call, which of course he had to make.

Judge Brimmer was the presiding judge and he reduced that verdict to \$400 some million dollars. The case went on to the 10th Circuit. You can imagine the effort that was directed at this appeal. Several new lawyers were brought into the case to work on the appeal. Among them was Lou Nizer, a highly regarded New York lawyer. Harvey Saferstein, a Los Angeles based anti-trust lawyer, Joel Klein, later head of the DOJ anti-trust division, and Professor Phil Areeda, a Harvard professor and leading anti-trust scholar. Phil Areeda argued the case to the 10th Circuit panel in Salt Lake City. I believe it was the first time Professor Areeda had argued before a court in a pending case. He was very well prepared and very effective. The 10th Circuit reversed. We had the joy of celebrating the fact that this largest antitrust verdict, I think at that time in the history of the Circuit, was reversed.

Excellent lawyers on all sides of the case and all of them became good friends. The reason that that case was so significant to my practice was MidCon, and Occidental, owners of Natural Gas Pipeline of America, had many subsidiaries. They had producing oil and gas companies. They had well service companies. In addition, the national law firms in the cases had many clients with cases in Wyoming.

That created a whole network of opportunities for me that never would have existed had I not been a part of this, decade long trial and appeal of Natural Gas Pipeline of America and Colorado Interstate Gas. Because of that case, I was in the 10th Circuit for JW Gibson Well

Service on a termination of an employee over a drug test related issue. We represented Disney and Pixar films in an injunction proceeding where a woman claimed her story of a monster and a little girl had been stolen. There were many professional opportunities and friendships that came from that large antitrust case.

I also want to note the great lawyers on the other side of the case. Bill McLearn, senior partner for years at Holland and Hart was the lead trial counsel for Colorado Interstate Gas. I had great respect for Bill. And although I didn't have a lot of opportunities to be with him in other cases, he was an excellent lawyer. Lawyers with whom I did have a lot of additional contact were Mike Beatty and Becky Noecker. They were also outstanding lawyers. Mike and Becky referred several cases to me after we put behind us the litigation experience of the Colorado Interstate Natural Gas Pipeline Company of America case.

Paul Hickey

Another case that was of significance involved funding K-12 education in Wyoming. Laramie County School District Number One intervened to challenge the funding of public education in Wyoming. In the 1990s. The cases became known as the Campbell County Cases. The fundamental issue that was litigated was whether or not the distribution of State funds to the 48 school districts in Wyoming, based upon the wealth of the individual school district, was constitutional. We said it was not. That wealth was a suspect classification, and that absent a compelling state interest to justify allowing districts to keep local wealth, which was disproportionate, the funding method was unconstitutional. We prevailed and then the Court struck the method of funding. Many excellent lawyers were very much a part of that case.

School funding remains an issue in our State today. The Campbell cases have shaped the issues which continue to be litigated.

More recently, I litigated a couple of refinery explosion cases involving the Sinclair Refinery at Sinclair, Wyoming. The first case was a bench trial and involved a claim of eighty-eight million dollars of lost profits. The second case was resolved in a motion for summary judgement which was affirmed on appeal. The claim for lost profits in the second case exceeded one hundred million dollars. We won both cases in 2018 and 2021. Both cases were a chance to again associate with outstanding trial lawyers. I was fortunate to act as lead counsel in the 2018 case.

Paul Hickey

I also had a lot of opportunities to litigate on behalf of individuals including a case in Nebraska that wound up ultimately being affirmed by the Nebraska Supreme Court. It involved a three and a half million dollar judgement that we had obtained in a trial in North Platte, Nebraska.

Practicing law in Wyoming

Patrick Hickey

You mentioned that you worked out of Cheyenne for your entire career. And as you discuss some of these other cases, you practiced law with and against lawyers from big firms and large cities around the country. What do you think is the biggest misconception people have about practicing law in Wyoming, from other states and cities?

Paul Hickey

Cheyenne is a good city for lawyers because we have a lot of state agency work and a lot of federal court opportunities that you certainly see at a much greater scale in Denver. Without wanting to sound too parochial about it, I think some East Coast perceptions are that they're coming to the Wild West. Some have expected to see more of a cowboy culture than they actually found. Many, however, wanted to come back to experience Cheyenne Frontier Days. I think the reality is that nationalization and globalization are alive and well in all 50 States and throughout the World. And that at the end of the day, the qualities of good lawyers in Manhattan, and the qualities of good lawyers in San Francisco, and the qualities of good lawyers in Denver and Cheyenne are the same. Equally important, the support systems that exist in Manhattan and in San Francisco and in Denver and Cheyenne are largely the same. The computerized research, the opportunities for additional continuing education on platforms like Zoom, and Teams and all of the wonderful ways that we can all learn more and stay engaged, have made it much easier for all of us to share experiences And resources.

Patrick Hickey

Do you think there's anything that makes practicing law in Wyoming unique?

Paul Hickey

I do. Most of us in Wyoming practice law on the fundamental observation that we are part of something much bigger than any of us, and much better than all of us. That is the legal profession. Additionally, most Wyoming lawyers believe that we are going to regularly see our opponents and the judges before whom we appear. That has led to a culture in the Wyoming

State Bar that was underscored by Gerald Mason, a past president of the Wyoming Bar. Gerald coined the phrase "Proud to be a Wyoming lawyer." That phrase embraces the notions that you should respect your adversaries, and treat them with civility. That your adversary is not your enemy, and that most of all, we are officers of the courts before whom we appear. Our obligations to the profession and its codes of conduct are the guiding beacons of our practice of law. I think, by and large, the Wyoming State Bar does that quite well.

Paul's career: more on private practice in Cheyenne, Wyoming

Patrick Hickey

And just so we have a complete picture of your career here. You mentioned that you started at Rooney and Horiskey. And then that firm evolved over time to Hickey & Evans, LLP. How long did you practice Law? How long did you practice at that firm under its various names?

Paul Hickey

You're correct, we had a lot of different names over the years. Yes, Rooney and Horiskey evolved over time into what was Hickey & Evans. Hickey & Evans was the firm that I was in until I retired from the firm in July of 2022. A lot of lawyers, a lot of great lawyers and friends throughout the forty-five years I practiced law.

Patrick Hickey

Are there any other areas of your practice we have not discussed?

Paul Hickey

Another area that is worthy of some mention is the regulated utility business, which was a large part of my practice. At one time, when US West was a large regional Bell operating company, I served as Wyoming counsel to US West, later Qwest, Century Tel and now Lumen. We had the largest telecom practice in the State of Wyoming because of US West. At the same time, Kinder Morgan and KN Energy were the largest natural gas companies in Wyoming. They were a client. Additionally, PacifiCorp, based out of Portland with an operating division in Wyoming, Utah and Idaho called Rocky Mountain Power was the largest electrical system in Wyoming and we represented them.

For a lot of years I did a heavy load of telecom, natural gas, electric regulated utility work. I had great help with Roger Franzen, Kelley Pearson, and a wonderful paralegal, Linda Huckfeld. I was fortunate to have a General Counsel at Rocky Mountain Power, who believed that I could assist them in Idaho and Utah. I was able to try cases before the Public Utility Commissions of those additional states on behalf of PacifiCorp. and Rocky Mountain Power.

Paul's career: special appointment to assist the Wyoming Attorney

General's office.

Patrick Hickey

You acted as a special assistant to the Wyoming Attorney General's office for a case related to the Kern River Pipeline. Tell us about that appointment.

Paul Hickey

Sure. In late 1980's and early 90's, during Governor Sullivan's two terms, one of the significant accomplishments in my view of his administration was helping develop a major interstate natural gas pipeline from Wyoming to Western states. At that time, all major interstate pipelines like Natural Gas Pipeline of America and Colorado Interstate Gas, flowed gas to Eastern markets. We had a lot of outlets for Wyoming gas to the East, but no outlets for Wyoming gas to serve the West. A group of great people were then serving the State on the natural gas pipeline authority. They included John Wold, Ed Bolin, Don Basko, Jim Barlow and Jim Nielsen, wonderful guys who understood natural gas and its significance to the State.

The challenge was that there was going to be a new pipeline certified before the Federal Energy Regulatory Commission. There were several competing proposals that would not have allowed the opportunity for Wyoming to have this western market connection. There was a pipeline coming out of Mexico. The pipeline authority said to Governor Sullivan, they wanted special representation. They didn't want the attorney general's staff to be the sole source of representation in this FERC case. So that's where I was asked to become a special assistant attorney general. I was honored to do so.

Our challenge was to persuade the administrative law judge, that the proposal called the Kern River Pipeline, which built a pipeline from Western Wyoming to Bakersfield, California, for initially enhanced oil recovery in Bakersfield, was the best of the several competing pipelines for certification under the relevant provisions of the Natural Gas Act.

Paul Hickey

We took back quite a delegation to D.C., including a witness from the Public Service Commission, Dick Smyth, its Chairman. Members of the Pipeline Authority went back with me, as did an Assistant Attorney General, a friend and later partner Roger Fransen. We presented the testimony of Dick Smyth into the record that the vast Wyoming gas reserves assured for years and years to come that the needs of the Southwest United States, including the recovery of additional oil from Bakersfield area, were best served by certifying the Kern River proposal of Tenneco and the William Company. And that in fact happened.

The Kern River pipeline was then built. The State of Wyoming considered actually assisting in the funding of it, at the tune of \$250 million of the billion-dollar initial cost of construction. Ultimately, the State didn't need to issue bonds to have it built. Private industry was able to build it. Kern River continues to be a very significant interstate pipeline system now owned by Berkshire Hathaway. And the important consequence to the State of Wyoming, as predicted by policymakers, was the price of natural gas in Wyoming at the wellhead went up because this new piece of infrastructure was available to carry Wyoming gas to Western markets.

Some notable Wyoming judges

Patrick Hickey

Wyoming is known for having lawyers and judges with some big personalities. Are there any that stand out to you over the course of your career?

Paul Hickey

There's several. Let's start with Judges. Judge Brimmer, whom before whom I tried quite a few cases including, the antitrust case we talked about, was a wonderful judge. He had a strong personality. If you practiced in front of Judge Brimmer, you certainly needed to understand some of his expectations. And ultimately, they weren't different than what we talked about a little bit ago, of showing respect to the Court, accepting that you can have an adversarial relationship, which doesn't mean that you demonize your opponents. You simply have professional disagreements with them. But he was a very well educated and an excellent judge to practice before.

Paul Hickey

There were other District Courts, State District Court judges, that I fondly remember. Judge Joe Maier, who was the Senior State District Court Judge when I became a member of the county attorney's staff. He had a lot of fire in his personality and certainly had no trouble telling lawyers when they needed to be told that they were arguing positions that were not well supported. If you held yourself as a professional in front of him and accepted his role as the trial judge, and that your role as an officer of the court was to present the facts and then accept what the application of the law to those facts was, he was also a great judge to practice in front of.

Judge Alan Johnson is an outstanding federal trial judge. I had the honor of practicing in front of him in both state and federal court. He continues to give our federal district great service as a very active federal judge.

Wyoming has had many outstanding lawyers. Gerry Spence is probably the best-known Wyoming trial lawyer of the past 50 or 70 years. His story is worthy of a book or two and a

movie! I fondly recall calling Gerry to speak at events at both the College of Law and the bar convention. He always found time to talk to Wyoming law students and lawyers. He always filled the house. I also recall Gerry talking to me for well over an hour on a phone call asking me to be his Campaign manager in a race he was considering against then Senator Malcolm Wallop. It was very, very hard to tell Gerry no, but I had a family to feed and a very active Law practice. He later decided not to run. It promised to be one of the most interesting campaigns in our state's history had Gerry run.

Another great Wyoming Lawyer was Bill Brown of Casper. I had the pleasure of working with him in the later years of his practice at Brown Drew in Casper. He was an outstanding lawyer. I had the greatest admiration for him. Many of my generation found Bill as a role model from whom much could be learned. I could go on but we do need to end our interview.

U.S. District Richard Matsch

Patrick Hickey

You were the President of the Wyoming Bar Association in 1998. As part of that, you brought in a speaker for the Wyoming Bar Convention, District Court Judge Matsch of Denver. Tell the story of Judge Matsch coming to speak at the Wyoming Bar Convention when you were the president of the Wyoming Bar Association.

Paul Hickey

Sure. For those of us that have had the privilege of serving as Wyoming State Bar president, a big part of your year is planning a good convention. And a good convention is one that gets

lots of lawyers to participate. And so the key to that is, in my view, strong CLE, and most importantly, some interesting keynote speakers. As we were sitting around a conference table, I think I suggested, for the judicial luncheon we should try to get Judge Matsch, a District Court Judge in Denver. I thought he would be great, because he has just presided over the Timothy McVeigh trial for the bombing of the Murrah Federal Building in Oklahoma City. The trial resulted in the conviction of Timothy McVeigh. It was a trial that everyone in the Country who had observed it, said Judge Matsch did an outstanding job with this high-profile trial. So, I suggested that we reach out to him. Several thought that that was not going to go very far because Judge Matsch had a reputation for being a very private individual and not likely to accept an invitation for a public appearance.

I called Judge Matsch, did not know him, introduced myself. And we visited and shortly into the conversation, I said, Your Honor, my purpose in calling is I am President of the Wyoming State Bar, we would like to invite you to speak at our upcoming convention. Without hesitancy Judge Matsch said, "Paul, I'd be delighted to come". And he said, "I owe your Judge Johnson and your Judge Brimmer, because I never would have had the time, given the demands of my docket, to try the McVeigh case had they not come to Denver over the past couple of years to take a large portion of my trial load so that I could free up the time to devote to the McVeigh case". So, the real heroes of that are Judge Johnson and Judge Brimmer, who really did give, I understand, quite a bit of their time to help Judge Matsch manage his docket.

Judge Matsch was a knockout speaker at the convention. We had a packed house for the judicial luncheon. And it was just an honor to introduce him to the members of the Wyoming

judiciary and the members of the Wyoming State Bar that attended what at that time was one of the better attended conventions. He was an outstanding judge, in my view.

Paul's career: work with the American College of Trial Lawyers

Patrick Hickey

In your later career, you've been active with the American College of Trial Lawyers. What have you enjoyed about that organization?

Paul Hickey

The American College of Trial Lawyers is a wonderful organization. I had the privilege of being invited to join the American College of Trial Lawyers and took that opportunity in the early 2000s. I served as the state chair in Wyoming. While I was state chair is when the Summer Trial Institute at the College of Law was started. It continues as an important course for Law students. Later I was asked if I would accept a position on the National Board of Regents of the American College of Trial Lawyers. My term ended in 2020. I have continued to serve the College in a chairmanship position until this Fall for one of the awards that's given to an outstanding Judge or Lawyer called the Samuel Gates Litigation Award. And I've certainly enjoyed the opportunity to be a member of that organization and serve on its board.

Professionalism

Patrick Hickey

You've received numerous awards throughout your career as a lawyer, including in 2021, when you receive the Gerald R. Mason Professionalism Award. How should a lawyer demonstrate professionalism in the practice of law while still being an advocate for their client?

Paul Hickey

We are professionals and the profession that we belong to is bigger and more important than any of us individually. That is the profession of law. The role that we have as trial lawyers in this profession is to vigorously present our clients' cases based upon facts and a clear understanding of the law that applies to those facts. We must do this in a way that requires us to balance these obligations to clients against the professional obligations we have as officers of the court. We deal with our adversaries with the civility and respect that good advocates should treat opposing counsel. And that, most importantly, we do this under the mantle of our responsibilities to the court as officers of the court to see that justice is eventually done in the cases that we present. At the end of the day, the responsibility to a client is well defined within our codes of professional conduct. And we do represent them vigorously. And we show great loyalty to them. And we absolutely embrace these obligations. But a client's case fits into the bigger judicial system and our profession where we have obligations to the court as well.

Paul's career: nonprofit and volunteer work

Patrick Hickey

One thing we haven't talked about yet is the amount of your time that you gave to various different organizations and community-based projects in Cheyenne and Wyoming. We mentioned that you were the President of the Wyoming Bar Association, and you're also very involved with Rotary, Young Men's Literary Club, and all these other things. How were you able to maintain such a busy law, practice and public service component of your life as well? How do you manage all that time?

Paul Hickey

Well I think the first kudos and the first acknowledgments go to your mother. Jeanne absolutely helped in allowing me to have the time not only to practice law, but also to try to give back. She has very much been a part of a lot of these initiatives to give back to the community and to the state that we've lived in and love so dearly. It's a challenge to find the time. I've never met anyone who says they're not busy. Seems like we are all busy.

I think there is a responsibility for those of us that have had great opportunity, to give back. And I have found great reward in giving back to the profession and the community. I have served as the Chairman of the Dean's Advisory Board to the College of Law of the University of Wyoming for 22 years. It was a great honor. I continue to enjoy being a part of the Summer Trial Institute at the University of Wyoming College of Law. I was there yesterday and Sunday, helping to start this year's two-week boot camp for third year students to expose them to the components of trial practice.

I have certainly enjoyed other professional opportunities with the 10th Circuit to be a member of the Historical Society for, I don't know, 15 years on the Board and a few of those years as President of the Historical Society. It was an opportunity to help the Circuit in preserving some of the amazing histories of judges and lawyers who are a part of the now nearly 100 years of our Circuit. It is important work.

At the community level, it's been great to be on state boards of the Wyoming Pipeline Authority and the Wyoming Water Development Commission. And many of the other local boards including the Cheyenne Botanic Gardens where your Mom and I helped lead the capital campaign to build the Cheyenne Children's Garden ten years or so ago.

Paul's children

Patrick Hickey

There's one other person we haven't mentioned. You have two kids, me and my sister Mary. And in 1997, you were a coach of our state champion mock trial team at Cheyenne Central High School. What do you remember about coaching your kids in mock trial?

Paul Hickey

Well, as you know, your sister is a tremendous person and I'm glad to have an opportunity to say that into our oral history. Mary is a tremendously bright young woman and very successful in her own right. You and your sister did a great job on that mock trial team along with all of your teammates. I recall, you were trying to unravel the death of Elvis Presley and ultimately

tried those issues in Nashville, Tennessee, you did quite well in your work. I was proud of both of you, as were all of your coaches.

Paul's career: work assisting the University of Wyoming College of Law

Patrick Hickey

One aspect that's been a big part of your career is the University of Wyoming College of Law as you mentioned. I wanted to spend some time talking about that. You've dedicated a lot of your time to the University Wyoming's law school. Is there a project you worked on for Wyoming Law that you're most proud of?

Paul Hickey

Well, there's a couple that I think are significant and that I'm proud to have been associated with. When Dean Jerry Parkinson was the dean, we took on a project to build a moot courtroom sufficient to allow course offerings like the Summer Trial Institute, and have a venue for the 10th Circuit to sit and hear cases in, and the Wyoming Supreme Court to sit and hear cases in. And we did that some many years ago. At the time that we began that project, I remember asking the President of the American College of Trial Lawyers at the time, Jack Dalton from Atlanta, Georgia, to come join us at the groundbreaking. Jack came and gave Dean Parkinson a number of copies of the American College of Trial Lawyers Code of Trial and Pretrial Conduct. We built a project with I think a total budget of \$4 million or so, half of it was privately raised and the other half came from the Wyoming Legislature.

More recently, we broke ground this past fall on the Alan K. Simpson clinical addition to the College of Law. That is going to be a \$30 plus million-dollar project. We raised over \$5 million for that project from private funds, and the legislature and the University of Wyoming Board of Trustees provided the additional funding to meet that \$30 million budget that is producing this wonderful addition and tremendous renovation of the existing building. We expect that to be completed sometime in 2024. And it will be another opportunity to celebrate Senator Simpson and ultimately the College of Law by accomplishing this much needed addition to bring the many clinics into the College of Law building.

Patrick Hickey

You've received quite a few different awards from the University of Wyoming, including being awarded I think it was outstanding alumni and honorary membership in the Order of the Coif. What does it mean to you to have the College of Law recognize your legal career?

Paul Hickey

I'm certainly humbled. The Order of the Coif was I think, when Dean Parkinson was Dean, and that award is by the faculty of the College of Law. I was honored that the faculty thought enough of my contributions and career that they wanted to give me that high distinction. And I'm honored and humbled to have it. And I'm certainly honored and humbled to have more recently received the recognition of an outstanding alum of the College of Law. I would say in the spirit of preserving this history, I'm also proud that I'm told my father and I are the only father and son to both receive outstanding alumni awards from the University of Wyoming

College of Law. And certainly, I'm the first to say there are many, many more worthy than me for that award, but it is personal honor to share that with your grandfather.

Patrick Hickey

Having spent so much time around the Wyoming law school, how has law school changed since you were in law school in the early 1970s?

Paul Hickey

Well, I would say the easy point of change is to see the number of women lawyers that the law school is now producing. As I mentioned earlier, 55% of the incoming class is women. The gender diversity of the class has certainly changed. And I think ethnicity is certainly another area that the law school is doing a lot to try to diversify the ethnic composition of each class. We're all enriched by having people from different backgrounds and different experiences, a part of our education and ultimately part of our daily lives. It's just a wonderful opportunity to learn from their diverse backgrounds and experiences.

Patrick Hickey

In addition to your father, Wyoming Law School has produced many prominent people, including numerous other governors, United States Senators, and federal judges. What is it about the College of Law that keeps producing such impressive graduates over the years?

Paul Hickey

It is a great question. There have been many governors and other elected officials that graduated from the College of Law in Laramie. I think the answer is this, that the College of Law, and the culture of the legal profession in Wyoming, encourages engagement and encourages its graduates to look for opportunities to give back to the communities that we practice law in. And that means serving on city councils, running for school boards, serving on county commissions, taking up the responsibilities of serving as judges, county attorney and district attorney positions, and ultimately running for statewide positions including governor, or for service in either the United States Senate or the United States House.

Patrick Hickey

The practice of law in Wyoming is known for its positive working relationships between judges and lawyers. How do these develop?

Paul Hickey

I think like most jurisdictions anymore, most states, have Inns of Court. We have one in Cheyenne. It is a great opportunity for young lawyers and judges, and older lawyers to meet and network. Unfortunately, the Inns of Court program is not throughout Wyoming. I think it's currently just limited to Cheyenne. The Wyoming State Bar is small enough, though, that the annual convention of the Bar and the activities throughout the year of the Bar, become in its own right, sort of analogous to Inns of Court in providing opportunities to get together around CLE continuing legal education courses to see colleagues including members of the bench, and to further network and learn in those opportunities. County bar associations certainly provide these important networking opportunities.

Closing observations:

Patrick Hickey

As we mentioned at the top, this interview is part of the 10th Circuit, Historical Society oral history project. And so, I think the idea here is, at some point, lawyers of different generations may read about other lawyers' and judges' careers. So what advice do you have for lawyers new to the legal profession based on your 40 plus years of legal experience?

Paul Hickey

I think there are two things that I would hope to pass on, and that I would underscore as we conclude this interview, as very important. The first is what we've talked about a lot over the course of the last hour or two. And that's the ethical standards that we all hold ourselves accountable to and that we practice our profession under. Judge Barrett told me early on in my clerkship that an ethical lawyer has to look at themselves on a daily basis in the mirror in the morning, when you're brushing your teeth, and say, "I will be as ethical today as I was yesterday". In order to remain a member of the profession, practicing at a high ethical standard, you have to hold yourself accountable on a daily basis to those standards. So, I would say that Judge Barrett's advice was very good. On a daily basis find a way to hold yourself to an ethical standard, so that you don't see any erosion of your commitment to practice law at the highest ethical standards.

The other thing I would say is that it is so much fun to practice law when you get engaged at every level that you can. And by that, I mean, join the local bar associations, get active in the state associations. Get active at the national level, if you have those opportunities. And you will

grow so much more than the time demands that those commitments take. Our profession is a wonderful profession, if you accept the opportunities that it offers you and if you engage in being an active member of local, state and national bar organizations.

Patrick Hickey

Okay, I think that's it.

Paul Hickey

All right. Thanks for the interview.

