

1 Proceedings attendant upon the induction of the  
2 Honorable Warren K. Urbom as a Judge of the United States  
3 District Court, For the District of Nebraska, commencing  
4 at 10:30 A. M., on Tuesday, May 5, 1970, in the court room  
5 of the United States District Court, in Lincoln, Nebraska.

6  
7 Presiding: Chief Judge Richard E. Robinson.

8 Seating arrangements: Mr. Ray Gartner, Deputy  
9 United States Marshal.

10 Opening of court: Mr. Lloyd Grimm, United States  
11 Marshal.

12 Entrance upon the Bench of the Honorable Donald P.  
13 Lay, Judge, Eighth Circuit Court of Appeals; the Honorable  
14 Harvey M. Johnsen, Senior Judge, Eighth Circuit Court of  
15 Appeals; the Honorable Richard E. Robinson, Chief Judge,  
16 United States District Court; the Honorable Robert Van Pelt  
17 Senior Judge, United States District Court.

18 Court was formally opened by the Marshal.  
19  
20  
21  
22  
23  
24  
25

1 JUDGE ROBINSON: Ladies and gentlemen, the Court is convened  
2 this morning for the solemn and pleasant purpose of the  
3 taking of the oath of a Judge of this Court, a duly  
4 designated member of the Bar of this Court. As the nature  
5 of the ceremony as you will understand will be distinctively  
6 judicial, I am sure that I need not remind you that the  
7 exhibition of applause or demonstration would be inappro-  
8 priate.

9 I am informed that the Honorable Warren K. Urbom, a member  
10 of the Bar of this Court has been nominated as a Judge of  
11 this Court in succession to the former Robert Van Pelt,  
12 now retired; and that Judge Urbom's nomination has been  
13 confirmed. Recognizing Mr. Urbom, I now inquire whether  
14 that understanding is correct?

15 JUDGE URBOM: It is, your Honor.

16 JUDGE ROBINSON: Mr. Urbom, have you received and do you now  
17 have in your possession your formal commission as a Judge  
18 of this Court?

19 JUDGE URBOM: I have received it, and I do have it in my  
20 possession.

21 JUDGE ROBINSON: Will you please present the commission to  
22 the Clerk; and upon its delivery the Clerk will read the  
23 commission.

24 --(Judge Urbom produces commission)--

25 MR. PECK: May it please the Court. Richard Nixon, President

1 MR. PECK: of the United States of America, To all who  
2 shall see these Presents, Greeting:  
3 Know Ye; That reposing special trust and confidence in  
4 the Widsom, Uprightness, and Learning of Warren K. Urbom  
5 of Nebraska, I have nominated, and, by and with the advice  
6 and consent of the Senate, do appoint him United States  
7 District Judge for the District of Nebraska, and do  
8 authorize and empower him to execute and fulfil the duties  
9 of that Office according to the Constitution and Laws of  
10 the said United States, and to Have and to Hold the said  
11 Office, with all the powers, privileges and emoluments to  
12 the same of right appertaining, unto Him, the said Warren  
13 K. Urbom during his good behavior.

14 In testimony whereof, I have caused these Letters to be  
15 made patent and the seal of the Department of Justice to  
16 be hereunto affixed.

17 Done at the City of Washington this twenty-fourth day of  
18 April, in the year of our Lord one thousand nine hundred  
19 and seventy, and of the Independence of the United States  
20 of America the one hundred and ninety-fourth.

21 Signed by Richard Nixon and by John Mitchell, Attorney  
22 General.

23 JUDGE ROBINSON: Mr. Urbom, I now inquire of you whether you  
24 are prepared and now desire to take the appropriate oaths?

25 JUDGE URBOM: I am prepared and do so desire.

1 JUDGE ROBINSON: Anticipating such a response, I respectfully  
2 request the Honorable Robert Van Pelt to administer the  
3 oaths; and I would request that all persons in the court  
4 room stand while the oaths are being administered.

5 JUDGE VAN PELT: We will first take up the so-called appoint-  
6 ment affidavits, including a form of oath of office; the  
7 affidavit as to subversive activity and affiliation; the  
8 affidavit that has been in the news many times recently  
9 because of certain persons who have taken this oath saying  
10 they are going to strike against the Government, namely  
11 the affidavit as to striking against the Federal Government;  
12 the affidavit as to purchase and sale of office. Then I  
13 will administer to you the time-honored oath taken by all  
14 members of the Judiciary. I will read this oath.

15 I, Warren K. Urbom, do solemnly swear that I will support  
16 and defend the Constitution of the United States against  
17 all enemies, foreign and domestic; that I will bear true  
18 faith and allegiance to the same; that I take this obliga-  
19 tion freely, without any mental reservation or purpose of  
20 evasion; that I will well and faithfully discharge the duties  
21 of the Office on which I am about to enter, so help me God.  
22 I am not a communist or fascist. I do not advocate, nor  
23 am I knowingly a member of any organization that advocates  
24 the overthrow of the constitutional form of the Government of  
25 the United States, or which seeks by force or violence to deny

1 JUDGE VAN PELT: other persons their rights under the  
2 Constitution of the United States. I do further swear  
3 that I will not so advocate, nor will I knowingly become  
4 a member of such organization during the period that I  
5 am an employee of the Federal Government or any agency  
6 thereof. I am not participating in any strike against the  
7 Government of the United States or any agency thereof; and  
8 I will not so participate while an employee of the Government  
9 of the United States or any agency thereof. I do not and  
10 will not assert the right to strike against the Government  
11 of the United States or any agency thereof while an  
12 employee of the Government of the United States or any  
13 agency thereof.  
14 I do further swear that I am not knowingly a member of an  
15 organization of Government employees that asserts the right  
16 to strike against the Government of the United States or  
17 any agency thereof, and I will not, while an employee of  
18 the Government of the United States, or any agency thereof  
19 knowingly become a member of such an organization.  
20 I have not, nor has anyone acting in my behalf, given,  
21 transferred, promised or paid any consideration for or in  
22 expectation or hope of receiving assistance in securing  
23 this appointment.  
24 Do you so swear?  
25 JUDGE URBOM: I do so swear.

1 JUDGE VAN PELT: I, Warren K. Urbom, do solemnly swear that I  
2 will administer justice without respect as to persons, do  
3 equal right to the poor and to the rich; that I will faith-  
4 fully and impartially discharge and perform all duties  
5 incumbent upon me as a United States District Judge according  
6 to the best of my abilities and understanding agreeably to  
7 the Constitution and the laws of the United States, so help  
8 me God.

9 JUDGE URBOM: I, Warren K. Urbom, do solemnly swear that I will  
10 administer justice without respect to persons, and do equal  
11 right to the poor and to the rich; and that I will faithfully  
12 and impartially discharge and perform all the duties incumbent  
13 upon me as a United States District Judge according to the  
14 best of my knowledge and understanding agreeably to the Con-  
15 stitution and laws of the United States, so help me God.

16 JUDGE ROBINSON: Judge Urbom, I now respectfully ask you to  
17 assume the robe of your office, assisted by your father.

18 --Ceremony of robing, Mr. Clarence A. Urbom--

19 Judge Urbom, now escorted by the Marshal, you will assume  
20 your position on the Bench.

21 You may be seated.

22 Ladies and gentlemen, it is appropriate, and knowing and  
23 observing the number of friends and relatives present here  
24 today, it is appropriate then certainly though quite briefly  
25 remarks befitting the occasion be offered by a selected

1 JUDGE ROBINSON: group of gentlemen who are present here  
2 this morning; and it is my privilege at this time to  
3 invite them to speak. Of course, Judge Urbom will have  
4 occasion to have frequent contact with the United States  
5 Attorney's office. I understand that Mr. Richard Dier,  
6 United States Attorney, For the District of Nebraska is  
7 now on a trip out of the country, and he will be represented  
8 here today by Mr. William Schaphorst, first assistant to  
9 him, and he will be speaking on behalf of Richard A. Dier,  
10 United States Attorney, For the District of Nebraska.

11 MR. SCHAPHORST: May it please the Court, and Judge Urbom;  
12 on behalf of the United States Attorney for this District,  
13 Richard A. Dier, and his staff, the Department of Justice  
14 and certainly myself, I extend our sincere congratulations  
15 and best wishes to you as you assume the duties of United  
16 States District Judge. Mr. Dier, and we of his staff,  
17 as the Judge mentioned, will appear frequently before your  
18 Court, and we pledge in our practice to give our every  
19 effort to continue the best traditions of our office. We  
20 welcome this coming association with you, and look forward  
21 to the privilege of serving with you.

22 JUDGE ROBINSON: The next gentleman whom I shall call upon is  
23 Mr. Louis B. Finkelstein, President of the Lincoln Bar  
24 Association, of which Judge Urbom is a member.

25 MR. FINKELSTEIN: If it please the Court, and Judge Urbom.

1 MR. FINKELSTEIN: It is a great pleasure for me as President  
2 of the Lincoln Bar, to participate in this ceremony this  
3 morning when a member of the Lincoln Bar is sworn in as  
4 a Judge of the United States District Court, For the  
5 District of Nebraska. We of the Lincoln Bar have had an  
6 opportunity to see Judge Warren Urbom under many different  
7 circumstances--during trial when the decision was in his  
8 favor, when the decision was against him, when a witness  
9 disappointed him during a trial--and under each circumstance  
10 Judge Urbom was always considerate, thoughtful and sympa-  
11 thetic. We of the Lincoln Bar know Judge Urbom as a lawyer  
12 learned in the law and in its procedure. He is a man of  
13 patience and understanding. As a very busy lawyer he found  
14 time to give many hours to civic, charitable, religious  
15 and educational organizations in the community and in this  
16 area. Several years as Chairman of the Special State Bar  
17 Association Committee on the Availability of Legal Services,  
18 he spent much time in his effort to obtain the establishment  
19 of local plans to provide free legal service to the indi-  
20 gent of this State; and to establish a state-wide plan in  
21 those areas not covered by local plans. Judge Urbom is  
22 one of the leading lawyers in Lincoln and in the State of  
23 Nebraska. We of the Lincoln Bar wish him well, and know  
24 that as a Judge of this Court he will bring honor to himself,  
25 to the law profession and to the Bench of the Federal Court.



1 JUDGE ROBINSON: The next gentleman whom I shall call upon  
2 is Mr. Jack Marer, President of the Omaha Bar Association,  
3 and he will speak on behalf of that association.

4 MR. MARER: May it please the Court, Judge Urbom, ladies and  
5 gentlemen: The Omaha Bar Association, through me as its  
6 President, is pleased to participate in this ceremony and  
7 to honor Judge Urbom. We gather to witness the oaths which  
8 he will take and has taken, solemnly, impressive and mean-  
9 ingful; not only to him but to us as well. At the same  
10 time we pay tribute to his high office, a United States  
11 District Judge. This Court has always been, and we hope  
12 and pray it always will be a bastion of equal justice for  
13 all men. Great power and great corresponding responsibility  
14 rest here to be administered with a firm hand and a free  
15 heart. Many of us have been fortunate to know Warren K.  
16 Urbom, and we have observed his scholarship, knowledge,  
17 ability and integrity. We have full confidence he will  
18 occupy this honored position with dignity, learning and  
19 impartiality. We wish for you, Judge Urbom, the blessing  
20 of good health, a strong determination and the wisdom of  
21 Solomon, so that you may find great satisfaction and  
22 happiness in your new work.

23 JUDGE ROBINSON: I now have the privilege of calling upon Mr.  
24 Leonard Vyhnaelek, President of the Lincoln County Bar  
25 Association.

1 MR. VYHNALEK: May it please the Court, Judge Urbom: On  
2 behalf of the Lincoln County Bar Association it certainly  
3 is my privilege to extend to you our sincere congratulations  
4 and best wishes. During the time that Judge Urbom practiced  
5 law he appeared in the courts of our area many times. We  
6 have seen his integrity and his competence as a lawyer;  
7 and we certainly want to again extend our congratulations  
8 and best wishes; and look forward to seeing him in the  
9 Federal Court in North Platte.

10 JUDGE ROBINSON: Now I have the privilege of calling upon  
11 Mr. William J. Baird of Omaha, Nebraska, President of the  
12 Nebraska State Bar Association.

13 MR. BAIRD: May it please the Court, Judge Urbom, ladies and  
14 gentlemen: On behalf of the Nebraska State Bar Association,  
15 it is a distinct privilege for us to participate in this  
16 most enjoyable occasion this morning, witnessing Judge  
17 Urbom taking the oath of office. In the light of recent  
18 experiences, it is also most refreshing to note, that so  
19 far as I have been able to determine, his doing so has  
20 received the unanimous approbation of the lawyers of the  
21 State of Nebraska.

22 Judge Urbom, in addition to having made an outstanding  
23 record and career as a practicing lawyer, has been a  
24 tremendous force in the state association, as has been re-  
25 ferred to. As Chairman of our Committee on Availability

1 MR. BAIRD: of Legal Services he has practically single-  
2 handedly kept our association abreast of the times in  
3 this increasingly important area of the law. His eleva-  
4 tion to the Bench will be our loss, but will be more than  
5 compensated by the credit that will be reflected upon us  
6 in having a member of our association serve and represent  
7 us on the Federal Judiciary in the manner in which I am  
8 confident Judge Urbom will.

9 As a matter of fact, in my thirty-five years of practice,  
10 your Honor, the quality of the Nebraska lawyers who have  
11 gone on the Federal Bench, both District and Court of  
12 Appeals, and the distinguished record which they have  
13 achieved as jurists has been a source of pride to me, as  
14 I think it is to all Nebraska lawyers. It is comforting  
15 to realize that record of excellence will not only be  
16 maintained, but in all probability will be enhanced by  
17 the addition of Judge Urbom to the Bench. Judge, may I  
18 extend on behalf of all the Nebraska lawyers our heartiest  
19 congratulations and best wishes. Thank you.

20 JUDGE ROBINSON: The American Bar Association has taken note  
21 of this occasion today, and I have the privilege of calling  
22 upon Mr. Clarence Davis of Lincoln, Nebraska, who will  
23 speak on behalf of the American Bar Association.

24 MR. DAVIS: May it please, your Honor: It is a distinct  
25 pleasure and an honor for me to be present on this occasion

1 MR. DAVIS: to present the official greetings and felicitations  
2 of the American Bar Association to Judge Urbom. Of all  
3 our American traditions, I suppose nothing is more sacred  
4 to all of us than respect for and confidence in the law,  
5 and in the Judges. The valor of our courts make our law  
6 meaningful. At no time in our history has ceaseless vigor  
7 been more necessary on the part of the Bench and the Bar--  
8 and the public, I may say, on this very important thing.  
9 Our courts serve to emphasize and stand as a bulwark, doing  
10 equal justice, as they see it, to the Government on the  
11 one hand and the defendant--the citizen on the other; and  
12 that is an awesome responsibility which any man who takes  
13 the oath of a Federal Judge assumes.

14 Now, your Honors, it might not be out of place, since I am  
15 speaking for the American Bar Association, to take just  
16 a moment to tell you something of the connections of the  
17 American Bar Association with these judgeships. For more  
18 than twenty years last past, through five administrations,  
19 the President, whomever it may have been, has sought the  
20 judgment of the American Bar Association upon these judicial  
21 appointments. The American Bar Association in turn has  
22 a Committee on the Federal Judiciary, comprising one from  
23 each of the Federal Circuits; and the Attorney General has  
24 made it a custom in great confidence to disclose to the  
25 Chairman of that Committee a prospective appointee or

1 MR. DAVIS: appointees. He has asked for their judgment as  
2 to the qualifications of the candidate. That member in  
3 turn has gone straight to the Bench and the lawyers in  
4 the District from which the nominee is to come, which has  
5 been proposed. The results of that are then summarized  
6 perfectly objectively, and submitted to the Attorney General.  
7 The Attorney General in turn of course is the conduit  
8 therefore by which the local community speaks its confidence  
9 in respect for the belief in the proposed nominee. And I  
10 am happy to say in this particular case it has been totally  
11 unanimous.

12 I might say one more word while I am on my feet. It is  
13 the trial judges in this country who really represent the  
14 law. As Lord Devlin, who was on the British High Court  
15 once said, the appellate courts may lay out the pattern,  
16 but it is the district--the trial courts who actually have  
17 meaningful significance to the litigant who comes before them--  
18 the public who observe it; and this, I am sorry to say, is  
19 not true in most of our appellate courts. And therefore  
20 no system of justice is any stronger than its trial judges.  
21 Again I congratulate you, Judge Urbom--and before I close  
22 I can't resist one little remark: There is an area in  
23 this state out in the southwest portion where times have  
24 not been too prosperous and the land is not too good, and  
25 you had to scrabble for a living there. I know; I come

1 MR. DAVIS: from there. And yet, it is a little phenonenal  
2 that out of that area, Frontier, Gosper, Furnas and  
3 Phelps Counties, we have produced Judge Van Pelt from  
4 Stockville in Frontier County, who has been on this Bench  
5 for years; and here you follow from Phelps County, from  
6 Atlanta, from Arapahoe to take his place. Whether that  
7 means anything or not, I am not prepared to say; but it is  
8 a coincidence that I thought I ought to point out. So let  
9 me say to you that when you get ready to retire, and  
10 Heaven hope it is many, many, many years, southwest Nebraska  
11 will produce another of the same caliber to take your place.

12 JUDGE ROBINSON: Unfortunately our representatives in the  
13 Congress of the United States, Senators Roman Hruska and  
14 Carl Curtis, and Congressman Robert Denney, as you all  
15 know I am sure are otherwise very busily engaged in  
16 Washington, and are unable personally to attend the ceremony  
17 today, as much as they otherwise would like to have and  
18 preferred to have done so. I have the honor of presenting  
19 Dean Henry Grether of the Nebraska University School of Law  
20 who will speak on behalf, and deliver a message on behalf  
21 of Senator Roman Hruska.

22 DEAN GREETHER: May it please the Court, Judge Urbom, ladies  
23 and gentlemen. As Judge Robinson said, Senator Hruska  
24 regrets very much the press of business in Washington does  
25 not permit him to be here today; and I would be less than

1 DEAN GREETHER: candid if I didn't say that I am honored to  
2 represent the Senator and be here at this ceremony for you,  
3 Judge Urbom. The Senator has sent a telegram in my care  
4 and custody, and requested that I read it to you upon this  
5 occasion: I deeply regret that senate business prevents  
6 me from being present at this distinguished gathering today  
7 to invest you as a Judge of the Federal District Court.  
8 On this happy occasion I do want to wish you well in your  
9 endeavors. I am pleased and proud to have joined with  
10 Senator Curtis in recommending your appointment to the  
11 President; and I am gratified that the Senate confirmed  
12 our judgment, and that of the President. You come to our  
13 post with excellent qualifications, and equally important,  
14 the high regard of your associates and those with whom you  
15 have come in contact in the legal profession. Based upon  
16 my extensive experience in examining the qualifications  
17 of nominees to the Federal Bench, I have no hesitancy in  
18 predicting you will respond to your challenge with a  
19 superior performance. I have been reviewing nominees'  
20 credentials since 1957 when I became a member of the  
21 Judiciary Committee. In that time I have been privileged  
22 to consult upon the appointment of ten Supreme Court  
23 nominees and countless members of the District Court and  
24 Circuit Court of Appeals. You are imminently qualified  
25 to occupy a prominent place in this distinguished judicial

1 DEAN GREETHER: company. With warm congratulations and best  
2 personal regards. Signed Roman L. Hruska, U. S. Senator  
3 from Nebraska.

4 JUDGE ROBINSON: Representing the Honorable Carl T. Curtis,  
5 United States Senator from Nebraska is Mr. Richard W.  
6 Smith, a member of the Bar of this Court.

7 MR. SMITH: May it please the Court, Judge Urbom. In address-  
8 ing the Court at this time, it is my privilege to speak,  
9 not only for myself as a member of the Bar of this Court,  
10 but also at the special request of Senator Curtis that I  
11 represent him on this unusual occasion. He has sent me  
12 a telegram which I would like to read: It is addressed  
13 to the Honorable Warren K. Urbom, United States District  
14 Judge. Congratulations and best wishes. I regret that  
15 my official duties in Washington will make it impossible  
16 to be present when you take the oath of office on Tuesday,  
17 May 5th. I want to wish for you a long and pleasant  
18 experience in the Federal Courts. We are very proud of  
19 you. You are succeeding a distinguished Judge, the Honorable  
20 Robert Van Pelt. My best wishes to you both. Signed  
21 Senator Carl T. Curtis.

22 I join Senator Curtis in wishing for Judge Urbom a long  
23 and distinguished career on this Bench, the responsibilities  
24 of which have long been fulfilled by very distinguished  
25 jurists. Indeed, as a matter of interesting history, by



1 MR. SMITH: only three jurists since 1907; each man complet-  
2 ing the entire of his legal career in public service.  
3 On behalf of all those here today, Warren, if I may call  
4 you that, who are people who will not have a chance to  
5 speak personally, I would like to say on their behalf  
6 their warm congratulations and their complete confidence  
7 in you as an even-handed, open-minded, careful Judge.  
8 Thank you.

9 JUDGE ROBINSON: Here today representing Congressman Robert  
10 Denney is the Honorable Robert B. Crosby, a member of the  
11 Bar of this Court, and former Governor of the State of  
12 Nebraska.

13 MR. CROSBY: May it please the Court, Judge Urbom: Those  
14 of us who are well acquainted with the Honorable Robert  
15 Denney, himself a member of the Bar of this Court, know  
16 how much he wishes he could be here. Most of his life  
17 until just recent years, was spent as an active lawyer in  
18 the practice of law at Fairbury--a lawyer like you, Judge  
19 Urbom, who frequently tried cases to juries--a lawyer like  
20 myself who at times had suffered from your skill in the  
21 court room. And it would have pleased Congressman Denney  
22 to be here and extend his congratulations to you. In  
23 visiting him I know that he in behalf of the people in his  
24 district, and in behalf of the people in Nebraska, takes  
25 particular pleasure in the fact that in your person, Judge

1 MR. CROSBY: Urbom, at this particular time in the history  
2 of our nation, we have a new Judge whose qualifications  
3 in every respect are undoubted by anyone. That is something  
4 of which we can be well pleased in Nebraska. And so in  
5 behalf of Congressman Denney, without any fear of your own  
6 success as a Judge, I extend to you congratulations and  
7 best wishes for a long career on the Bench.

8 JUDGE ROBINSON: As much as the Chief Justice of the Nebraska  
9 Supreme Court would have liked to have been present here  
10 today, that Court happens to be in session requiring his  
11 presence there, and so he has transmitted a letter, Judge  
12 Urbom, which I shall read on this occasion: The State of  
13 Nebraska, Supreme Court, Paul W. White, Chief Justice.  
14 I regret my absence because the Supreme Court is in session.  
15 My regret is compensated in a measure because I did attend  
16 and preside at Judge Urbom's first personal injury jury  
17 trial in District Court in Lincoln; and also because  
18 Warren would be the first one to advise not to delay  
19 judicial proceedings because of ceremonial propriety. An  
20 investiture ceremony is no time for an anticipatory eulogy.  
21 Yet with a record, even at forty-four, of intellectual ex-  
22 cellence, scholarly industry, and fine trial advocacy, the  
23 people of this State are fortunate to find again a man who  
24 will live up to the unsurpassed standard of Federal Judges  
25 that we have always had. He is falling into the line of

1 JUDGE ROBINSON: judicial march at a time when we surely need  
2 men who will reach the heights of courage, wisdom and a  
3 judicial balance which will symbolize an ideal government  
4 under law. His investiture gives all of us renewed faith in  
5 all that we Judges stand for. Signed Paul W. White.  
6 Another beloved associate of ours who I suppose has not  
7 missed one of these ceremonies, at least not that I am aware  
8 of, during his tenure of office, is beloved John W. Delehant,  
9 now Senior Judge. Judge Delehant is presently on assignment  
10 sitting in Philadelphia, and like Justice White, has sent a  
11 letter which I shall now read: Md Dear Warren: The initial  
12 note of this letter must be for me, one of deep and genuine  
13 regret. I am, this morning, in receipt of your gracious  
14 communication of Saturday, wherein you invite me to attend  
15 the ceremony of May 5th during which you will take the judicial  
16 oath and enter upon your tenure, and the performance of your  
17 duties, as a Judge of the United States District Court for  
18 the District of Nebraska. Unfortunately, my current assign-  
19 ment, by its terms, will continue "through May 30th and so  
20 long thereafter as shall be required for the completion of  
21 unfinished business", thus, certainly through all of May and  
22 probably a short interval in June. Accordingly, my presence  
23 in Lincoln on May 5th will be quite impossible. I regret  
24 that circumstance more than I may signify. For I share  
25 with our mutual and sincere friend, Judge Robert Van Pelt,

1 JUDGE ROBINSON: an acknowledged pride in the office which  
2 he and I have occupied, and to which you are about to  
3 succeed.

4 But allow me, however remotely from the scene of your  
5 elevation to the Bench, sincerely to congratulate you and  
6 the judiciary of the United States, upon your nomination,  
7 confirmation, and accession to the office of United States  
8 District Judge. That message rests, first, upon the dignity  
9 and significance of the office itself, and as well, upon  
10 my confidence in your intellectual and moral worthiness to  
11 enter upon the performance of its duties. The office  
12 deserves you, and you are worthy of the office.

13 You are approaching an official position which will require  
14 constant and careful work on your part, a fact you frankly  
15 realize. "Otium cum dignitate" is simply not one of its  
16 attributes. Yet, its very labor, though exhausting and  
17 frequently unpleasant, is itself rewarding. May you enjoy  
18 it, and on your part, dignify it, through many years, as  
19 many, if it may be, as were vouchsafed to our distinguished  
20 predecessor of cherished memory, the Honorable Thomas C.  
21 Munger.

22 With my choicest wishes to you both personally and officially,  
23 I have the honor to be, Very respectfully yours, John W.  
24 Delehant, Senior United States District Judge.

25 I now have the distinct pleasure of calling upon Judge

1 JUDGE ROBINSON: Urbom's predecessor, my long-time associate  
2 on the Bench, the Honorable Robert Van Pelt, Judge of this  
3 Court.

4 JUDGE VAN PELT: Chief Judge Robinson. I would first repeat  
5 a statement of Judge Delehant made nearly thirteen years  
6 ago in this room when he reminded us that the administration  
7 of the oaths of office by a Judge of the United States  
8 District Court to his successor in the judicial service  
9 is in itself a comparatively rare event. Now for a second  
10 time the retiring judge has had that honor. I wish for  
11 you, Judge Urbom, that health that will permit you as the  
12 year 2000 approaches, or sooner if you are elevated to the  
13 Bench of a higher court, to administer the oaths of office  
14 to your successor. I thank you for the invitation to thus  
15 participate in this ceremony. I welcome you to this Bench.  
16 In the early days of your practice, as has been pointed out  
17 by members of the Bar, you have been recognized as an excell-  
18 ent lawyer, and within your college and business community  
19 as a gentleman in the fullest sense of that word. I have  
20 had occasion recently to say as to another, that if in an  
21 honest and industrious lawyer you find the ability to read  
22 intelligently, to think coherently and to write clearly;  
23 and if you find the capacity for thorough research and  
24 critical thought; and the faculty for dispassionate judgment  
25 then you have one who will be a sound Judge. I am sure that

1 JUDGE VAN PELT: the tenth United States District Judge, For  
2 the District of Nebraska has these qualities. I am there-  
3 fore proud that Warren K. Urbom was selected to be my  
4 successor.

5 JUDGE ROBINSON: We are privileged today to have with us  
6 occupying the Bench two distinguished members of the Court  
7 of Appeals of the Eighth Circuit. It is my pleasure at  
8 this time to call upon my good friend, one beloved by all  
9 members of the Bar and Judges in Nebraska, the Honorable  
10 Judge Harvey M. Johnsen, now Senior Judge of the Court of  
11 Appeals.

12 JUDGE JOHNSEN: Judge Robinson, Judge Urbom and my fellow  
13 brethren on the Bench: It is a pleasure to join in this  
14 occasion of congratulations and felicitations, not only  
15 to you, Judge Urbom, but to the members of your family.  
16 I think you will find that this taking of the oath of  
17 office and entering upon your duties will involve some  
18 changes in the lives of all of you. But these are changes  
19 that as the years go by and you come to enjoy the fullness  
20 of the work you are doing, responsibility you are assuming,  
21 that it will make a happier life for you even than continu-  
22 ing in the practice.  
23 I used to think when I was in practice there wasn't anything  
24 anyone could do that could be more enjoyable, because I  
25 don't think there is anything that can give more of a kick

1 JUDGE JOHNSEN: than the winning of a jury trial. This won't  
2 be with that intensity, but it will be steady and it will  
3 be on a level that you will get the greatest satisfaction  
4 out of.

5 I think if I were to add one additional note, I believe  
6 I could say for both Judge Van Pelt and myself, who are  
7 now doing no more work than what we desire to do, that I  
8 particularly envy you these ten to fifteen years that lie  
9 ahead. I wish I had the opportunity, were young enough  
10 and were starting as you are, to bridge this critical  
11 period that I think confronts so much of American life and  
12 institution. I have seen changes, will continue to see  
13 changes; but we are living in a time of utter confusion.  
14 Confusion I think has been most commonly manifested by  
15 two of what should be our staunchest institutions--our  
16 church and our colleges and universities. I think it  
17 behooves the judicial system which now has started to get  
18 targeted from the outside, including the president and  
19 part of the faculty of one of our most prestigious universi-  
20 ties in the east, that we have a system that the Black  
21 Panthers cannot get a fair trial in; which I take it would  
22 mean that they are licensed to go out, since they can't  
23 be tried fairly, to go out and continue their misdeeds.  
24 Well, the courts are going to be a target--an increasing  
25 target--an attempted target within the next few years--

1 JUDGE JOHNSEN: and if the institutions of American life are  
2 to continue to exist the stability, the lack of confusion,  
3 the firmness and yet the wisdom with which these things  
4 are handled, our American civilization, culture and heri-  
5 tage will depend on.

6 I read the other day--I spoke of the churches being con-  
7 fused--I read the other day where one of our pastors in  
8 one of the largest churches in Omaha had apparently compre-  
9 hended this and commenced to swing around, and one of his  
10 remarks particularly attracted my attention. He said,  
11 "no nation can rise above the character of its judiciary."  
12 And I think this is true. But I also add that with what  
13 the judiciary can perform has got to go the health, the  
14 wisdom, the judgment and the support of the Bar; and with  
15 the targeting which will come within the next few years--  
16 it will take a few years to level off--I again say I envy  
17 you the opportunity you will have to contribute to this  
18 stability. Again to your family and to you, my deepest  
19 personal condgratulations and best wishes.

20 JUDGE ROBINSON: At this time it is a privilege to call upon  
21 the Honorable Donald P. Lay, Judge of the United States  
22 Court of Appeals, Eighth Circuit. Judge Lay, if not a  
23 contemporary is so close to it that there is really little  
24 difference; and I am sure that Judge Lay during before  
25 his accession to the Bench engaged in many contests with



1 JUDGE ROBINSON: Judge Urbom. At this time I call upon Judge  
2 Donald P. Lay.

3 JUDGE LAY: Chief Judge Robinson, Judge Urbom, fellow  
4 brothers at the Bench, distinguished ladies and gentlemen:  
5 On behalf of the United States Court of Appeals of this  
6 Circuit I bring warm greetings and sincere congratulations  
7 to not only Judge Urbom but to his family as well; and I  
8 am sincerely pleased to have this opportunity to welcome  
9 them to the family of the Federal Judiciary.

10 Based upon what Judge Johnsen has said, and Judge Robinson  
11 I can assure you that I know a little bit of what is going  
12 on in Judge Urbom's mind, and perhaps his wife's concern  
13 over the apprehension of changing roles now in society  
14 and in their everyday life. But I can assure you, Warren,  
15 that the step you have made is not only a meaningful one,  
16 but a great one that you will find tremendous satisfaction  
17 in over the years.

18 I think I can speak with some confidence that Judge Urbom  
19 is coming to the court with outstanding tools of an  
20 accomplished and skilled lawyer. This is important, as  
21 Judge Johnsen has brought out in very certain and considered  
22 expressions today to the future of the Judiciary in our  
23 nation. Perhaps, however, the one and most difficult,  
24 and great mark that any Judge has to overcome is the  
25 ability to arise above one's individual faults and

1 JUDGE LAY: prejudices, to reach out in the decisional process  
2 to find the might that the discovery of truth itself has.  
3 I am confident that Judge Urbom has this ability and this  
4 characteristic. I think long ago that Chief Justice  
5 Marshall observed that the essence of judicial discretion  
6 is not found in following one's personal inclinations, but  
7 rather in informed and deliberate legal judgment.  
8 Judge Urbom I am confident will have no problem making  
9 these decisions and exercising the discretion at the times  
10 concerned. We welcome you, Warren, and I know we will see  
11 a lot of you.

12 JUDGE ROBINSON: In keeping with the brevity of the utterances  
13 that have been made thus far today I have reduced such  
14 remarks as I shall make to writing and ask your indulgence  
15 at this time.

16 From the moment a trial judge takes this seat he realizes  
17 the delicacy of his job. He may and should conceive of a  
18 trial, for example, as a search for the truth. As Judge  
19 Learned Hand so appropriately once observed: "There are  
20 always the Courts of Appeal which are always looking for  
21 error." The trial judge may exercise a vast amount of  
22 discretion, but he must recognize the legitimate expecta-  
23 tions of the parties that come before him. The trial  
24 judge has been aptly called the governor of a trial,  
25 because he must serve many interests in the pursuit of

1 JUDGE ROBINSON: justice. He must be patient and at the  
2 same time firm. He must know and apply the rules of law  
3 as found in the books and at the same time use common  
4 sense. Where do we find such a man? Well, during my  
5 years on the Bench my experience has been that our most  
6 distinguished judges have been seasoned trial lawyers.  
7 Judge Van Pelt exemplifies such a man. He was appointed  
8 to this Bench after an impressive career as a trial lawyer  
9 in this community; and it is not surprising therefore,  
10 that he has demonstrated a mastery of the craft of judging  
11 in the many years he has presided over this very court  
12 room. I am, of course, personally delighted Judge Van  
13 Pelt will continue, and we will be able to continue to  
14 draw upon his skill and judgment in the years ahead.  
15 Consistent with the precedent of distinguished appointments  
16 to this Bench in Lincoln, as established not only by his  
17 predecessor Judge Van Pelt; but by his predecessor in turn  
18 Judge Delehant, and Judge Munger, Judge Urbom has earned  
19 the enviable recognition of a skillful and seasoned  
20 trial lawyer.  
21 Let me digress just a moment here to point out how essential  
22 this attribute is for a trial judge. Before I came to  
23 the Bench the demands of my practice seemed to be such  
24 as to require me to be continually armed with a variety  
25 of well-sounding excuses for continuances at virtually

1 JUDGE ROBINSON: every court call--and there were some who  
2 said that was the only thing I was armed with. Some of  
3 my colleagues even stood in awe at my extraordinary  
4 reputation in this particular area. I can still remember  
5 Seymour Smith's response to one of my customary motions  
6 by pleading: "Your Honor, I only want it known and spread  
7 upon the record that I would like to try this case with  
8 Dick Robinson sometime before I die or shortly thereafter."  
9 Now with such skill and experience you can appreciate  
10 that once I reached the Bench there were no possibilities  
11 of delay in the calendar. In closing on note of serious-  
12 ness, one of our great lawyers and judges, Arthur  
13 Vanderbilt, once wrote that a lawyer serves five functions.  
14 He must be a wise counselor; he must be a skilled advocate;  
15 he must improve his profession, the courts and the law;  
16 he must be an unselfish, intelligent leader of public  
17 opinion; and he must be prepared to answer the call of  
18 public service. Certainly we today indeed are blessed  
19 by finding in you, Judge Urbom, a man who epitomises  
20 this description; and I am truly honored to welcome you  
21 to this Court. And now, Judge Urbom I shall call upon you  
22 to make such response at this time as you feel you would  
23 like to make.

24 JUDGE URBOM: Thank you, Judge Robinson. Fellow members of  
25 the Bench and members of the Bar and friends. The first

1 JUDGE URBOM: thing I am struck with as I sit here is how  
2 big this Bench is and how little I am; and that really is  
3 the theme of the response I have to make to these gentlemen  
4 who have spoken by their words, and to you who have come  
5 by your presence.  
6 Maybe I can best describe for you my feelings in this  
7 position by recounting for you a prophetic event which  
8 happened last fall. When the telephone company was prepar-  
9 ing its latest telephone directory Judge Van Pelt suggested  
10 that it reserve for assignment to the new United States  
11 District Judge, whoever he might be, a new telephone  
12 number. Whoever selected that number for later assignment  
13 had inside information, because the number given was  
14 475-3687. Now that was prophetic, because that number  
15 ultimately was assigned to me. You see, a few years ago I  
16 learned a system for remembering numbers. The idea is to  
17 assign to each number a sound or a word which has more  
18 independent meaning than a mere number. Now the sounds  
19 that are assigned to the numbers 475-3687 in that rotation  
20 form the words "much fog"--much fog--and I say that is pro-  
21 phetic. The cloud of fog which descended upon this Bench only  
22 a few minutes ago I trust will dissipate one day, with your  
23 help; but the fact that it is here, that I feel it, calls  
24 upon me to measure my thoughts, to consider again what it  
25 is that has attracted me to this place--or more pointedly

1 JUDGE URBOM: as my nine-year old, Allison said, when I was  
2 talking over with the family for the first time, Judge  
3 Johnsen, what this had to do with, said: "Why would anybody  
4 want to be a judge anyway? All you do is sit there and  
5 say, objection sustained, Mr. Mason."

6 Well, what are the qualities of this position then that  
7 are to me so magnetic? I think there are three. First,  
8 the adventure. Entering the Federal Judiciary is an  
9 adventure of the highest order. The Federal Courts espec-  
10 ially are now the testing ground for a variety of provoc-  
11 ative ideas about freedom, order, rights and duties. They  
12 are not being handed this role in perfect trust. Like  
13 every other institution of our day, they are being chall-  
14 enged, both thoughtfully and emotionally by those who are  
15 discontented. I too think that the wisdom of the response  
16 of the lawyers and the judges will determine the outcome.  
17 I think we should welcome that confrontation. Conflict is  
18 our business. Analysis in conflict is our business.  
19 Who better than members of the legal profession, by their  
20 training, their disposition, their seasoning in this word-  
21 swept arena of the court room are better suited to move  
22 with calm fervor through that double duty of reexamining  
23 both the substance and the structure of our concepts of  
24 justice? I am attracted to that struggle. I tremble at  
25 being in a pivotal position in it, but I admit that I am

1 JUDGE URBOM: drawn to it. Second. My predecessors--a  
2 majestic line of men has preceded me here. Who would not  
3 want to sit at a Bench occupied so nobly by the studious  
4 and meticulous Thomas C. Munger, the imposing John W.  
5 Delehant and the patient and perceptive Robert Van Pelt?  
6 Third. My sure knowledge of the help which is available.  
7 You, the Judiciary, the lawyers, the friends, such as  
8 those who graciously are here today, have nurtured me  
9 patiently since my suckling days when I began the practice  
10 of law in 1953. Knowing your character, I know you will  
11 do no less for me now when I need you most. Well, enough  
12 of what has drawn me here.  
13 A Judge is judged by the life he lives and the words he  
14 speaks. As for my life, I can only reach for that status  
15 which is described in my commission from the President  
16 as uprightness in every detail. As for my words, oral and  
17 written, I shall offer often--I hope continually this as  
18 my prayer: Oh, Lord, let my words have the ring of truth,  
19 if they speak truth; let them march in dignity, if they  
20 dignify; let them have the power of love, if they spring  
21 from love; let them fulfill a longing for justice, if  
22 they are just.  
23 Judge Robinson, brethren of the Bench and Bar, and friends,  
24 I join with you in a new adventure for us all.  
25 JUDGE ROBINSON: Ladies and gentlemen, that concludes the

1 JUDGE ROBINSON: ceremony this morning. I have been asked  
2 by Judge Urbom to announce that he will be delighted to  
3 see you in chambers immediately following the recess of  
4 court. The Marshal may now formally recess the court.  
5 MARSHAL: The Court is in recess.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25