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## Tribute to Gerald M. Gallivan

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## TRIBUTE TO GERALD M. GALLIVAN

*William A. Taylor*

Justice Golden, in his address to those attending the 75th Anniversary celebration of the law school, paid tribute to many of the individuals who have played a prominent role in the growth and success of the University of Wyoming College of Law. One of those exceptional individuals who has devoted the best of his personal talents and his professional career to the law school is Gerald Gallivan.

In the fall of 1970, the University of Wyoming College of Law celebrated its 50th Anniversary and Professor Gallivan, a graduate of Notre Dame, began his tenure as a Professor of Law at this great institution. Preceding his arrival in Laramie, Gerry spent two years clerking for a federal district judge in New York, one year in private practice with a small firm, and four years as Assistant United States Attorney in Buffalo, New York.

What a transition it must have been for Gerry to arrive in the high plains of Laramie, Wyoming from New York; for his family, it was a greater shock. Gerry assured his family that Laramie was but a way stop. Four or five years from their arrival, they would most certainly be on their way to seek new opportunities. Five years became ten, ten became twenty and now after twenty-six years of service to the University, the law school, and to the hundreds of law students who had the privilege of studying law with Professor Gallivan, he has retired.

What a contribution he has made! How many lawyers are better practitioners because of his influence! Upon his arrival, he assumed the directorship of the Defender Aid program. The program, at that time, was in its infancy and unique among law schools in the nation. Under Gerry's guiding hand, the program has grown and has provided a model for similar programs in law schools around the country. More importantly, it has become the cornerstone of success for the Public Defender Program in the State of Wyoming.

Law students enrolled in the Defender Aid Program have appeared in trial courts throughout the State and have been prepared to competently argue dozens of appeals before the Wyoming Supreme Court. This cadre of trained lawyers has provided the role of Public Defender upon graduation. These same young lawyers have assumed appellate duties of the Public Defender's office. To this day, most of the lawyers employed by the Public Defender received their initiation under fire by virtue of the tutelage of Gerry Gallivan. Three of the four directors of the Public Defender program were students of Gerry Gallivan.

Gerry himself, when the work-load required it, argued many appeals in the Wyoming Supreme Court. He was never intimidated by any Justice, past or present who sat upon his cases. He could quote chapter and verse from every important criminal decision of the Court. He never wavered in his defense, even under the relentless probing of the venerable Justice Thomas, who also holds firm convictions on the criminal law. Although criminal appeals are a tough task under the best circumstances, Gerry Gallivan has had his *share* of success.

Gerry Gallivan and I *share* some of the same vices; when in Cheyenne to argue cases, he would often wander down to my office to have a cigarette. Before the arrival of Chief Justice Lehman my office served as the one haven in the building where a cigarette might be permitted. Not once on those many occasions did he ever discuss or even mention any case pending before the Court, any case decided by the Court, or any case that might be before the Court at some future date. He was and is absolutely ethical in every respect. Gerry speaks with interest, knowledge, and versatility on many topics; he and I spent many enjoyable hours in discussions about family, mutual friends, the law school, or perhaps some promising student of whom he had great expectations. Gerry Gallivan is an ethical, exceptional, intriguing, and honorable man in the best tradition of Wyoming lawyers.

One of Gerry's very first acts upon arriving in Wyoming was to become a member of the Wyoming State Bar. He remains an active member today. He has served on various Bar committees and has annually conducted a critique of criminal decisions of the Wyoming Supreme Court in lively, well attended sessions of the Wyoming Bar Convention. Though the Justices in attendance may have felt moments of discomfort, as Gerry pointed out the errors of their ways, his remarks were always delivered with wit and unflinching good humor.

Truly, Professor Gallivan's legacy to his students, the law school, the University of Wyoming, and the Bar, stand equally with the contributions of Deans Hamilton, Trelease, Rudolph, and Maxfield and the many others who have found teaching law has been the fulfillment of their professional life. Gerald Gallivan would have been successful in any area of the law, but he found his satisfaction in teaching law and the University of Wyoming College of Law has been the beneficiary.

Gerald Gallivan, my friend for more than 20 years, is truly deserving of the honor bestowed upon him by the editorial board and staff of the *Land and Water Law Review*. I compliment you upon your selection.