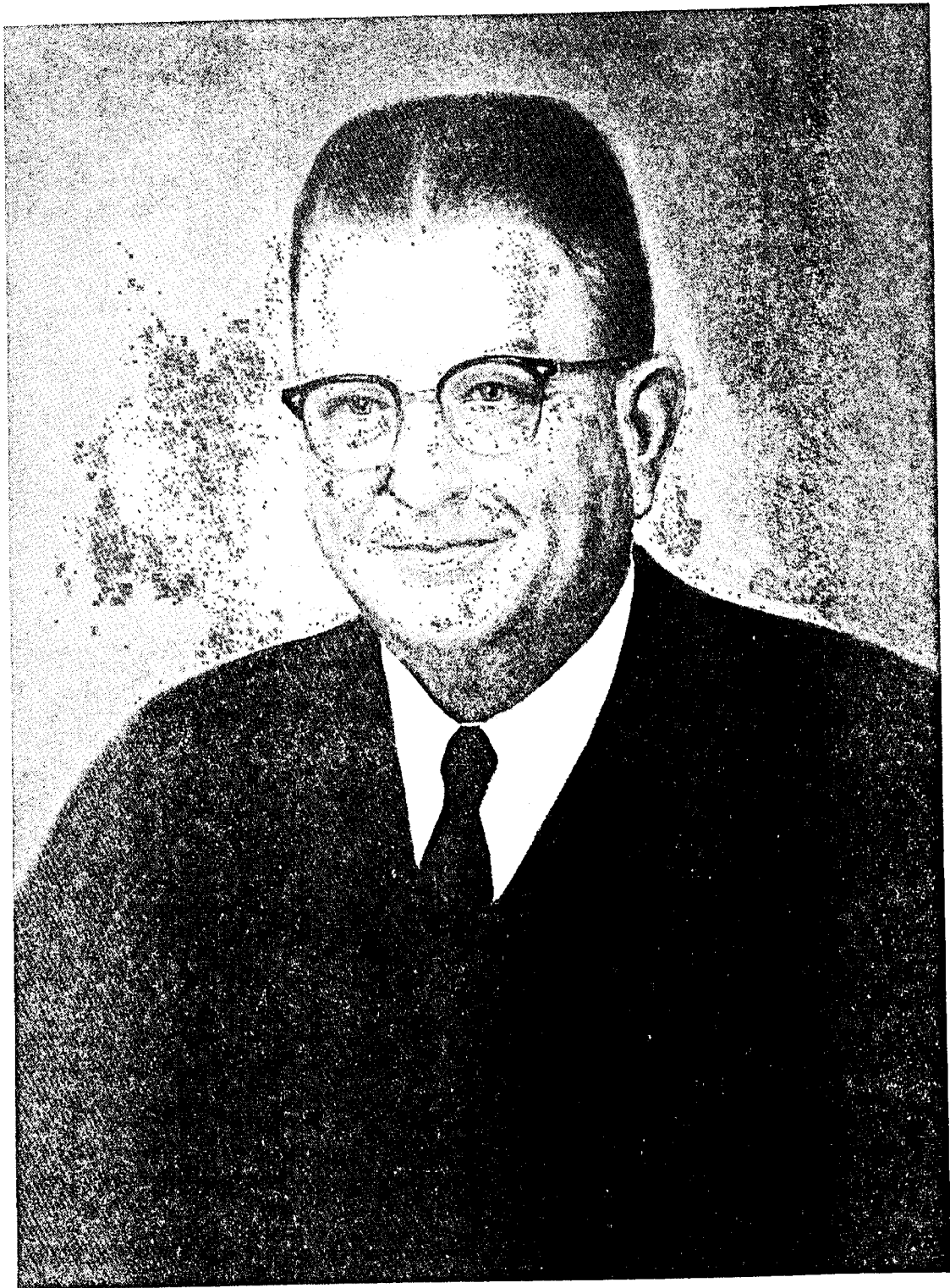


JUDICIAL CONFERENCE
TENTH JUDICIAL CIRCUIT
OF THE UNITED STATES

Presentation of Portrait
of the
HONORABLE DELMAS C. HILL

September 7, 1989
Santa Fe, New Mexico



HONORABLE DELMAS C. HILL

Proceedings

At the Tenth Circuit Judicial Conference the Court publicly presented the official portrait of United States Senior Circuit Judge Delmas C. Hill in the following proceedings:

JUDGE LOGAN: We do have an unannounced portion related to our history, not on the program. I ask Justice White to come forward for that part.

JUSTICE WHITE: Thanks very much. I'm very happy to be here and happy to participate in this unscheduled event. The Court of Appeals for the Tenth Circuit, as part of its history project, has commissioned the portraits of its senior judges. These portraits will, as I understand it, be placed in the hall of the renovated post office and courthouse, which the Court of Appeals will eventually move into.

Judge McWilliams and Judge Barrett will have their portraits unveiled in the months to come, but today we honor two other senior judges, Judge Hill and Judge Seth. They are fine judges, I have known them for a long time, and they are precisely the kind of people that Judge Logan described.

Judge Logan and Judge McKay are here to talk about these fine judges. Judge Logan will speak to us about our friend, Delmas Hill.

JUDGE LOGAN: On this occasion of the first public viewing of the portraits of two of our distinguished senior judges, I have been chosen by his colleagues to make brief remarks about Judge Delmas C. Hill. I am honored by the assignment.

Judge Hill was born and raised in Wamego, Kansas, the youngest in a family of four boys and one girl. His father was that rarity, a medical doctor who was a Democrat. He named his son Delmas after a distinguished lawyer of that name whom he had heard speak at the Democratic National Convention in 1904 and had thought was the greatest orator he had ever heard. Only Judge Hill can say whether being named after a great lawyer orator affected his decision to follow the law for a profession. But there is no doubt that he has surpassed his namesake in public achievement.

Young Delmas C. Hill had a great deal going for him. He was not only bright, but he had flaming red hair. Early on, he acquired a nickname that followed him throughout his life. As his former law partner, Robert Kaul, describes it, his older brothers tagged

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him with the nickname "Bubb." "At that early age he had not developed the fine articulation that came later on and he might have been missing a front tooth or two. Anyhow, when he would be asked what his name was, he had a little trouble with the double 'b' and it would come out 'Buzz,' with the result that he became Buzz and [that name] stayed with him throughout his life." One reason the nickname stuck was that "Buzz" seemed to describe his personality—his energy and intelligence.

After graduating from the Washburn Law School, Hill set up practice in his hometown. I understand that he became quite adept at golf, pool, and gin rummy in those early days, because he would sharpen these skills while waiting for clients. He was ultimately quite successful in practice and also in public service positions. He was elected county attorney, then became assistant U.S. Attorney, followed by a position as general counsel of the Kansas State Tax Commission. He was an Army captain in World War II and stayed on for a while to become one of the prosecutors of General Tonoyuki Yamashita, the Japanese general in charge of the Bataan death march. He ran for Congress once and served from 1946 to 1948 as state chairman of the Kansas Democratic party.

His single most astute political action, exemplifying the foresight that characterized him, was giving an impassioned speech to the Kansas Democratic delegation on behalf of President Harry Truman at the 1948 Democratic Convention. Recognizing the intelligence and judgment of this young lawyer, President Truman, after his reelection, appointed Hill to the position of federal district judge in Kansas in 1949.

When we honored Judge Hill in Wichita in 1980 in the district court there, he told of personally visiting with President Truman to thank him for the appointment. He said that the President shook his hand and said, "I want you and each of my judgeship appointees to be the best judges you know how to be." Judge Hill said, "I have never forgotten the President's admonition." He went on to say that he wasn't vain enough to think he was a good judge, but that from the bottom of his heart with his limited abilities, he tried to be as good a judge as he possibly could be.

But Judge Hill was too modest, he has been an outstanding judge. Judge Frank Theis summed up, at that earlier presentation, Judge Hill's career as a district judge with the following (I skip a few words):

Judge Hill brought to the bench scholarship . . . extensive trial [experience], . . . zeal to correctly decide . . . the . . . cases . . . a respect for practicing lawyers, . . . a feeling for and a judgment of people The combination of these qualities produced a judge who was kind and considerate of lawyers, litigants, jurors and witnesses, yet firm and prompt

HONORABLE DELMAS C. HILL

in decision without trepidation, and which enabled him to balance the professional duties of lawyers, the parties' interest, and the public interest, in the impersonal way which epitomizes the conduct of a good judge.

Indeed, Judge Hill was generally regarded as the perfect district judge. He combined erudition with judicial temperament, and was very popular with the bar. No one could have been more highly regarded.

Of course, in 1961 District Judge Hill became Circuit Judge Hill. He was just as effective as a circuit judge. According to our computer printout he participated in 1720 cases at the appellate level which resulted in published opinions, and no doubt many thousands more disposed of by unpublished orders. He authored 534 signed majority opinions and 15 separate concurrences and dissents. He also authored 28 published opinions in Federal Supplement, many on three-judge panels. His opinions have the virtue of being clear, brief, and well-reasoned.

His soundness of judgment and congeniality are reflected in the esteem everyone holds for him. In the twelve years I have been on the circuit I have never heard a word of criticism nor found a single person whom he offended during his career. His only idiosyncrasy (besides his aversion to air travel) has been his insistence on a specific breakfast each morning when he ate at the Brown Palace. He insisted upon his coffee being hot enough to scald, and he always ordered poached eggs, soft, on toast, and "don't cut the toast."

The bench has been graced by his presence. Seeing this attractive portrait on the walls of our Denver Courthouse will forever remind those who view it of the distinguished career of this great man.

Thank you.