

MEMORIAL CEREMONY  
FOR  
**THE HONORABLE**  
**LYLE E. STROM**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA



Friday, November 15, 2024  
2:00 p.m.

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Roman L. Hruska  
United States Courthouse  
111 South 18th Plaza  
Omaha, Nebraska



**HONORABLE LYLE E. STROM**

1925 - 2023

MS. JEAN ROEDER: All rise.

The Honorable Judges of the United States Courts.

The United States District Court for the District of Nebraska is now convened in ceremonial session. The Honorable Robert F. Rossiter, Jr., Chief Judge of the United States District Court, is presiding.

God save the United States and this Honorable Court.

CHIEF JUDGE ROSSITER: Please remain standing for the presentation of the Colors by Troop 26 here in Omaha.

(The Colors were presented and posted. The Pledge of Allegiance was said by all.)

CHIEF JUDGE ROSSITER: Please be seated.

Good afternoon.

We are here to pay tribute to the late Honorable Lyle E. Strom, United States District Judge, who passed away on December 1st, 2023, at the age of 98, about one month shy of his 99th birthday.

I'm going to have a few remarks and then we have a number of esteemed speakers with us today. But first of all I want to introduce some folks that are with us today, first and foremost those members of the family.

Amy Strom is here.

Cassie Strom, or Major General Strom, who worked with the courts for a number of years.

Is Mary going to be able to be here?

GENERAL CASSIE STROM: No.

CHIEF JUDGE ROSSITER: Okay. Sister Mary is here in the Omaha area and is the president, as most of you know, of Bellevue University.

These proceedings are being video-recorded for other family members who cannot be here today.

I first want to recognize Jean Roeder. Jean did the court opening for us. Jean was the longtime judicial assistant -- probably back to the days when we used to call them secretaries -- judicial assistant and courtroom deputy. We thought it was appropriate for Jean to open court in this memorial here today. So thank you, Jean.

On the bench with me today, to my left is Senior Judge Bataillon. To my right is Judge Buescher; and to his right is Judge Bazis.

I'm authorized to tell you that both Judge Gerrard and Judge Grasz from the Eighth Circuit Court of Appeals send their regrets, wish they could be here but they were both out of town.

The lower bench, to the left -- or to the right is Judge Nelson; Magistrate Judge DeLuca; newly minted Magistrate Judge Carson, right in front of me; and then to his left is Bankruptcy Judge Brian Kruse.

I'm also authorized to tell you the regrets of Magistrate Judge Gossett and Chief Judge Saladino who couldn't be here.

We have a number of speakers in the front row and I will introduce them later, but I wanted to note some other folks that are with us here today:

Our United States Attorney, Susan Lehr. Susan, wave.

For about another week, our Federal Public Defender, longtime Federal Public Defender, David Stickman.

I think Judge Pratt is here, Judge Robert Pratt. Thank you for joining us.

And I think I saw Judge Caporale. Trying to hide in the back.

And if I missed anybody, I do apologize.

I do want to give thanks to our planning committee for this event. Amy really got things going for us, Amy Strom. We had talked to her during the last year to try and get this planned. Jean Roeder was on the committee; Pat Cooper, Ken Hartman, who are former law clerks of the judge; Marissa Ortiz and our Clerk of Court, Denise Lucks, also -- well, especially Marissa puts together the little things that make this type of thing work.

All right. Lyle Elmer Strom was born on January 6, 1925, here in Omaha, with his twin brother, Louis. They were reported to have been the first babies from that year and had their pictures in *The Omaha World-Herald*. I'd like to talk about that as his first time and the many times that he was in the limelight.

He was a husband to his late wife, Regina; father to seven

children, many grandchildren -- I had the numbers here but in the last year that probably has grown -- many grandchildren, many great-grandchildren, and even great-great-grandchildren, as I understand it.

Judge Strom was a man of service to his country, to his community, and to the bar, and you're going to hear in more detail about that from our speakers. I'm going to highlight a small portion of his work and accomplishments before we get into those speakers.

He was in the United States Merchant Marines during World War II as a radio operator.

He taught trial advocacy for years at Creighton University School of Law.

He was the director of the student internship program at the Creighton University School of Law.

He was a contributing author to the Nebraska Jury Instructions and the Nebraska Rules of Evidence.

He was Omaha Rotary president.

He was Nebraska State Bar Association president, the first of three federal judges who have or will hold that position. He was the president of the Omaha Bar Association. And both of those bar associations he was always active, he was always there. That was important to him.

He was a founding member of the Robert M. Spire Inns of Court. And he now has a pupillage of that organization, a small

group, named after him.

He was a brilliant trial lawyer. He graduated from Creighton University School of Law in 1953; and, you guessed it, it was with distinction.

He was a partner at the -- and I see Jerry is here so he'll correct me like he did last time -- I'm just going to say the Fitzgerald Brown law firm without doing all of the names that existed back then.

He was one of the most skilled and respected trial attorneys the state has ever known. Among his many honors was being a member of the International Academy of Trial Lawyers, and, most pertinent, the American College of Trial Lawyers, whose membership is limited to 1 percent of the total lawyer population of a given state.

When I had the honor of clerking for Judge Schatz and Judge Beam, I was able to observe Lawyer Lyle Strom try complex civil cases in our courts. He was prepared, he was tenacious, and he owned juries. The juries loved him.

He was a giant as a United States district judge. And I don't say that lightly, given some of the amazing judges who have previously sat in this court.

When he was nominated by President Reagan in 1985, I actually thought to myself that's pretty old to be nominated as a federal judge. Little did I know that I took the bench at about the same age, probably a couple months older than he was,

so it's not so old.

He excelled as an active United States district judge until 1995, when he took senior status. He was our chief judge from 1987 to 1994. He assumed senior status in 1995, and served in that status until his full retirement in 2017.

He was succeeded in his seat by the old guy to my left, Judge Bataillon, whom I succeeded; so I guess Judge Strom is like my judicial grandfather. I was honored to have had the opportunity to work with him during my first year on the bench.

He was at the forefront -- and Judge Pratt gave me an article, and I can share it with you, that Judge Pratt wrote years ago, but as many of you know, he was in the forefront, against a lot of headwinds, in changing the rules regarding sentencing for crack cocaine as opposed to powder cocaine. He ruled -- one of the first in the country -- that the sentencing guidelines, and the statute, disproportionately affected African American defendants due to the 1-to-100 ratio between crack and powder cocaine. That was also reflected in mandatory minimum sentences. They changed the rule eventually, even though he was reversed on that at the circuit.

He chaired the Gender Fairness Task Force in the Eighth Circuit. As a matter of fact, Dave Stickman gave me the -- if anybody wants to read it, light reading for tonight -- the Gender Fairness Task Force report that was in the Creighton Law Review back in December of 1997. But very important work.



He's received -- and I'm just touching upon a few of the awards. The Omaha Bar Association gave him the Lifetime Achievement Award. The Eighth Circuit gave him their Professionalism Award. Creighton School of Law gave them their Law Faculty Award.

And as you will hear from our speakers, throughout his career as a lawyer and a judge, Judge Strom was renowned for leading by example in promoting collegiality, civility, professionalism, and not to forget, good humor.

So we will miss him.

And I want to move now to our speakers.

Our first speaker is Hal Daub. He is a lawyer and politician from Nebraska who served four terms in our United States House of Representatives and was the 48th Mayor of Omaha. In 2012, he was elected to the Board of Regents of the University of Nebraska system, and he is also a Distinguished Eagle Scout.

And for those who didn't know, one of the reasons we tried to get a Boy Scout Color Guard -- and you'll hear it from some of our speakers -- is Judge Strom was a Boy Scout until the day he died. He loved the Boy Scouts and I think he would have loved that Color Guard, and no better person to start off with than an Eagle Scout.

MR. DAUB: Mr. Chief Justice, it's been a long time since I've been in a courtroom, so I'm not quite sure how this

is going to go, but I want to thank you for all the work and minutia in bringing us all together today, to thank the distinguished bailiff and clerk of the court for the opening today -- long-time friend -- to all of you who are here, to the memory of Judge Strom, members of the bench, relatives and friends.

I'm going to spend just a few minutes and what I'm going to do is recount my history with him. And by doing so, I hope it's instructive with respect to very significant, milestone kinds of things that have impacted on many of us here today and on our community and our country.

I started out as a 2L law clerk. I think it was Fitzgerald, Brown, Leahy, McGill & Strom, if I may say it that way. There's all sorts of other names that have come in and out of that one over time.

CHIEF JUDGE ROSSITER: Ask Jerry, he'll tell you.

MR. DAUB: Thank you. Thank you, Your Honor.

And I enjoyed my clerkship in my 2L time frame.

And then after a two-year stint in the infantry in the Army, came back, I looked around Omaha for a job, and I did go back to the firm where I had clerked, and knocked on some other doors, but Jim Brown offered me 400 a month and that was just the best job offer I had had, so I, with all due respect, took that, but I really did so because I had learned that Lyle Strom was at that firm and was a very, very accomplished trial lawyer

and I wanted to be a part of it, so... I was number three. Bill Brennan was number two in the trial department at the firm. I had a chance to work with the three of them. And I'll just impart to you two of the things he taught me.

One is he said, "You always win your case by paying attention to your pleadings." He said, "You'll win or lose your case on your pleadings." I never forgot that early in my career, which I by and large found to be true in my case anyway.

And then my first jury trial, he comes into my office, puts the file in front of me and said, "This is a dog. See what you can do with it." I lost that first jury trial.

We became very good friends. I learned a lot.

I measured with a tape and with a camera so many accident sites, I can't begin to count them all, from airplane crashes to automobile cases, and always with attention to detail. Demanding in his own way, you knew that you had to do it right.

I left the firm three years later, after having gotten a \$200-a-month pay raise, which was pretty good. It's a signal that maybe I wasn't doing too bad, but life went on. And during that period of time, at Standard Chemical, I got to know Lyle in the Omaha Rotary Club. I particularly got to know him in Scouting, which you'll hear more about from Bob Freeman. Bob and I had great relationships with him in Scouting.

Cassie, you know with your family how much of a commitment

he made, including your absent sister who is very active in Scouting still in her work at the college. It was a very important part of his life.

Then it got interesting. I got elected to Congress. Privileged to represent this district. And there was a big fight in Omaha over this federal building. Do you all remember? The race was between Senator Bob Kerrey, former governor, and Jan Stoney, who was his competitor. And this building was designed by I.M. Pei in New York, very famous international architect, and was to be two stories higher than it is today. And during that campaign, incumbent Senator Kerrey, to prove his credentials as a fiscal conservative, argued that the building was too expensive and it should be scaled back. And so that delay, and the delay with the Omaha City Council over the location for the new federal courthouse that had been proposed, delayed it even further. And by that time I got elected to -- I hadn't gotten to be mayor yet but I was in the Congress, and so Lyle and I worked hard to try to figure out how to salvage the deal. That election was over. The City was still arguing over location. And General Services Administration decided to cancel Omaha as the site for a new federal building. The deal was off.

Then, may I say fortunately, at least in my own opinion, I did get elected to mayor to solve that problem. But I'll get back to that in a minute.

Judge Schatz passed away. A vacancy occurred. And another one of these interesting pieces of history occurred. There was a huge argument in the bar association because Judge Schatz was considered to be the "Omaha" federal judge, and a deal had been struck by former Governor, then-Congressman Thone with Virginia Smith, the senior member of the House delegation from western Nebraska, because she gave up her right to the rotation of a federal judgeship appointment for who Charlie Thone wanted. I won't get into the sordid details, but the fact of the matter is, we were at an impasse. Now, why was it an impasse? Because we didn't have -- we had Ronald Reagan as President but we had two Democrat senators. So Exon and Zorinsky were the senators. And so the question was how would the politics of that work in terms of the White House making a decision to choose someone they wanted to nominate to send to the Senate for consideration and confirmation.

There's a lot of history behind that, but at the end of the day, Lyle's impeccable credentials and the political maneuvering with Bob Dole and some of the people I happened to have a relationship with as a young freshman member of the Congress prevailed and then Lyle and I went through -- federal judges, what you recall -- background checks for the Senate, background checks for the White House, and all of the things that go with developing that candidate to appear at the hearing for nomination and confirmation. And as you heard from Judge

Rossiter, he was sworn in on November 1st, 1985.

Then I had the privilege of working with Lyle because I was elected mayor and he called me and said, "We've got to get a federal courthouse." So we went to work on that. And I had met Mr. Overton, who was the GSA director -- some of you may have met him -- at the time who canceled the first siting. I said I would like to resurrect the idea of bringing a federal courthouse -- again, a new one -- to Omaha. He thought that was a good idea. We had solved the problem of the finances for this building where we all are today and managed the location decision. Lyle worked tirelessly with many of the folks in this building and the bar association to develop the funding mechanism and the agreement politically to site the Hruska Courthouse. And it was my privilege to work for Senator Hruska when I was a youngster right out of college, and we were able to name this building after him with Lyle's blessing, and the dedication of that building occurred in the year 2000.

I think it's a real tribute, if you really know the truth. This building would not be here if it wasn't for Judge Strom. He worked hard on it. I probably talked to him once a day for three years to develop all the maneuvers that had to be accomplished to get this done and he deserves the lion's share of the credit for this occurring.

But there's one last thing I want to say. None of you would know, but November 16th is a very important date --

that's tomorrow -- and it's -- my wife and I celebrate our 28th wedding anniversary. And Lyle Strom married us, on the 16th of November, 28 years ago. I'm glad that my wife could be here with us. It's a special time in our lives to remember this time. Tomorrow will be fun, and it's in large measure because Lyle was willing to conduct a marriage. I don't know how many of you all do that in your professional work as judges, but he did that from time to time, but very sparingly, and he honored us by marrying us in November of 1996.

You know that Judge Strom intellectually and professionally accomplished a great deal for all of us and for our profession, but I will tell you, he accomplished a great deal for me personally because he was my friend, my mentor, my professor. He was my teacher. Civility and integrity were important to him.

But I think you said it right, Judge Rossiter: He was just a fun guy to be around. And we're all benefiting greatly by having known him and benefited for his great accomplishments.

Thank you. Thank you all.

(Applause)

CHIEF JUDGE ROSSITER: Thank you, Congressman Daub.

Our next speaker is Bob Kokrda. Bob's a Creighton Law School grad who worked for many years as an Assistant United States Attorney in Nebraska. I first met him when I was a law clerk in the old courthouse here and he was trying cases in our

courtroom. Among other things, I understand that Bob will give us his insights into Judge Strom's golf game.

MR. KOKRDA: Thank you, Chief Judge Rossiter.

Distinguished judges, family, ladies and gentlemen.

Aristotle said you need four things to lead a good life: the moral virtue of courage, the moral virtue of temperance, the moral virtue of justice, and the fourth thing is just some good luck and good fortune along the way. Simple enough. But Aristotle never played golf with Judge Lyle Strom. That was a whole different existential experience.

I first played golf with Judge Strom in North Platte in 1986 or 1987. And it was May. We were at the country club. I showed up in shorts and a golf shirt, ready to go. And Judge Strom was wearing long socks, very heavy chino pants, a fishing shirt with long sleeves, and sort of a Rangers pork pie hat.

Well, we teed off, hit decent drives. Second shot -- North Platte Country Club is along the North Platte River, on the right. Second shot, green's that way (indicating), the judge hits his shot (indicating sound). Well, it went straight towards the river. And the North Platte River's not a Disneyland-like stream. It's got some serious wooded terrain there. And -- so Judge Strom starts headed for the river. And I'm thinking, you know, usually in the amateur game, you drop a ball, you take your penalty, and you move on. Judge Strom heads into the abysmal woods. And I had to follow him because



it's Judge Strom. So we spend five or ten minutes looking for his golf ball.

In the courtroom, Judge Strom was the ultimate realist. But on the golf course, he was the ultimate idealist. He always thought, when he hit a bad one, that he would find the ball, that it would be in the perfect spot, he could hit it back out and just pick up where he left. It never happened. It never happened. But we would always look for the ball.

And I'm not just talking about rough terrain. We played some Sandhills courses where we were up to our chest in underbrush and there were things moving on the periphery and there were signs that said Beware of Snakes, but there we were, pounding around. And of course we never found the ball.

Now, to be fair, Judge Strom was a pretty good golfer. And most of the shots he hit were good shots. So how did you know when he was going to hit one of those sideways stinkies? Well, when the judge hit a bad one, he would make this sort of desperate, despairing, animal sound. I don't even think he knew he was doing it. But when the rest of us heard it, we knew it had happened. And I can still hear it. It was sort of a (indicating sound), sort of a suffering, sick owl sound, like (indicating sound).

And then when that happened, you didn't even have to look, you started the search, whoever was playing. And while this was going on, the golf course would start to stack up. And

there'd be people behind us, a couple hundred yards behind us, and they'd start yelling at us. And then we would cut in front of fairways to get to the abysmal gorse where the judge's golf ball was so groups ahead of us would start yelling at us too and pretty soon everybody was yelling.

Now, as has been said here, in the courtroom, Judge Strom was the picture of patience and courtesy. And the juries loved him. And the litigants loved him. And the staff loved him. And the lawyers loved him. But on the golf course, Judge Strom took zero crap. So he would start to yell back.

Now, you got to think, this is a golf course, so there's 100, 150, 200 yards between everybody. No punches were ever thrown because nobody ever got that close to each other, but there was this circular yelling match going on. And Judge Strom would yell things like, "Yeah, that's what you think! My partner here's going to teach you a valuable lesson!" I'd sort of, "Hi there." Because some of these guys were big guys. So I'd sort of wave and fade farther back into the woods.

Judge Strom was also a mentor. And we played golf together probably about 30 years. And I learned a lot from him and -- a lifetime's worth from him. And I was thinking about it and I'd like to try and summarize it, oversimplify it, in just eight words. And my life lesson from Judge Strom are these eight words: Be not too hard for life is short. Relax. Have fun. Be kind. Be courteous. Be generous. Forgive others. Forgive

yourself. Give yourself a break. Enjoy the planet. Enjoy the human race that's on the planet.

Judge Strom was generous to a fault. He'd give you his time, his counsel. He'd give you the shirt off his back.

One thing he would not give you is a two-foot putt. They call them "gimmes." And they call them gimmes, it's because they're called "inside the leather" putts. And in the amateur game you don't want to waste time just kind of lining those things up, so they're called gimmes. And everybody gave them except Judge Strom. It irritated everybody. Now, you're thinking, "Well, you know, the man's a purist. Allow him to be a purist. He just wants to play the game perfectly." That's not it. He wasn't Harvey Penick at all. What he was doing is he was taking gimmes. We'd all give him gimmes. He just wouldn't give any.

So we were playing at North Platte. And I think we were playing with two FBI agents. And the judge was being his usual self, not giving any gimmes. People were getting a little irritated. And we were coming up the ninth fairway, and it's right beside the parking lot at the North Platte Country Club. And the judge hit this beautiful shot to the green. It was right on line. Everybody knew it was going to be good. And then Jean pulls up in the parking lot right adjacent to the fairway and a jury had come in, so she takes the judge off the course and the judge says, well, go eat lunch and we'll play

the back nine when I get back. Off they go.

So we get up to the green, the three of us. And it was a good shot. It was this far away from the pin (indicating). It was a gimme. So we look at each other. We talk it over. And we said no, he's not going to get away with this. He hadn't given us a gimme the whole round, or ever, and heck with lunch, we'll mark this and we'll wait till he gets back and we'll make him putt it, so that's what we did.

Other groups came through, wanted to know why we were still there, what we were doing. We explained the situation. Even they got a little irked. And some of the people that came through even had played with Judge Strom before, knew exactly what we were talking about.

So by the time the judge gets back, hour, hour 15 minutes later, there's a little bit of a gallery there. Just, you know, eight or nine or ten people. And the judge gets out and he's a little confused and we're saying, "Putt." So Judge Strom takes his putter. He's a little nervous. Lines it up. He was sweating. He was sweating it, because there was a group there, and it was paying for all his sins. But he makes the putt, he wins the 75 cents. But after that he was a little easier with the gimmes. "Be not too hard."

On the 19th hole, or what we call the watering hole, he'd always have the best time. He would love to buy pitchers of beer. And we would pass the pitchers around and tell little

stories and bad jokes. And the judge loved to tell bad jokes. He loved to tell jokes about animals, and he was pretty good at imitating animals. So let me tell you one of his favorites and then I'll sit down.

Law student needed money. Law students always need money. So there's a Help Wanted ad down at the zoo. And the law student goes down to the zoo and Lee Simmons, who's the director there, says, "Our prized gorilla, Casey, is down and out with a cold and we need somebody to put on this gorilla suit and be Casey for an afternoon." And the law student's thinking, well, this isn't quite right, but the kids want to see the gorilla and I need the money, so all right. So he puts the gorilla suit on and they take him out and they put him in the trapeze, a tree trapeze in the gorilla cage there. And he's a little hesitant at first but pretty soon the kids are there and the busloads of people are there and they're cheering and they're throwing peanuts and the law student sort of gets into it. Before long, he's swinging high on the swing and he's pounding his chest and he's Casey the gorilla. And he gets so carried away that he swings over too high, over the fence and into the lion cage. And the lions are circling him. And the law student loses it. He says, "Help, help, get me out of here!" And the lion says, "Shut up, stupid, or we'll all lose our jobs."

Thank you.

(Applause)

CHIEF JUDGE ROSSITER: Thanks, Bob.

Our next speaker will be Nick Thielen. Nick clerked for Judge Strom from 2012 to 2014 before joining Kutak Rock as a litigation associate. He now serves as General Counsel for Lozier Corporation, he participates in the Nebraska Bar Association as a member of its House of Delegates, and he was recently reelected to a second term on the Omaha Public School Board of Education representing Dundee, Benson, and Keystone.

And I will say, before he gets up there, one of the great perks of being a federal judge is having and getting to know law clerks. And I see in the front row there, there's some of Judge Strom's law clerks. I know Pat Cooper couldn't make it. But I know he enjoyed and stayed in touch with all of his law clerks and Nick was one of them, so...

Welcome to the podium.

MR. THIELEN: Thank you, Judge.

So when I first started working for Judge Strom, recently minted law school graduate, just taken the bar and still a little nervous about whether I passed or not, Judge Strom, as he had a way of doing, put everything into perspective. He said, "Don't worry. In 30 years of clerks I've never had one that didn't pass the bar." And of course after that I felt, like, no pressure at all, right?

You know, doesn't really fit the image of someone who's

ostensibly a politician, but I was a little hesitant to get up here and talk to you today. I generally like to do my work from the background and I consider public speaking kind of an occupational hazard. But I'm honored to speak today about someone that meant so much to his family and to the clerks that worked with him and to our legal community. And there were two things that convinced me to get up here, and both of those were lessons from Judge Strom.

So first was that Ken assured me -- I knew I wouldn't be up here for very long because Ken assured me that the standard for the remarks, so that they would be -- they would meet Judge Strom's standards for brevity, so I knew I didn't have to be up here for that long.

As law students, we come in with -- you know, we've been deep in the analysis. We were taught to really look hard at every fact and look at all the nuance, and as practicing attorneys we want to make every argument and put in every fact that might support our client's case; but in working for Judge Strom, the most consistent advice that he gave me was to work to be more concise.

He liked to quote Ronald Reagan's nine most terrifying words in the English language: I'm from the government, and I'm here to help. I think -- you know, I think he knew there were things about the government that were -- you know, they were doing a good job, he was part of that government at that

point, but I always took that as a bit of a skepticism about overreach, about, you know, having our efforts come out in kind of precious legalisms that miss the broad points. So instead, you know, I think what Judge Strom always emphasized was to get the broad strokes right, to do the deep analysis but when it's time to communicate it, don't get lost in the weeds. Let the clarity and simplicity of the argument carry the work.

During my first jury trial with Judge Strom, he said something that at first I took as being a little bit tongue-in-cheek, but then another day he said it again, and he would continue to say it when we would get ready for jury trials in the future, that we go out in front of the -- or behind the door that was leading into the courtroom and he'd put on his robe, and the last thing that he'd say -- occasionally, the last thing he'd say before going out was, "Let's do justice." And again, I think it was just his reminder to himself that these are the broad strokes. This is what we're here to do. This is how I'm going to align my thoughts as we go out there and this is what I need to do today.

So the clarity and power of simplicity is something that has carried with me and certainly served me well as a lawyer, as a leader, and as a public official.

The second thing was his commitment to civility and the professional community. He had introduced a lot of his clerks



to the Inns of Court, mock trial. He was at every OBA social. He knew, I think, that building community was necessary to nurturing civility within the profession, and that that civility was ultimately necessary to a healthy profession and was going to result in the best outcomes for everyone involved.

Even, shall we call it, his insistence on punctuality I think was driven by an understanding that how and when we show up for each other is a signal of our respect and nurtures that sense of civility.

So I knew that speaking today was a small way that I could honor that devotion to profession and Judge Strom. And I also knew that I should show up early.

Judge Strom's clerks and protégés have done well in their careers. They're law firm partners, general counsels, CEOs, even congressmen. But they're also well represented in the leadership of our bar associations, the Inns of Court, and even our law school.

The judge's integrity and his nurturing of community continue to be guideposts for me today. And for me he served as a role model of Midwestern principled practicality and a certain kind of humility: Do what's right, but don't make it too complicated. Follow the rules, but use your voice to challenge those rules when they are unjust. Trust in the system, but never forget that the system is made up of people and intended to serve people.

So those are some of the lessons that I still carry with me today and I think that he imparted on many of his 32 years of clerks.

Thank you.

(Applause)

CHIEF JUDGE ROSSITER: Thank you, Nick.

Our next speaker is a friend of mine for many years. I practiced law with Bob Freeman for 33 years. He's a longtime partner at my old firm, Fraser Stryker. He and Judge Strom were good friends and worked together for years developing and overseeing model programs for youth in our community. So I'm pleased to have Bob here and I'm pleased to have Bob offer a few words.

MR. FREEMAN: Thank you, Your Honor.

Isn't it interesting how many lines Judge Strom cut across in his career and in his lifetime? Some of us are judges, many are trial lawyers. Hal and I rarely, if ever, appeared in Judge Strom's courtroom all those years, other than ceremonially, but I'm sure many of you were close with Lyle in such a variety of ways.

Early in my career, which became primarily a business law practice, in the civil -- on the civil side, I would actually take court criminal defense appointments, which gave me a pretty good working knowledge of the court system, the probation office, and how the system worked, and a little bit

about where maybe it didn't work quite as well and might need a little bit of help. And then a few years later I got drafted in my law firm to work on the Boy Scout organization as a client and I became real familiar with the workings of the Scout programming and planning.

So soon thereafter I started working, myself, on a youth diversion program in our community. They would take young, mostly first offenders, and take them out of the court system, which was very overwhelmed with a lot of first offenders and the court system didn't know what to do with all these kids, who would soon see that it wasn't working, and that was not good for educating them not to do what they had done initially that got them in. And we decided to work on developing a program that would take those first offender kids out of the court system and put them into something that would provide a positive experience.

This is now in the late '80s. And Lyle, fairly early in his tenure here in the court, recognized that this was something that would be great for the court system. He and I had become acquainted and he contacted me and offered to help. And I'm thinking: Ya think maybe you should engage Federal Judge Lyle Strom to help work on this idea you've got? I'm just a -- I'm motivated, but a business lawyer, and I'm in over my head trying to develop a courtroom-based program, working with judges and county attorneys, probation officers, and I was

in way over my head. So Lyle -- engaging with Lyle made all the sense in the world. And of course he knew that adding a federal judge to the concepts that I'd been kicking around probably would be very advantageous. And he was involved in all levels of it, other than fundraising. He said, Bob, can't touch that, you're on your own for finding money, but we did.

And so we paired the Omaha Bar Association with what was then the community's premier youth programming organization, the Boy Scouts of America, Mid-America Council. And in the late '80s we started doing some testing. We would take a dozen kids, put them through these programs that we developed and thought might work, figured out what did and didn't work, and by 1990 we were ready to roll it out. It was the first diversion program in Douglas County. And it did work. It was -- it was very successful. The first year we took about 160 kids. A couple of years later we took over 900. And at its peak we took well over a thousand kids into a program that Judge Strom and I had developed, with a lot of collaboration from all the relevant agencies in our community. And the kids were having phenomenal experiences.

These were all first offenders who we got before they figured out that the court system didn't always work real well and they were scared that they'd been caught, and before having too much experience, went through our program. And we did recidivism checks and found that 85 percent of the kids that

went through our program never reoffended. So we had a very high success rate.

Well, pretty soon other organizations said, hey, wait a minute, the Boy Scouts and the bar taking a lot of kids and having a lot of luck with this, we gotta do that too. So pretty soon there were diversion programs for just girls and for just a certain age and for people who were purple. And there were a lot of these diversion programs that became very specialized, which was great because many nonprofits in our community got into the game and figured out how to serve youth in our community in their particularly successful way. And most of these programs have survived all these decades to today and thousands of kids have benefited from them, but it was the program that Lyle and I developed in the first instance that was the forerunner for all of these programs that came later.

We got quite a few awards and recognitions for our program, including a nice one from the American Bar Association. And we motivated other communities, which we would get phone calls from around the Midwest and around the country, to initiate their own similar programs that would work in their communities.

So for years Lyle and I ran the committee in the community that oversaw this program. We had representatives from the bar association, the Boy Scouts, and the court system that all helped oversee it. And because of his ongoing participation --

which was incredible to me that he could always find the time to show up at meetings with volunteers -- we never had any problem recruiting more lawyers and more law firms in the community to take a group and oversee the administration of the program in our community. And ultimately we made a difference in the lives of really thousands of kids in our community and other agencies across the community that got involved in this kind of work.

Now as I reflect back on those years and my relationship with Lyle and his long tenure on the federal bench, there are so many things I can see that I think maybe we can all take away and learn from. Others have talked about quite a few of these so I'll just mention a few that had a real impact on me.

He was such a relentlessly positive person and he had such a good nature. He was brilliant, but he was humble about it. And he was uniformly willing to take that extra step, or mile, to do a little bit of good and make his community and our world a little bit better place.

Obviously, we all miss him a lot. But if there's a legacy and inspiration for me from Lyle, and especially with him gone but probably watching, it's that each of us needs to do a tiny bit more to help make up for his loss. He's not here, we are, and we need to be inspired to follow in his footsteps, step up, and do just a little bit more to make our world a little bit better.

So thank you, Lyle, on all those levels; and thank all of you for coming to celebrate such a great man.

(Applause)

CHIEF JUDGE ROSSITER: Mary, you don't have to hide back there. You can come up if you'd like.

All right. Our next speaker, our last speaker, is the Honorable Thomas Harmon. Judge Harmon, who I've known for a number of years, is a 1983 graduate of Creighton Law School. He was a private practice attorney from 1985 to 2011, when he was appointed to the Douglas County district court bench, where he has certainly served with distinction. In fact, in 2019 Judge Harmon was awarded the Improvement of Community Relations Award by then-Chief Justice Heavican for his involvement with the Lyle Strom High School Mock Trial program, which I think he's going to touch upon here.

Judge Harmon.

JUDGE HARMON: Chief Judge Rossiter, members of the federal bench.

As I was preparing my remarks today, I got to thinking about something. And bear with me for just a minute. I am the father of a daughter, a young daughter who happens to like movies and TV. One of her favorite movies is *Pitch Perfect*. Now, I don't know how many of you in this courtroom have seen *Pitch Perfect*. I can tell you I've seen it about 1500 times because every time it was on, she would play it over and over

and over again.

Why am I talking about that movie here today? It really is a simple answer. For those of you who don't know about the movie, it is about an a cappella singing group and a competition that they go to, how they try to strive and win that competition.

Let me tell you something about high school mock trial. High school mock trial anymore is *Pitch Perfect* on steroids. And I think Judge Bazis would agree with me on that. Why is that? It is because of Judge Lyle Strom. Judge Strom was probably one of the most influential people in high school mock trial, not only in the state of Nebraska, but also in the United States.

When I was first appointed to the bench, I was contacted by Doris Huffman of the Nebraska Bar Foundation. We had a large discussion about how important it was to members of the bench, to members of the judiciary, to find some kind of public service. And what had happened in Douglas County at that time -- this would have been roughly three months after I got appointed -- they had had a history of regional coordinators for the high school mock trial competition, seven or eight in seven or eight years. She wanted me to undertake the responsibility of becoming that regional coordinator for Omaha.

Now, I had been involved in it as a performance judge and also as a presiding judge. I knew the work involved. There



were 20 to 25 teams: kids, anywhere from age 14 to 18, screaming in the courthouse, disturbing every trial that was going on. I was really reluctant to undertake that responsibility. I said I'm not sure that I have the capability or the competence to do it. And she said, well, I've had this conversation with Judge Strom. And at that time Judge Strom, he was actually acting as kind of the semi-coordinator. He would go to the Douglas County Hall of Justice. He would talk with the kids. He'd talk with the performing judges and the presiding judges. He would give them the orientation. But he said, you know what, I need new blood. And somehow in this whole conversation, my name came up. Don't ask me why. Don't ask me how. And I said, well, Doris, I'm a little bit reluctant to do this. And Doris looked at me, and those words she uttered to this day I will never forget: You know, Judge Harmon, when Judge Strom asks people to do something, they usually don't say no. Well, here it is, 2024, and guess what? I am still the regional coordinator for Omaha.

I then began what I like to refer to as my tutelage. And I was, I guess the best thing, taught by a master. Judge Strom's process for orienting new and presiding judges to high school mock trial was masterful. He instilled the importance in each one of these young people that their focus should be -- or the judge's focus should be, when we rate these young people, on the performance, not on the legalities, not on the objections.

And in fact he always told people, if there is an objection made, whether it's good or bad, overrule it. Let them argue. Let them perform. Let them do what they were trained to do.

Well, eventually he turned that task over to me. But he would still come up every day and watch me do the orientation. And then he would critique me to make sure that I got each and every aspect that he wanted out to those judges done.

You know, as I stand here today, I have given a great deal of thought to this presentation this afternoon and I've contemplated many things that I could talk about. For example, I could talk about Judge Strom becoming interested in high school mock trial. He told me one time he became interested in high school mock trial because Dean Richard Calkins of the Drake Law School had started a high school mock trial competition in Iowa and he said, you know what, we're not going to let Iowa do something that we can't do, so he started the process.

I could talk about Judge Strom's action to start high school mock trial in Nebraska in the '80s.

I could talk about his tireless work in bringing the national high school competition for mock trial teams to Omaha in 2001.

I could also talk about his glee in having participants tell him, years afterwards, "That was the best high school competition I was ever involved in."

I could talk about Judge Strom's involvement at the national level by judging numerous national competitions all over the United States.

I could talk about Judge Strom's being awarded the Justice Gene Franchini Golden Gavel Award in 2014, with the admonition that his exemplary dedication to supporting high school mock trial on a national level was surpassed by no one.

I could also talk about high school mock trial competition being named in his honor.

Yeah, I could talk about each one of these things. I could spend a lot of time. I could spend a lot of history about that. But I don't think that is what Judge Strom would want me to say today.

I believe he would want me to talk about legacy. I think he would want me to speak about something much more significant to him. Why are we involved in high school mock trial today in Nebraska and nationwide? We anticipate this year we will have 1500 students in the Nebraska mock trial program.

I asked Judge Strom one time, "Why did you begin the mock trial program in Nebraska?" And I'm sure he's repeated these things to all of you at some point in time, but he said to me: You know, a young person early in life has to decide what he or she wants to do with their lives, and mock trial is simply a vehicle to be used to explore. I wanted the program to succeed, and if it did, that youngster would succeed. I wanted

kids to be educated about our system of law, about courts and procedures. In fact, one of his favorite sayings in the presentation was: You know what, we want to bring the kids to court -- or we want to bring the court to kids, not the kids to court. We want them to prepare. We want them to use analysis, analytical skills, not being afraid to stand up and say something. I wanted the student to have an opportunity to do something constructive, to keep them off the streets and out of problems. I wanted them to understand the importance of working as a part of a team, preparing and making arguments, and presenting a case.

Then, with a glint in his eye, he looked at me and says: You know, I'm both a father and a grandfather, maybe a great-grandfather some day. I wanted to make sure there were qualified men and women out there that could marry my grandkids, which I thought was important.

Due in great part to Judge Strom's enthusiasm, his personal touch, his interest in young people, high school mock trial continues to be an amazing program statewide. Fifteen hundred students. All of them wanting to do better. All of them wanting them to participate.

I will leave you with these last final thoughts, in large part inspired by Judge Strom. He reminded me on several occasions: The legal profession contributed greatly to the history of this country. It was lawyers that helped in the

writing the Declaration of Independence. It was lawyers that helped in the writing of the Constitution. It was lawyers that participate every year in drafting new legislation. Judge Strom believed in the importance of the rule of law. He also believed that high school mock trial gave these youngsters experiences in ethics, civility, honesty, integrity, and the ability to analyze. We have to admit, that is a bedrock statement of our civilized society.

He absolutely believed in educating these young people because they would be the hope for our future. They will be the judges, the lawyers, the doctors, the businessmen and the businesswomen in our future. The hope of that future. The contributions made by Judge Strom are far-reaching. The effect is unknown. But it is certainly apparent in very countless ways.

In closing, thank you Judge Strom.

(Applause)

CHIEF JUDGE ROSSITER: Thank you, Judge Harmon.

When we started planning this, we talked about -- asked Jean how long and she said, "No more than an hour," so I think Judge Strom would like this. We covered a lot of great ground here but we kept it to just about an hour, so his wish for brevity was met here.

I want to thank again Marissa Ortiz. I want to thank Sue DeVetter, my court reporter who's reported these proceedings,

my staff, the IT staff, and all of the clerk's office staff that has helped with these proceedings.

I want to thank all of you for being here on behalf of the court and especially on behalf of the Strom family. We are going to retire to the rotunda here. And I am told that these are going to be Amy's cookies, right? Or at least you bought them.

MS. AMY STROM: Stayed up all night. But please eat a lot of them.

CHIEF JUDGE ROSSITER: With that, we are in recess.

(Memorial service concluded at 3:03 p.m.)