

December 2019

Memorial Tribute to Volney Jean Tidball - Judge of the District Court of the Second Judicial District

Albany County Bar Association

Follow this and additional works at: <https://scholarship.law.uwyo.edu/wlj>

Recommended Citation

Albany County Bar Association, *Memorial Tribute to Volney Jean Tidball - Judge of the District Court of the Second Judicial District*, 4 Wyo. L.J. 69 (1949)

Available at: <https://scholarship.law.uwyo.edu/wlj/vol4/iss2/2>

This Special Section is brought to you for free and open access by Law Archive of Wyoming Scholarship. It has been accepted for inclusion in Wyoming Law Journal by an authorized editor of Law Archive of Wyoming Scholarship.

VOLNEY JEAN TIDBALL, 1883 - 1949

IN MEMORIAM

Death never becomes to us a familiar event. When it steps in and stops the career of anyone whose life's duties have frequently touched our own it comes as a shock and always as a grim reminder of our own mortality. Then we are ready to do what should have been done long before. We belatedly recognize the virtues and abilities of the one whose passing has been accomplished.

Judge Tidball's work on both the District Bench and on the Supreme Court of Wyoming has always been outstanding. To his faithfulness, his energy and his learning as a judicial officer the Bench and Bar of Wyoming alike give unstinted and wholehearted recognition. His placid disposition, his constant readiness to render aid in the trial courts of this state and in the Supreme Court when aid was needed to expedite the work of those courts will live long in the memories of those who were his associates. The members of the profession in his own judicial district bear witness how profoundly reluctant he was to lay aside even for a brief time when illness came to him the burdens of his office.

No higher tribute can be paid him than that his life and labors have been of permanent and substantial value to his day and generation. We deeply appreciate the privilege of being invited to share with others in tendering a tribute of respect to an honored citizen of Wyoming, an upright and able judge, and a true friend whom we shall sincerely miss throughout all the years during which we who are left may still be accorded life.

WILLIAM H. RINER,
Chief Justice
RALPH KIMBALL
FRED H. BLUME
Associate Justices
Supreme Court of Wyoming.

MEMORIAL TRIBUTE TO VOLNEY JEAN TIDBALL

JUDGE OF THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT

January 6, 1913 - October 13, 1949

STATE OF WYOMING)

: SS

COUNTY OF ALBANY:

The memory of Volney Jean Tidball would remain fresh and inspiring without formal action of the Albany County Bar Association, although its members were his warmest admirers, most frequent

associates, and respectful friends, during the almost thirty-seven years of his devoted difficult and distinguished service as Judge of the Second Judicial District Court of Wyoming. Laramie lawyers appreciate, perhaps better than any others, the general affectionate esteem in which he has been and will be held throughout his native state, and know that its increase is beyond our power or purposes.

Since we shared, however, the community in which he lived out his married and judicial life as an exemplary leading citizen, loving husband and father, stimulating teacher, responsible householder, gracious guest and hospitable host, faithful friend, and genuine gentleman, in the best sense, we came to know him most intimately. We could best discover and treasure the warmth of his wit and the humane and understanding tolerance behind his sometimes-grave judicial countenance, the stirring illumination of his sudden grin and the infectious chuckle of his very human sense of humor, the patient sympathy with which he listened and counselled when attorneys and others sought his sage and common-sense advice, sometimes direct, never failing, always welcome.

We feel it fitting, therefore, that we should offer a summing-up—a final measure of our loss—to be entered in the Journal of Judge Tidball's home Court, as a conclusion to the records of his career which are entered there. We know those records, and had some part in helping write them. Most of them represented a momentary triumph for one of us and an instant's disappointment for another, but all of them attest a lasting gain for the community and state through the strengthening of law and justice, in the only manner possible for the Judge, by fair and just decisions, dispassionate yet often compassionate, stern, when right so required, though often reluctant, unprejudiced and beyond bias. None of us enjoys losing a case, but we minded least in the Judge's Court because of the absolute conviction that the decision, although at the time disputed, resulted from as thorough a study and knowledge of the law, as impartial a reflective review, as careful a weighing of the equities and human factors, and as searching a balance in the probing conscience and finely-trained sense of justice of a wholly honest man, as could be found in American jurisprudence. Winning a case before the Judge was often a greater satisfaction than, and almost automatically, the first and biggest step in, final victory in the Supreme Court.

Indeed, many of his cases were appealed largely in order that the law, as he had decided it, might be confirmed and publicized by Supreme Court opinion beyond the range of his own formal decision.

While he was perfectly qualified to have served as a Supreme Court Justice, he sat with that Court with distinction frequently, writing many lucid, cogent and enlightening opinions and joining in

others. In addition, he undoubtedly reduced the volume of appeals to that tribunal as his reputation for fairness, accuracy and correct decision grew and his judgments more and more became accepted as final, both in his own district and in the great number of cases he tried in all counties of the state. He never allowed his considerate substitution for other district judges to interfere with the prompt and efficient dispatch of business in his own jurisdiction, and so frequently shouldered part of their burden on top of his own, but could never shirk his own duties nor assign any case to another judge unless he honestly felt himself disqualified to render an impartial judgment.

The Judge's study of the law only began with his law school training, and in any case before him he might continue as far beyond the research of the lawyers involved as he found necessary to reach a correct, legally sound result. Likewise, his teaching of the law neither began nor ended with his duties at the University of Wyoming Law School, although a generation of Wyoming lawyers, all over the State, have gained their knowledge of and respect for the intricacies of legal practice and procedure from the painstaking, thorough and challenging instruction which the Judge offered, often at much inconvenience and sacrifice of leisure, as a member of the faculty from the Law School's beginning in 1920. Outside the classroom, as well as in formal session, however, law students and practitioners alike found him willing to answer a question, to work out a legal puzzle, to dig out the foundation of the law, regardless of the time of difficulty involved. He gave much more than he received from others of legal knowledge and respect for American justice.

It was typical of the Judge's sense of responsibility, and dutiful performance of his tasks, that he held his classes at eight in the morning, when possible, in order to hold court during the full, regular schedule that he meticulously observed. It was equally typical that during his last year he devoted more time to a critical but helpful study of, and earnest effort to improve, the proposed Wyoming Rules of Civil Procedure, than any but members of the Rules Committee, and the Rules are more complete, equitable, and efficient because of his labor; and this although he might have retired honorably without ever reading or following the Rules, or found that their adoption had greatly increased the labor of his last few years. We had anticipated with pleasure his inauguration next January of Pre-Trial Conferences, under the first of the rules to become effective, and the elimination of technical delay and frustration which the masterful use of the technique in his experienced hands would have wrought.

But he never permitted legal red tape to frustrate justice, and sought always to help the least fortunate, the young and aged, offenders and offended against, to the best solution he could fashion, often

far beyond the duty of his position. His humane and frequent use of the parole system, his genuine concern for errant youth, his belief that rehabilitation was preferable to punishment, all shown by his deep interest in his wife's work with the Cathedral Home for Children, pointed the way to a liberalization of handling of juveniles.

His family grieves for the loss of a loving, kindly father; we for the loss of our Judge, a wise, just and truly great leader; and we each know and share something of the other grief. But neither of us can know all of those others who have lost protector and a friend.

A generation in Wyoming's Second Judicial District have matured in the secure, certain and rock-bottom knowledge that, whatever their troubles, they would receive due, legal, impartial, but equitable justice, because Judge Tidball was presiding on the bench. His tradition, his memory, his example, guarantee that such justice will live on in the course he fixed.

We therefore resolve to memorialize Judge Tidball gratefully, by delivery of copies hereof to his wife and children, permanently, by the entry hereof in the Court Journal, and publicly, by the installation in his chambers of the best photograph of him which our officers can obtain, that the encouragement and sense of responsibility, which we found in his calm, judicial, but human appraisal, may not end.

ALBANY COUNTY BAR ASSOCIATION.

Mr. William B. Miller, Secretary, announced that the Colorado Bar Association in its 51st annual meeting at Colorado Springs on October 15, 1949, unanimously passed the following motion:

"The members of the Colorado Bar Association, in convention assembled, wish to express sorrow and regret to their brothers in the Wyoming State Bar upon the passing of Judge V. J. Tidball, for over 36 years judge of the District Court of Wyoming."