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## Justice John J. Rooney

*By William D. Bagley*

Everyone knew and respected a different John Rooney. For a public person he was a very private man. He had strong convictions and great tolerance. To his family, he was a loving husband and father, very much in control. To his Church, he served as attorney for the Diocese and was a traditionalist to the core. To his partners, he was the salt of the earth in his jump suit attire, and a tremendous resource. To those on the other side of a legal matter, he was a fierce and able advocate.

It was my great privilege to practice law with John Rooney from 1966 until 1979 when he was appointed to the Wyoming Supreme Court after brief service as Wyoming Attorney General, and again after his retirement from the Court December 31, 1983, until he again left the practice to accept the senior status on the Court. From the ninth grade on John's family lived in Hot Springs, South Dakota, a resort town on the south end of the Black Hills, where his father was a lawyer in private practice. John had a happy childhood in Chadron, Nebraska and later in Hot Springs, South Dakota, and he liked to reminisce about time spent as a youth at the swimming pool and in sports. An exceptional athlete, starting in the sixth grade he played seven years of high school football, beginning at the Assumption Academy in Chadron and then continuing at Hot Springs. During his college years he was a seasonal park ranger and guide at the Wind Cave near Hot Springs.

John completed four years of undergraduate training at the University of Minnesota in 1933 to 1936, where he received bachelor's degree. There he played football under Coach Bernie Bierman. In Minnesota, John and his fellow football player, Bud Wilkinson, as students, together coached a parochial school team which won the Minnesota State Championship. Wilkinson went on to coach at Oklahoma. John received his law degree at the University of Colorado where he played an additional three years of football from 1937 to 1939 under Coach Bunnie Oakes. Other players on the Colorado team included Supreme Court Justice, Byron R. "Whizzer" White, Paul McClung and Leo Stasica. In the 1937 season he was a member of CU's first ever bowl team, wherein CU was defeated by Rice in the Cotton Bowl in Dallas. In 1939 the team won the Big 7 title.

After college and marriage to Velma, John practiced law briefly with his father in Hot Springs. He then entered the FBI in 1942, working primarily in counter-intelligence identifying German spies, radio broadcast facilities and submarines in the New York City area during World War II. In 1946 John returned to the Denver office of the FBI where he was assigned to be the resident agent for Wyoming.

John entered the law practice in 1958 in Cheyenne, and his partners in the law practice over the years included Supreme Court Justices Norman B. Gray and John F. Raper, and Tenth Circuit Judge and Governor Joe Hickey.

John's clients ranged from the most humble to those who did business on the largest scale. When he undertook representation his effort was total and not limited by the client's ability to pay. In even the most hotly contested cases or political contests he emerged with the respect of his opponent.

John had the ability to cut to the core of difficult questions, and to communicate in a clear and concise manner. John never hesitated to challenge authority when he felt he was right. His judicial philosophy (a great respect for precedent and common sense) is expressed in part in his dissent, joined in by Justice Raper, in *O'Donnell v. City of Casper et al.*, 696 P.2d 1278, 1288 (Wyo 1985), as follows:

The majority opinion abandons logic, and it abandons the wisdom of our predecessors on the basis of theoretical exploration commonly indulged in by law professors to challenge the thinking of law students, but from which the law professors generally retreat in the final solution of the law problem in favor of the practical and common sense solution of it.

John served in the Wyoming House of Representatives, as Chairman of the Wyoming Democratic Party, as Cheyenne City Attorney, as the 1970 Democratic nominee for Governor, as attorney for Laramie County School District One, as Wyoming Attorney General for eight months in 1978, and as a member of the Wyoming Supreme Court from 1979 through 1984.

The last years were tough. The vivacious and outgoing Velma suffered an injury that caused her to need continual care, and John dedicated the last years of his life to care for her, though by then he also had serious health problems. Sometimes the golden years are not. However, Velma and John did get the opportunity in their later years to spend a good deal of time with children and grandchildren. John was there for Velma to the end.

How can we thank one who has shown us the path by example? To John Rooney integrity, public service, generosity, church, family, hard work and loyalty were a way of life. He left this world a better place.

EDITORS' NOTE

After thirty-five years of continuous publication this, Volume XXV, Number 2, will be the final student-edited piece of the *Land and Water Law Review*. Beginning next year this journal will be entitled the *Wyoming Law Review* to better reflect the broad range of issues the law review normally addresses. While we are proud of the tradition we inherited, this Editorial Board, and the Faculty of the University of Wyoming, College of Law believed that it was time for a change in the primary focus of the journal. While a section of the publication will continue to give particular attention to natural resource issues, the journal will primarily concentrate on areas of general interest in the law. We welcome your comments and submissions and look forward to a bright future for the *Wyoming Law Review*.