

MEMORIAL SERVICE
FOR
THE HONORABLE
WARREN K. URBOM

United States District Court
District of Nebraska

Friday, February 2, 2018
4:00 P.M.



Robert V. Denney Federal Building
Lincoln, Nebraska

(February 2, 2018)

COURT CLERK: All rise.

The Honorable Judges of the United States Court; hear ye, hear ye, hear ye; the United States District Court for the District of Nebraska is now convened in ceremonial session; the Honorable Laurie Smith Camp, Chief Judge, presiding.

God save the United States and this honorable court.

CHIEF JUDGE SMITH CAMP: Please be seated.

Welcome to the U.S. District Court for the District of Nebraska for this celebration of the life and career of our colleague and dear friend, Warren K. Urbom, who served for 44 years on this U.S. District Court bench, and by any measure had one of the most distinguished judicial careers of any judge in the nation.

I'm Laurie Smith Camp. I'm currently the Chief Judge of the U.S. District Court.

I'll introduce my colleagues. Starting on my far left is Senior Circuit Judge of the U.S. Court of Appeals, Judge Arlen Beam. On my immediate left is Judge Robert Rossiter, Jr., of the U.S. District Court.

On my far right is our newest judge, Judge Steven Grasz who is a judge of the U.S. Court of Appeals for the Eighth Circuit. On my immediate right is Judge John Gerrard, U.S. District Court Judge who will be the new chief judge this

fall.

In front on my far left is Susan Bazis who is a Magistrate Judge of the U.S. District Court in Omaha. I'm going by the tops of the heads here.

(Laughter)

I recognize the top of Judge Kopf's head. Judge Kopf is a Senior U.S. District Judge here in Lincoln.

Next to him on his right is Judge Joe Bataillon, a Senior Judge of the U.S. District Court in Omaha. Judge Bataillon is also here today representing the Nebraska State Bar Association. As you know, he's the Immediate Past President of the State Bar. Many of the leaders of the State Bar had to be absent today because of a meeting that they had to attend. So Judge Bataillon is doing double duty here today.

On his right is Judge Tom Saladino who is the Chief Judge of the Bankruptcy Court of Nebraska and also the Chief Judge of the Bankruptcy Appellate Panel for the Eighth Circuit.

On his right is Judge Michael Nelson who is a Magistrate Judge for the U.S. District Court in Omaha.

Now, I do want to ask if we have any judges of the state court present with us today. And if so, if you'd please stand and just introduce yourselves for the record.

Okay. They may still be working at this time of day.

Then I'm going to turn to the family. I see that we have both Randy Urbom and Joy Urbom Taylor with us today. We

welcome both of you.

We're going to be hearing from Joy a little bit later when she offers her remarks. And Randy, you're certainly welcome to also offer remarks if you wish.

Are there any other members of the Urbom family present? Joy, I'll ask you.

JOY URBOM TAYLOR: May it please the Court...

(Laughter)

We have our family members that are here. I'll start with my own children; my daughter Georgi who is a senior in high school; my daughter Tommie who is a junior in high school; my son, Joe, who is a freshman in high school. They've all come.

This is my niece, Joy Rager Bullington, and her husband, Eric Bullington. They are the kids of my youngest sister, Kim, and so grandchildren of Warren. And my oldest nephew, Aaron Rager.

CHIEF JUDGE SMITH CAMP: Welcome.

JOY URBOM TAYLOR: Did I say my husband, Tony?

(Laughter)

CHIEF JUDGE SMITH CAMP: We're very glad you were all able to come.

After the ceremony is concluded, in due course there will be a transcript made available by our certified court reporter, Ms. Brenda Fauber, who is making a record. We will

make sure that the family members get an official copy of that record.

Now, I'd ask that Ellen Lefler stand if you would.

Ellen, we want to recognize you and the many years of service as judicial assistant to Judge Urbom. And can you remind me how many years that was?

ELLEN LEFLER: Well, just short of 30 years. Like the judge said, it was 29 years, so many months, and so many days. I have forgotten exactly.

(Laughter)

CHIEF JUDGE SMITH CAMP: Well, I think we should give Ellen a round of applause.

(Applause)

CHIEF JUDGE SMITH CAMP: Thank you for your long and faithful service, not just to Judge Urbom, but to the entire court. We deeply appreciate that.

Now I will ask the former law clerks of Judge Urbom to please stand. And if you would, tell us your name, when you worked for Judge Urbom; and if you wish, you can share with us where you're working now. I know there are several here.

Linda Crump, would you like to start, please?

LINDA CRUMP: I'm Linda Crump. I worked for Judge Urbom '91 through '93. And I am retired.

CHIEF JUDGE SMITH CAMP: Very good. Thank you.

ROBIN HADFIELD: I'm Robin Hadfield. I worked for

Judge Urbom in 1990 and again in 2014, I believe it was. I'm currently a hearing officer for the State Department of Health and Human Services.

MICHAEL GIBSON: Michael Gibson, 1982 to 1984, Oklahoma City University School of Law.

JEANNE BURKE: Jeanne Burke, 1992 to 1995. I am currently a disability attorney with the Social Security Administration.

WILLIAM DITTRICK: Bill Dittrick, 1974 through 1976. I was the sixth law clerk. I am now in Omaha with the Baird Holm Law Firm.

This is my predecessor.

DAVID PEDERSEN: I'm Dave Pedersen. I was the judge's clerk from '73 to '75. I practiced law with the Baird Holm Law Firm, and I've been retired now ten years. And I urge everyone to follow my path.

(Laughter)

PAT KISKOAN: My name is Pat Kiscoan. I worked for Judge Urbom from 1984 to 1987. I called them the summary judgment years. I'm currently at the Union Pacific.

CHIEF JUDGE SMITH CAMP: I have to note that Pat and I also worked together for a few years in my chambers. And I'm very grateful to Judge Urbom for giving Pat such good training that then benefitted me later on when I got started as a judge.

So welcome, Pat.

DENISE PEARCE: My name is Denise Pearce. I worked for Judge Urbom in 2000 to 2002. I now work for the Mayor of the City of Lincoln.

MARC PEARCE: I'm Marc Pearce. I clerked for Judge Urbom from 2000 to 2014, during which time I met my wife, Denise. And the judge married us. I'm currently with the University of Nebraska College of Law.

KIRK DIELMAN: I'm Kirk Dielman. I clerked from 1984 to 1986 following Mike. And I'm now retired also. Good advice.

MAUREEN ALLMAN: I'm Maureen Allman. I clerked for Judge Urbom from 1985 to 1987, right after Kirk. And I, too, am retired.

JAMES MORGAN: I'm James Morgan. I clerked for Judge Urbom in the summer of '96, I believe. I'm currently with the Department of Health and Human Services.

CHIEF JUDGE SMITH CAMP: We are delighted that so many former law clerks could attend. No doubt the experience you had with Judge Urbom served you well, not only because of what you learned about the law, but because of what you learned about ethics and because of the kind of human being that he was.

Our first speaker, Bill Dittrick, was among the earliest Judge Urbom law clerks, serving the judge from 1974 to 1976,

very memorable years. Bill is now a partner with the Omaha firm of Baird Holm, focusing his practice in construction, litigation, mediation, and arbitration.

He is a past president of the Nebraska State Bar Association, the Nebraska Lawyer Trust Account Foundation, the Nebraska Legal Aid Society Board of Directors, and the Nebraska Big Brothers Big Sisters Board of Directors.

He has been a member of the American College of Trial Lawyers since 2001 and is very active in the Omaha arts community.

Please welcome Bill Dittrick.

(Applause)

WILLIAM DITTRICK: Thank you, Judge. I'm a little nervous because I've tried cases to a number of these judges behind me, and I'm afraid the gavel's coming down.

(Laughter)

I am real glad that members of the Urbom family are here and grandchildren because Judge Smith Camp asked me to talk about the Wounded Knee trials. I love to talk about the Wounded Knee trials. And you're a perfect audience because you've never heard me before.

(Laughter)

Hopefully I can tell you some stuff that you don't know about your grandfather and just remind you of some of the things you do know about him.

Born in 1925, a long time ago; died at the age of 91 last year. I don't have to tell you this, but Joyce Crawford was the love of his life. I can't tell you how many times I went into his office when I was a law clerk, and he'd be sitting and rocking, looking at pictures of his wife, and you Randy, and you Joy, and Kim and Allison. He just loved you.

Thank you for giving him to us. Because when you go through the litany of his life, you know how much he devoted to the law. You know how much he devoted to Nebraska Wesleyan. And you look at that and say how could he do all this stuff? I don't know how he could do it all. But thank you for giving him to us because he was a treat. He was a man all of us sitting here loved.

Honored members of the judiciary, law clerks, friends, family of Judge Urbom, he left us with a legacy of obviously humility, integrity, and intelligence.

But one of the other law clerks sitting in here, Andy Barry, I know quoted one of the judge's most famous quotes, and I'd like to give you this quote and synopsis:

"After 60 years of the law, I can tell you that I love the law. I respect the law. I cherish the law. But I do not worship the law. For the law is the lowest common denominator that our society is willing to live by. And you can do better than that."

It just sends shivers up my spine when I think about it.

The lowest common denominator, and we can all do better than that. When I think of that, and I think of his life, it just brings tears to my eyes.

In high school in Arapahoe -- I didn't know this -- he was a pinsetter at the Arapahoe Bowling Alley. Can you imagine this guy hopping around in the back helping set pins? I just can't picture this in my mind. And I'm thinking, did he smoke cigarettes?

(Laughter)

I doubt it. But I can see him helping little kids in the bowling alley. I can see him doing that. I can see him helping elders. But that was one of his first jobs.

He graduated at the age of 16 from Arapahoe, 16 years old; editor in chief of the yearbook, president of the band, member of the boys glee club. Perfect. Of course that's what he did.

He was a giant. He was about five foot, nine inches tall. But he was a giant.

He went to Colorado to work for two years because he was only 16. And as soon as he hit 18, 1944, he enlists. He comes back after that to Arapahoe and works with his dad in the earthmoving business. He's driving big Caterpillar-like machines leveling farmland. That's what your grandpa did. Then he decided, you know, I got a scholarship to Nebraska Wesleyan, I think I'm going to go there. And he did.

And that's where he met your mom, at Nebraska Wesleyan, Joyce Crawford.

Now, he was a bit of a slouch at Wesleyan, okay? Number one in his class, Phi Beta Kappa. It's a little tough to follow that when you think about it.

Then what did he do after that four years at Wesleyan? He went to see about becoming an ordained minister in the Methodist Church. He went to Iliff College for the summer. And he said no, that's not for me. I'm going to go to the University of Michigan, a little schlep law school that my partner attended.

(Laughter)

Of course, at Michigan, he graduated with distinction and a member of the Law Review. Of course he did. And he married your grandmother, Joyce.

He worked for the Baylor Evnen Law Firm for a number of years. And in 1970, he was appointed judge.

Now I've gotten into little tussles with him a little bit every now and then about how he got appointed judge. And I've talked to Charlie Thone who gave me what I believe is the story.

There were, as in all cases, some political frontrunners that had done a lot of work in politics, and he did almost none. Those individuals were not interested in the federal bench. So they went to Carl Curtis, senator at the time, and

said, Any thoughts? Charlie Thone, quote, Get me the best. And I think the best is a guy that I know that volunteers and is on the Board of Directors at Nebraska Wesleyan. And his name is Warren K. Urbom.

Get me the best. That's what they got.

He was elected to the American College of Trial Lawyers in 1970 also. And he started working. He taught trial advocacy.

And if you go down the list of things that he did at Nebraska Wesleyan during his tenure, Chairman of the Board, Life Governor, Board of Trustees, Questers -- I think he did that for decades also with Joyce. He also did work at Wesleyan. He would take you, I think, to prayer services on Wednesday nights, plus Sunday mornings, and all the time working in the law.

He received the Liberty Bell from the Lincoln Bar Association, the Distinguished Service Award from the Kiwanis Club. I have a list of this stuff. But I know time is of the essence, so I'll kind of brief it up a little bit.

Let's get down and talk about Wounded Knee because that's something I know about.

Now I was not front and center at Wounded Knee. Dave Pedersen was second at Wounded Knee, John Moseman was first at Wounded Knee.

They needed judges to try the Wounded Knee cases. And

what were the Wounded Knee cases about? You probably don't even know about Wounded Knee, a village in South Dakota on the Pine Ridge Reservation.

I can take you back to 1890 when Spotted Elk of the Miniconjou Indians was traveling to the Pine Ridge Reservation at that point in time to meet Red Cloud. The Indian wars were almost over. At Wounded Knee, Colonel Forsyth and a cavalry unit of about 490 members of the United States Cavalry kept circling some 150 men and close to 250 women to disarm them.

As the Indians came to the center of this village, putting their weapons down, somewhere somebody fired a gun. And the Hotchkiss cannons that surrounded that village erupted. And 90 males of the Miniconjou tribe were killed. Over 200 women and children were killed by the United States Army.

It wasn't until 1990 that the United States Congress finally passed a resolution apologizing for what happened at that massacre.

In 1973, a number of individuals went to the Pine Ridge Reservation and decided they were going to, in honor of the American Indian Movement, reoccupy again Wounded Knee.

They took over the post office there. They took over the village and intended to stay there to continue their demonstrations.

Taking over the United States post office is not

sanctioned, obviously. The United States Marshals, the Bureau of Indian Affairs, state troopers, and members of the United States Army surrounded that village at that point in time to end the siege. Seventy-one days later, the siege was lifted after there were three Native Americans seriously injured and one United States Marshal seriously injured.

They had to be tried. They were looking for people to try them, good trial lawyers. It would take a lot of time.

The Wounded Knee trials started. Judge Urbom was one of the front-and-center judges. He turned out to be the primary judge who handled the non leadership cases. The leadership of the Indian Movement at that point in time were Russell Means and Dennis Banks. They were tried up in Minnesota. Judge Urbom took over 150 cases, 150 defendants. One hundred and fifty.

There was a lot to plan that I could talk about and go into great depth, but I want to hit some highlights for you, if I can.

He started his first trial up in Wounded Knee. John Moseman came in, slams down the gavel, just like you heard here today, "All rise."

The Native Americans did not rise. They sat there. They didn't know this guy. They didn't know anything about federal court. They sat.

And the U.S. Attorney started to fume. This is a United

States Federal Court for goodness sake.

One of the defense lawyers at that point in time took one of the Native American women speakers and went back, after the first hearing recessed, to talk to Judge Urbom.

"Judge, we're not insulting you. We don't have any allegiance to the United States government. We don't trust the prosecutors. We're not standing for them. No offense to you, we're just not going to stand."

And your grandfather said, "Well, it's not written anywhere that you have to stand. It's not in the Constitution. I mean, if you want to sit, fine."

Does this sound familiar to you about some of the NFL participation that's going on today, people that take a knee during the National Anthem?

"You don't have to stand," said the judge. Well, that was a big deal.

So the trials continued. Now, sometimes some of the Native Americans stood, sometimes they didn't. But that went on.

And then there came a time when one of the Native Americans was first asked to testify. "Raise your right hand. Here's a Bible."

"No, I'm not going to take any oath on the Bible. I don't believe in the Bible. It's not my God."

"Judge, what are we going to do?"

"Lawyers, let's talk."

"You've got to swear to tell the truth."

"Well, fine. They'll swear to tell the truth. But they'll swear, Judge, on a peace pipe."

What?

Each one of these tribes has a peace pipe. Depending on how you count, there are seven or eight tribes in the Sioux Nation.

"And how will they do that?" said Judge Urbom.

"Well, there will always be a holy man present during these proceedings. And the holy man will present the peace pipe for that tribe, and they'll swear on it."

"Okay. That's fine."

The U.S. Attorney, "What? What?" You can just hear him.

"What?"

"It's okay. It means something to them to swear on the peace pipe. They can do that."

"Okay."

So the next time they came in court, the words "all rise" when the judge entered were eliminated. But a few more Native Americans stood up. A pretty powerful man.

In the next two or three weeks, "Judge, one of the defendants would like to open the trial day with a prayer."

The U.S. Attorneys were, "In a courtroom?"

"Yeah, in a courtroom."

"What?"

"That's their religion, Judge. It's an important event, important decisions are made. They'd like to open up with a prayer."

"Okay."

"The jury will be there, Judge."

"Well, the jury doesn't have to stand. If the rest of them do, I'm going to instruct the jury just to sit because I don't want there being any implication that the jury is participating or not participating. But, yeah, you can say a prayer. That's okay."

Do you see a little Methodist coming out a little bit here? It's all one God. We can do this.

Now the work in Sioux Falls kind of gets wrapped up a little bit, and we moved down into Nebraska. And at one point in time, somebody noticed, "Some of these Native Americans, Judge, are coming in the courtroom, and I think they got tomahawks. And I'm not sure, but they may have hunting knives."

"Well, we can't do that. Just tell them, no more hunting knives, no more tomahawks, no more bows and arrows. And oh, by the way, U.S. Marshals, you're not going to carry visible arms either. We're going to work this out. The lawyers have talked about it, and you're not going to have sidearms either."

And Ray Gardner, the U.S. marshal, said, "Judge, I'm here to protect you. You can't take my gun away."

"Ray, yes, I can. You can have your guns in your offices. But the Native Americans are not going to have weapons, and you're not going to have weapons in the courtroom."

You're never going to see that ever again. But he did it.

About three weeks later, there's a little break in the hearing and one of the U.S. Attorneys, Al Kirshen, opened up his briefcase. And the defense attorney, I think it was John Thor, says, "Judge, there's a gun in there."

Well, the judge had retired at the recess. And the U.S. Marshal said, "What?" "He's got a pistol. He's a U.S. Attorney, for goodness sake. He's got a pistol." There was a little bit of yelling going on in the courtroom at this point in time.

Ray goes to get the judge. Dave was there. Judge Urbom comes out and says, "What are you doing?" He didn't get riled very often.

"Well, Judge, I have to walk from the courthouse back to my car, back and forth, and I need a little protection."

"No, you don't. There are no pistols allowed in this courtroom. And there will be no pistols allowed in this courtroom."

Now imagine what that did to the Native Americans who were sitting there. What kind of impact did that have on them? That had a huge impact when they were sitting there.

So we don't have to stand up, we're taking oaths on a peace pipe, no weapons in the courtroom of any type and U.S. Marshals can't have them either, and we're praying.

That's your grandfather.

One of the major defenses of the Native Americans at this hearing was the Treaty of 1868 signed between the United States and the Sioux Nation. It said that the Sioux Nation would have sovereignty over the lands that they were given by that treaty.

And the Sioux Nation wanted to present to Judge Urbom that this sovereignty issue meant that the United States government had no jurisdiction over these Indians on their reservation; that the Sioux Nation was a sovereign nation, and therefore, the United States government could not prosecute them for obstructing justice, firing at United States Marshals, shooting bows and arrows at members of the Bureau of Indian Affairs.

Let's just think about that for a little bit. Somebody coming up in front of a federal judge and saying, "We're a sovereign nation. Sure, we're in the state of South Dakota, but we're a sovereign nation. And the United States government has no jurisdiction over that territory whatsoever.

U.S. Marshals shouldn't even be here. I don't care if they were trying to defend the U.S. post office, they should not be there."

I don't know what you judges would do if somebody presented that to you. But Judge Urbom said, "Well, if that's your defense, let's hear it."

I was kind of sitting there going, "What? You're going to hear that defense? You dismissed any number of defendants here because there was not sufficient evidence. But this defense? Now, I wasn't the head on that one, David was working on that one. And Judge said, "Sure."

So starting on December 16th, 1974, the Treaty Defense hearing started. Well, a little bit before that hearing started -- and I'll try to move a little faster, I know I'm taking time, but I just love telling these stories.

I'm sitting in the chambers, and there's a commotion out in the head office of the judge's chambers. Marlene McGuire was there, the judge's legal assistant, executive secretary then, was sitting there. And you know who walked into the chambers at that point in time? Marlon Brando and Buffy Sainte-Marie, here to see the judge.

And Marlene says, "You don't have an appointment."

"Excuse me, I'm Marlon Brando. And this is Buffy Sainte-Marie."

"Yes. You don't have an appointment."

(Laughter)

Now, Marlene, like Ellen, was a force. That's her judge. Can you imagine somebody trying to walk by Ellen Lefler saying, "I want to see the judge." No, that's not going to happen.

(Laughter)

Well, some more Native Americans started walking into the chamber office there. And pretty soon, there's more. And I go out to stand by Marlene's desk. What good am I? A kid with long hair and a beard, a Peace Corp volunteer, but I'm there. And David is there.

We were going to flank Marlene. She didn't need us, was kind of annoyed we were even there.

(Laughter)

She said, "No, you don't have an appointment." An event is starting to happen here. And there was some (descriptive sound) going on in there, and there's more and more people. And I'm looking at David and said, "This is not good. This is a problem."

The door to his office opens up, and out he comes, this five foot nine giant of a man. "Mr. Brando, Judge Warren Urbom. How are you? I can't tell you how much I enjoyed *On the Waterfront*. And Ms. Sainte-Marie, my kids know your music, so I know you by that."

And he starts up a conversation with them. Ray Gardner,

the United States Marshal, was there. And he's heard about this now, so he's coming into the chambers. Now, I don't know if he's packing or not, because he's buttoned up. And he probably was at the time.

But Judge Urbom is talking to all of these people. And it goes on for about 10 or 15 minutes, and Ray's still (gesturing). And the judge looks at him and says, "Ray, thank you. I'm defended by these people here. I'm not worried about anything bad happening. I've got all the protection in the world that I need." And Ray leaves.

Now what does that do to you if you're a member of the Native Americans? What would you think of this man?

So the Treaty defense trial is going to start. The lawyers come in for the hearing before the hearing. And they're in the judge's chambers.

"Yeah, they can pray. Yeah, we got the peace pipes lined up. Yeah, we can do that. Yeah, we got the translators there." "Translators?" "Yeah, we're going to translate because they don't want to speak in English. They want to speak in their native Sioux tongue, so we have translators."

The judge says, "Okay. Fine. We'll do that."

"No weapons." "No weapons are out there. We're fine."

"Okay. Are we ready to go?" "Yeah."

"And the Native American chiefs and holy men are in the jury box, right?" "Yeah."

"And the piece pipes are lined up in front of them for their swearing in?" "Yeah."

"We're all set to go?"

"Yeah, we're all set to go."

Look at that litany, all the commotion. And I think of myself as Scout in *To Kill a Mockingbird* because I'm sneaking in the side door of the old courthouse. Something's happening here, and I want to see this.

I sneak in the side door, and I look at the jury box. And there's 14 Native Americans, chiefs of the Sans Arcs, Miniconjous, Hunkpapas. They're lined up, and there's translators in front of them. And the courtroom is packed, some in native attire. But the courtroom is packed.

David comes out. All these Native Americans are sitting there, defense counsel, everybody is sitting back there. And David hits the gavel. He does not say, "All rise." He just says, "United States District Court for the District of Nebraska is now in session; Judge Warren Urbom presiding."

The judge walks out, and everybody stands. Every Native American in that courtroom stood up, in the jury box, defense counsel. Everyone stood up.

The silence was deafening. I just got choked up. I said, "Is this happening?" Yeah, it was happening.

That's your grandpa. What a man. What a man.

150 trials, 150 defendants; only six guilty judgments

were rendered. Four of those were reversed on appeal, so two were left. And those two defendants got probation sentences. Out of all the non leadership trials, that's what happened.

Russell Means and Dennis Banks, the charges against them were dismissed because of governmental misconduct.

Read his book, *Called to Justice*. Read it slowly. Think of the different events and different times. The man was a giant. He was kind, and he was gentle. And he had intellect that was incredible.

Stand, if you would. Give the man a hand. Let's congratulate Judge Urbom.

(Applause)

Thank you.

CHIEF JUDGE SMITH CAMP: Well, that applause was for Judge Urbom.

Now we need a round of applause for Bill Dittrick.

(Applause)

CHIEF JUDGE SMITH CAMP: Thank you, Bill.

And before I introduce our next speaker, I need to supplement the record or I will have committed reversible error because I neglected to introduce our dear friend and colleague, Lyle Strom, who is a Senior District Court Judge on inactive status now.

And Judge Strom tried cases before Judge Urbom, worked with him in the State Bar Association, worked with him as a

colleague on the bench for longer than any of the rest of us. And we're very glad that Judge Strom has returned from an extended trip in England and is able to be here with us today.

Thank you, Lyle.

(Applause)

Marc Pearce served as a law clerk in the Urbom chambers during the last 14 years of the judge's tenure.

Dr. Pearce earned his PhD in social psychology from the University of Nebraska in 2008 and served as an adjunct instructor at the College of Law teaching legal writing for four years.

When Judge Urbom retired from the bench in 2014, Dr. Pearce moved to the College of Law full time serving as Assistant Dean for Student Affairs and Administration.

He maintains a close affiliation with the University's Department of Psychology and is engaged in psycholegal research projects with colleagues around the country.

And before I read Marc Pearce's biography, I had never heard the term "psycholegal." I love that term, and I intend to use that in the future.

Please welcome Marc Pearce.

(Applause)

DR. PEARCE: May it please the Court, to the members of the Urbom family, to his friends in life and colleagues on the bench and bar, to all current and former members of the

court family, and to others here today offering their love and support, it is a privilege for me to be with you to help honor the life and career of Judge Warren K. Urbom.

I find that it's very difficult to try to memorialize a man. Bill did a fantastic job relaying dates and interesting events and also articulating what it is about him that made him such a great man. It's harder for me to do that, so I'm glad Bill was here to be able to do that so effectively.

Many of us enjoyed the privilege of working with Judge Urbom, or for him, or traveling with him, learning with him, or growing up with him. And even if we all worked together, I think we could only describe a part of who Warren Urbom was.

I worked alongside him for only a fraction of his 44 years on the bench, but I do want to attempt to convey to you how I feel about him.

Bill and I did not coordinate our remarks at all. But you'll see readily that there are some common themes that we'll touch upon. And I want to say to the Urbom family, as Bill did, thank you so much for sharing Warren Urbom with us.

We sometimes hear it said, "Don't bring your work home with you," and "Don't bring personal matters into the office."

And insofar as Judge Urbom was concerned, I can't speak to the former point. But I do know, just as Bill pointed out, that Judge Urbom carried his love for each of you with him into the office each day. That love shined through in his

dealings with all that came into his courtroom and his chambers.

I have no doubt, as I saw him gazing at all the pictures -- and they grew in number from the time that Bill was there to the time that I was there -- that his love for you, which of course was bound to and redoubled by his faith in God, is what gave him strength and patience and wisdom and kindness and firmness and commitment to accomplish his good work.

He believed in the noble purpose of this court. He had the utmost respect for the many good citizens and professionals who were responsible for the administration of justice in our society and who did so with great earnestness and dedication to task.

I ran across an interesting quote from Monsignor Robert Hupp, the late director of Boys Town. He once said, speaking of the challenge of serving as a judge, "It's seldom easy to blend the precise dimensions of the law with an open and sensitive evaluation of circumstances and human shortcomings."

I have to confess that such a beautifully articulated thought would never have occurred to me because Judge Urbom operated with such deftness and thoughtfulness and care and with such precision and efficiency that he made the challenges of judging seem simple.

The Honorable Warren K. Urbom was a great judge because

he was a great man who found his life's calling, to our benefit, here in his home state of Nebraska.

He lived in a manner that expressed respect for his highest ideals. I want to offer a simple example to illustrate this point of view. One I know many of you have heard before, if not experienced personally.

But Judge Urbom's respect, not worship, but respect for the law was such that he would not cross a crosswalk against a signal even on a deserted intersection.

(Laughter)

And in later years, I often feared we wouldn't make it across O Street together. Maybe we should get a head start. He always offered his best effort to lead first by example.

He was patient, especially for his law clerks and young lawyers practicing in his court. And if you'll indulge me again, I'll share a short anecdote that many of the attorneys here today will appreciate, I'm sure.

Early in my career as his law clerk, one of my classmates from law school argued a case in front of him. And she objected to an exhibit, as lawyers are wont to do, and he overruled her objection. But she was not ready to concede the point. She stood, and she continued to argue.

I was new enough, but also well taught enough from the College of Law to wonder whether this behavior would be considered offensive. It was going on and on.

I was seated in the courtroom deputy's seat as was often our practice during bench trials. And I listened as she continued relentlessly. I started to feel an urge to squirm. And I wanted to tell my classmate, "What are you doing?"

(Laughter)

I felt compelled to glance back at Judge Urbom to try to read his expression. And simultaneously, I felt a contradictory urge to freeze in place, as if everything would be okay, no one would get in trouble, as long as I just didn't move.

In the course of time, she exhausted herself. And after a very brief pause, Judge Urbom said simply, "The objection is overruled." There was no scolding, no lecturing, just those four words. But they conveyed a lesson.

And I watched my classmate's expression, which betrayed just a hint of embarrassment as she returned to her seat. It was plain that she appreciated the lesson and the delicate manner of its delivery.

Her supervising attorney was sitting next to her. This might have been her very first hearing. She learned a bit more about what zealous advocacy is supposed to mean, as did I. But she learned this in a way that didn't undermine her confidence or enthusiasm for the practice of law.

Judge Urbom was understanding, and he was courteous. One of the greatest lessons I learned from Judge Urbom was to

consider the circumstances under which people were operating before rushing to criticize their research, the quality of their arguments, or their presentation.

And, of course, Judge Urbom was eloquent. All of us who knew him will remember his remarkable voice but recall, too, his efficiency and his precision.

He would dictate in minutes an analysis that would take me a week to write. His focused words would fill only a page or two of transcript, instead of ten like mine might.

I hold all my memories dear. One of the many beautiful aspects of events such as this is that it provokes us to share and bring to bear our powers of recollection so we can call forth and exchange our fond memories and deep feelings. So I look forward to the reception, and we can do more of that together.

Judge Urbom's efforts to further the reach of justice under the law are part of a cherished legacy that I know we all share here in this room.

This great and noble institution, the United States District Court for the District of Nebraska, continues its work, deftly, promptly, and justly resolving all disputes brought before it. And in so doing, it pays tribute to Judge Urbom and indeed, too, all the fine judges who preceded him. I can imagine his deep voice saying to us, "Be about it."

And so with the Court's indulgence, I'd like to conclude

by saying, one last time, the words that Judge Urbom displayed on the wall of Courtroom 4 during our time together: "May all who come find justice in this place."

Thank you.

(Applause)

CHIEF JUDGE SMITH CAMP: Thank you, Marc.

Joy Urbom Taylor is the youngest of the four Urbom children. She and her brother Randy both followed their father's example and joined the legal profession.

But Joy currently refers to her professional status as, I quote, Director of Homeland Activity, Secretary of Kids' Transportation, and Chief Facilities Officer, unquote. In other words, she's a busy mother to three of Judge Urbom's beloved grandchildren.

Joy.

JOY URBOM TAYLOR: Thank you.

Thank you, everyone. And I'll say that happily I've amended my title a little bit because I now have two drivers, my kids. And Joe will be driving next month, so I'll have three drivers. So now I don't have to be in charge of the kids' transportation.

Thank you everyone for coming. I did not prepare remarks today because I knew that Bill and Marc would be giving such kind remarks. So thank you, gentlemen.

Bill, when you were giving that quote, you delivered it

just like Dad would have, just that same tone and tenor. And I appreciate that. Part of why I didn't want to prepare remarks was I didn't want to go to this place again.

(Laughter)

First of all, again, Marc and Bill, thank you so much for your comments. Thank you to everyone who has come today, to the judges, to Ellen, to the former law clerks.

I'm just reminded, when Bill was talking about Wounded Knee, what I remember from the Wounded Knee trials. I was only ten. But I remember the big to-do about the trials being moved to Nebraska because Dad didn't want to move up to South Dakota.

And they were fixing up the barracks for the Indians to reside in, the old Army barracks. And then we had the federal marshals setting up surveillance on our house. And that really irritated Dad. They set up surveillance and a protective detail, if you will.

And then we also had a thing put on our phone where we were supposed to dial if we got prank calls or threatening calls, and we could call the Marshal's Service. And Dad put an immediate end to all of that, thinking that was just outrageous. So those are my Wounded Knee recollections.

(Laughter)

Also, Bill, you were talking about how the family is called upon to share Dad in order to make it all happen. And

I remember our family vacations when I was little. The family vacation was the Eighth Circuit Judicial Conference.

(Laughter)

Every year we had a vacation wherever that was. And I remember being young. And I would get to go to the cocktail party. And Dad would stand around with the other judges and the lawyers who were there, and they would talk law. And everyone would stand around and say, "Oh, I had a case where," and then whatever details, or "I had a case." And I thought, that's what I want to do. I want to stand around and talk law.

(Laughter)

So sure enough, I pursued law school so I could stand around and talk law. Then I found out I didn't really want to talk. A lot of times, you don't like to do that in your spare time anymore.

(Laughter)

We have come here this weekend. I now live in Florida, in Orlando. So we left the perfect 75-degree weather and came here this weekend because of this memorial service.

I told you about my children, Georgi is a senior and my daughter Tommie is a junior. They are looking at colleges, and both have decided that they are interested in the University of Nebraska or Nebraska Wesleyan.

So we're here doing college tours. We did a quick

whirlwind yesterday and today and toured those campuses. So hopefully, you'll have another Urbom or two at one of those colleges or both.

I will just end this by saying that again when I was little, when I think back to Dad, much of that is thinking of him at home. We had this big black chair that was only Dad's chair. And he would sit in that and read briefs.

And because he read every night, I would say, "Dad, why do you have to do all that work?" And he said, "It's not me who does the work, it's the lawyers. They make my job easy."

I just remembered Dad always gave credit to everyone else for making him what he was. He knew that the lawyers, in preparing their briefs and preparing the arguments, made his job easier.

He relied on his law clerks. He loved all of you law clerks. We heard about you often. He loved his fellow judges. He was so appreciative of you all. We always were taught to appreciate everyone.

I think you know that my father was a man of great humility. So I would just like to say he would be humbled today by the number of you who have come out to honor him and to share in this afternoon.

And we thank you very much.

(Applause)

CHIEF JUDGE SMITH CAMP: Thank you, Joy.

Those of you who attended Joyce Urbom's funeral or Judge Urbom's funeral and had the opportunity to hear Joy and Randy speak know that they have a wonderful gift for speaking and storytelling. And I wouldn't be surprised if there's another Urbom book that may come out in the future.

Before I open this up for the good of the order for anyone else who would like to make comments, because we're making a record here today, I want the record to reflect my personal gratitude to Judge Urbom for the guidance that he provided to me over five decades.

When I was in law school in the 1970s, Judge Urbom taught trial advocacy. He never declined an invitation to meet with law students and give a speech, no matter how small and how humble the audience might be. His remarks were always well crafted for the occasion, educational, inspirational, and delivered without a single note.

I was especially moved by his ability to memorize lengthy poetry. I thought here is a man who understands that the law is not just about statutes and rules of procedure. He knows that the law is about humanity and reaching for a higher purpose.

In the '80s, I served as a Special Assistant Attorney General under Bob Spire, and I began to try cases before Judge Urbom. Those of you who appeared in Judge Urbom's court know that it was a lawyer's dream to try a case in a courtroom

where the judge was so patient, so polite, and so knowledgeable about the law and the rules of evidence.

Judge Urbom understood the importance of explaining to all parties why he was taking a particular course of action so everyone with a stake in the proceedings would know that she or he had been heard and respected.

The 1980s was a decade when the docket in Nebraska's federal court was flooded with inmate litigation. Of course, Judge Urbom resolved each case on the merits. But he also wanted to address the overarching issues leading to the glut of the legal actions.

It was in that era that I had the opportunity to work with Judge Urbom exploring strategies for the effective management of inmates' civil rights litigation.

In the 1990s, Judge Urbom asked me to join the Robert Van Pelt American Inn of Court which he founded and administered, the first American Inn of Court here in Nebraska. He said I could enter as a master of the bar. I said, "I'd be honored to join, but I don't think I'm a master of the bar." He said, "I know that, but that's the name we give to the old lawyers."

(Laughter)

He assigned me to a pupillage led by Judge Kopf so we would get to know each other. Right, Judge Kopf? And I guess it worked.

A few years later, Judge Urbom asked me to serve as

president of the Inn and then to join the Crucible Club, his dinner discussion group which forced me to prepare presentations that might be of interest to his highly intellectual friends. And Gene Crump was also in that group.

In other words, he challenged me. And Judge Urbom was someone I did not want to disappoint.

When I became a district judge in 2001, Judge Urbom was the first person I met with to ask for advice. Ten years later when I became Chief Judge, he was again the first person I asked for advice. At that time, he simply said, "Please, be gentle."

Judge Urbom was a brilliant scholar, a gifted writer, an eloquent speaker, a loving husband, father, grandfather, one of the finest federal trial judges in America; and above all, a gentle man. He set the example for those of us to follow on Nebraska's Federal District Court Bench. And we will try our best not to disappoint him.

Now, with that, for the good of the order, if anyone else would like to make comments for the record, this is your opportunity.

Randy.

RANDALL URBOM: My name is Randall Urbom.
Beautifully said, everybody. Well done.

I just want to, on behalf of the Urbom group, thank you very, very much for your support, your comments, and your

presence.

We appreciate it very much.

CHIEF JUDGE SMITH CAMP: Thank you, Randy. Thank you for coming a long distance.

Yes, sir.

AARON RAGER: I'm Aaron Rager, his oldest grandson. And I guess I just want to agree with Randy, thank you for this.

As a grandchild, we didn't know about any of this. We really didn't. I was reading in the program where it says 800 trials. We knew of one, Wounded Knee.

(Laughter)

And it wasn't because of what he told us, it was because of what we read in the newspapers or his book or something like that. These stories are extraordinary because to us, what was important to him was not missing a birthday or not missing a soccer game. Joy spent the last ten years taking him to volleyball games where he would go, be excited, and promptly fall asleep or spill something.

(Laughter)

But this is extraordinary to me. And the way that you tell these stories, I'm anxious to get the transcript because I have to tell these to my kids and continue it on because of the impact that he's not only had on the state and on the history, but us kids. For us, it was what are we going to do

this weekend? And to him following around our Grandma Joyce to different places and how he kept up with her, I don't know.

(Laughter)

But it sounds like you experienced the same thing here. For us, it was what puppet factory are we going to or what Good Life tour bus we were going to go on. We couldn't keep up with them. And how he balanced these two so independently of one another is fascinating to me. How he made such an impact on our lives personally as he did on your lives professionally which blends both.

So as much as I'm sure a lot of us didn't want to do this, this has been extraordinary for all of us, to hear these stories and just see this outpouring of support and love.

So thank you all for the support you've given him and what all of you have taught him which he has then taught us.

So thank you very much.

And I will tell you one quick story. But the most law that he would bring into our lives was this constant argument about the speed limit.

(Laughter)

He'd tell us it's not the speed suggestion, it's the speed limit. There's no law that says you must go 55, it is what you must not go over.

(Laughter)

That was as much law as he'd get into with us.

Thank you again very much. This was an extraordinary time. I'm thrilled that you all are here, and I'm thrilled that I came myself.

So thank you all very much.

(Applause)

CHIEF JUDGE SMITH CAMP: Any other comments for the good of the order?

Then we are adjourned to the reception.

Thank you.

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