



THE HISTORICAL SOCIETY OF THE TENTH JUDICIAL CIRCUIT

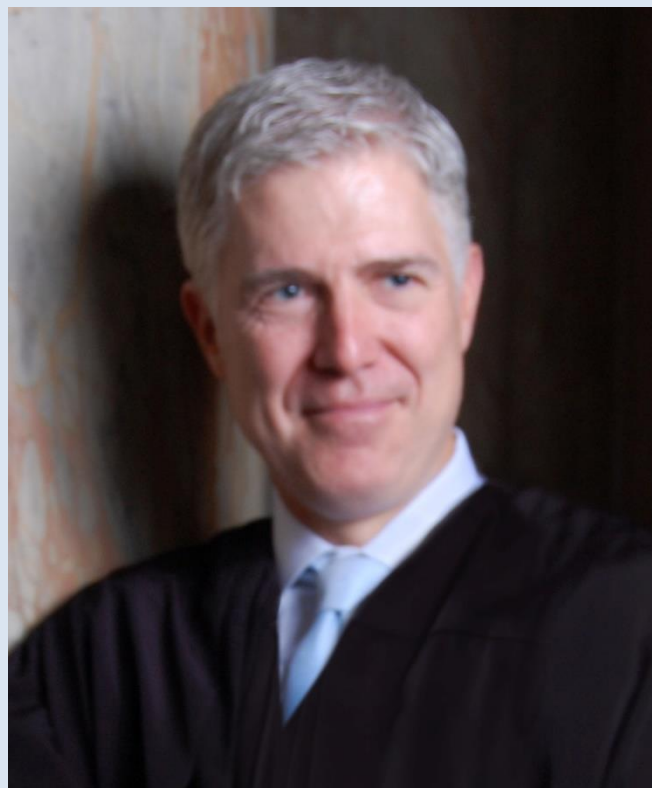
www.10thcircuithistory.org — Info@10thcircuithistory.org

Chair's Note

By: Andrew Schultz

At its core, history is a dialogue between the present and the past. It provides an opportunity for those who are here today to learn from, marvel at, and often be astonished by, those who came before us. That idea is perfectly embodied by the mission of the Tenth Circuit Historical Society: "To preserve and promote knowledge of the history of the development of the law in the Tenth Circuit and the judges and notable lawyers who have served in the Circuit." This interchange between our contemporary lives and earlier times helps us to understand the personalities, circumstances, and events of the judges, lawyers and decisions that make up the history of Tenth Circuit Court of Appeals.

The Tenth Circuit Bench & Bar Conference will be held at The Broadmoor in Colorado Springs, Colorado, from August 23-25, 2018. In addition to the other wonderful programs offered at the Conference, the Historical Society will again sponsor a "fireside chat," this year featuring Justice Neil Gorsuch of the United States Supreme Court. We hope you will plan to attend what is sure to be a memorable evening. Thank you for your continued and generous support of the Society.



Justice Neil M. Gorsuch (photo from Collection of the Supreme Court of the United States).

James K. Logan: A Brilliant Teacher, Mentor, Judge, and Lawyer

By: Greg Kerwin

As the Historical Society celebrates the anniversary of its founding 15 years ago, in the summer of 2003, this article honors one of the founders, James K. (Jim) Logan. Jim worked tirelessly to guide the Society during its early years. He served as the Society's "Counselor" from its inception—quietly guiding many of the organizational, compliance, and fundraising

chores to usher this organization beyond its “start-up” phase. Jim also worked as Board Chair during the early years, helping recruit many of the volunteers who made this group into a viable entity.

Colleagues, friends, and clients of Jim Logan know him as a lawyer’s lawyer, a passionate teacher, and careful, fair-minded judge. They describe him as: candid, humble, gregarious, curious, brilliant, hard-working, and relentlessly optimistic.

Jim’s parents were both age 19 when he was born in a small Kansas town (Quenemo, Kansas) in 1929 as the Great Depression was just taking hold. He was the oldest of six children. His parents finished high school and recognized the value of education and continued learning. His mother became the valedictorian of her high school class in Melvern, Kansas, and taught school briefly in a country school before raising her children. His father worked for the Santa Fe Railroad, first as a laborer, and eventually becoming a foreman and labor union official. From these humble beginnings in a small town, Jim learned to judge people by the content of their character, rather than their family pedigree or educational accomplishments.



Beverly and Jim Logan at the Museum at PrairieFire in Overland Park, KS (2018).

Jim served briefly in the army just after the end of World War II, and then attended college on the G.I. bill and scholarships, graduating from the University of Kansas in 1952, and Harvard Law School in 1955.

Jim leveraged excellent education, mentoring, an outgoing personality, and sheer will-power to pursue his twin dreams of working as a teacher and a lawyer. His hope also to serve as an elected official was side-tracked by

events. Jim served a wonderful mentor to many people including a large group of law clerks. He credits three people who helped mentor him: 1) a high school teacher who showed how college could provide a path out of the poverty in Quenemo; 2) the KU chancellor who took Jim under his wing and guided him in both his professional and

personal life; and 3) a Harvard law professor who opened Jim's eyes to property and estate planning—two of his favorite areas of the law.

Jim met Beverly, the love of his life, while studying at KU. She was a cheerleader and president of the women students. Jim's mentor, the KU Chancellor, advised him: "If I were you I would be dating that girl." Beverly was quickly smitten, and when Jim won a Rhodes scholarship to study in England after college, he placed love ahead of further academic accomplishments. They chose to get married after college, even though that meant Jim had to give up the chance to study at Oxford. Instead, he pursued law school, making law review and graduating eighth in his Harvard class of 444.

After law school and a clerkship with Tenth Circuit judge Walter Huxman (1955-56), Jim briefly tried out working at a large law firm in Los Angeles. But he and Bev grew home sick for Kansas. Jim gave up his high-paying law firm job to join the KU Law faculty in 1957, and quickly became the law school dean, serving with distinction from 1961-68. Along the way he taught as a visiting professor at Harvard, the University of Texas, Stanford, and the University of Michigan. He turned down offers to teach at other law schools including Harvard, preferring to remain in his beloved Kansas. Curious about many fields, Jim taught about fifteen different subjects as a law professor and Dean.

Jim left KU Law School to seek to run as a Democrat for the U.S. Senate, but lost in the primary by about 5,000 votes. Republican Senator Bob Dole won that election, and Jim readily concedes that he would have lost to Dole had he won the Democratic primary. Turning lemons into lemonade, Jim joined his brother in private practice in a small law firm in Olathe and built a thriving practice at Payne & Jones (1968-77). He handled the "office" and transactional practice, including tax and estate planning, while his law partners handled litigation.

Still feeling the itch of politics, Jim was planning to run for governor of Kansas when he got involved with supporting Jimmy Carter's 1976 campaign for president. Jim raised money for Carter and attended the Democratic National Convention as a Carter delegate. That campaign work led to Jim having the opportunity to be nominated by President Carter as a circuit judge for the Tenth Circuit in 1977 to fill a vacancy when Judge Delmas Hill took senior status.

Jim served as a circuit judge on the U.S. Court of Appeals for the Tenth Circuit, working from Olathe, from 1977 to 1998. He relished the hard work and collegiality of the court and enjoyed serving as a teacher and mentor for his many loyal law clerks. He sought to decide each case on the merits without any preconceptions or bias, but never forgot his small town roots and Kansas common sense. Although his work as a federal judge required a sophisticated understanding of all areas of federal civil and criminal law, Jim delighted in explaining to his law clerks and anyone else who would listen, how to understand and

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work with basic concepts of tax law.

Jim chaired the advisory committee that rewrote the Federal Rules of Appellate Procedure from 1993-97. In 1990, the American Bar Association—American Law Institute gave him its Francis Rawle Award for his lifetime contributions to post-law school continuing education. Two of Jim and Bev’s children followed him into law practice in Florida and Kansas, and one daughter works as a physician in Olathe.

Jim left his life tenure job as a federal judge to return to the excitement of serving clients and the collegiality of law practice. As a judge, Jim helped organize and write a book on the history of the Tenth Circuit court of appeals, and back in private practice he helped found the Tenth Circuit Historical Society in 2003 and guide that organization during its early years.

Turning 89 in August and now battling cancer, Jim only recently retired from law practice in 2015, after working for 13 years at the Foulston Siefkin firm’s Overland Park office. He concentrated his practice there on estate planning, general business, advice on appeals, and served as an arbitrator, mediator, and expert witness. Even in retirement, however, he enjoys tracking business developments as an investor.

Despite his many accomplishments and accolades, Jim has not led a charmed life, and has dealt with plenty of setbacks and adversity. Like the Silicon valley entrepreneurs of the 21st century, Jim praises the value of trying and failing in different ventures, and credits his failed bid for the U.S. Senate as leading to his wonderful career as a circuit judge. Jim’s life history serves as a reminder of how people can learn from, and move forward with, every life experience, finding opportunity and room for growth with each setback.

Special Thanks to Judge William C. Kellough of Tulsa, Oklahoma

By: Steven K. Balman

The Historical Society thanks the Honorable William C. “Bill” Kellough for his work on the history of District Judges in Oklahoma. Judge Kellough wrote the original chapter on Oklahoma District Judges for the first history of the Tenth Circuit, and recently updated and supplemented that chapter.

Judge Kellough served as a judge of the District Court in and for Tulsa County, Oklahoma from 2006 until 2014. He managed both criminal and civil dockets during his eight years on the bench.

Judge Kellough is a 1975 graduate of the University of Texas School of Law. He is a third-generation lawyer. Judge Kellough’s grandfather—Robert W. Kellough—started practicing law in Tulsa in 1904. Judge Kellough’s father—Booth Kellough—was also a Tulsa



Photo courtesy of Judge William Kellough

lawyer. Judge Kellough's daughter—Annie—continues the family tradition, she is an attorney in Austin, Texas. Judge Kellough started his career at the Blackstock Joyce law firm. He later joined—and became managing partner of—Boone Smith Davis Hurst & Dickman. While at Boone Smith, Judge Kellough was mentored by L.K. Smith and by Royce Savage, a former United States District Judge for the Northern District of Oklahoma.

Now retired from active practice, Judge Kellough works as a mediator and enjoys spending time with his family and grandchildren, reading history, volunteer work and golf. In a recent newspaper interview, Judge Kellough said "I love the law and I love lawyers."

Annual Courthouse Ornament Honoring the Santiago Campos United States Courthouse in Santa Fe, New Mexico

The annual courthouse ornaments have been very well received. This year, the Historical Society has designed and produced an ornament celebrating the Santiago E. Campos U.S. Courthouse in Santa Fe, New Mexico. Please reach out to Andrew Barr (abarr@cooley.com) for additional information on purchasing an ornament for your favorite lawyer or graduate.



Upcoming Events

As mentioned in the Chair's Note, the Tenth Circuit Bench and Bar Conference is rapidly approaching. The Conference will take place in Colorado Springs, Colorado, on August 23-25, at The Broadmoor. We look forward to a weekend of learning, laughing, and rekindling relationships with practitioners across the Circuit.

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