

Presentation of the Edward J. Devitt Distinguished Service Award Honoring:

Judge Edward Leavy

Remarks By

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for the Ninth Circuit

Supreme Court of the United States
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Washington, D.C.
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Chief Justice Roberts, Justice Kennedy, Justice Thomas, Justice Sotomayor, Mrs. Opperman, distinguished guests and friends:

You have already heard glowing tributes to my fellow judge Edward Leavy. It is now my honor and privilege to speak on behalf of his colleagues at the United States Court of Appeals for the Ninth Circuit.

Ed has been my brother judge in Portland, Oregon for the twenty-eight years we have spent together in the historic Pioneer Courthouse where, incidentally, we have been privileged to have welcomed all four of the Justices present today. Ed has been a dear friend for over thirty-five years from the time we first met when he became a magistrate judge in the District of Oregon. It has been a pleasure and a joy to work with him, as all of his judicial colleagues, both state and federal, will attest.

Ed Leavy is unique. No other judge with whom I have had occasion to interact possesses in one being his dignity, sagacity, humility, warmth and gentle humor. Judge Leavy is the genuine article. As prominent as he is on the second highest rung of the federal judicial ladder he is utterly unpretentious. Indeed, he is the quintessential country lawyer and hops farmer in style and demeanor yet is smarter than all of us. He personally engages with anyone he meets. He and his gracious wife Eileen have raised an exemplary family: many of their children and grandchildren have traveled from the far west to share this special celebration today. Ed is sincere yet is respectful of others while maintaining his own standards. If he must disagree with a colleague, he disagrees agreeably—he is the model of collegiality.

Ed's humble brilliance has enriched my life, and the lives of all of his colleagues. But equally important, it has made a lasting impact on the federal judiciary that continues to this day. You have already heard about Ed's work from 1976-1984 as one of the pioneering magistrate judges under the newly-amended Federal Magistrates Act. I submit that the success of the system as it exists today would not have been possible without Ed's unique gifts.

Ed leads by example. As a boy raised on an Oregon farm and the youngest of ten children, Ed is unafraid to roll up his sleeves where there is work to be done. That quiet dedication along with Ed's gentle demeanor and sage legal mind helped instill confidence in the magistrate system at its most needed and tenuous hour. It

also helped the system garner nationwide acceptance. Indeed, Ed became one of the first federal magistrates to conduct civil trials by consent of the parties in federal court, in large part because judges as well as attorneys trusted his judgment. As I see it, we learned to believe in the magistrate system because we first believed in Ed.

Ed's devotion to the law is also apparent in his many sterling achievements, many of which we have already heard about. But I believe our debt to Ed extends even beyond these. It extends to Ed's willingness to engage in acts of service that often elude recognition. For instance, I know from personal experience that Ed has acted as an informal mentor to many new Ninth Circuit judges and as a model for many others, in addition to his role as a noted Ninth Circuit jurist, a charter member of the FISA Court of Review, and a famed mediator. In those contexts and in many others, my brother and sister colleagues have watched Ed use his amazing gifts to help instill a respect for litigants, for our system, and for the law itself, and always without fanfare or thought of reward. In his integrity and his unsung kindness, Ed is everything that all of us hope a federal judge could be. At every turn and at every opportunity, Ed has chosen to use his gifts to serve our nation and our laws.

In my estimation, Ed Leavy is just the type of judge for whom the Devitt Award was created – a kind and decent person whom his colleagues highly respect and trust and who has brought great honor to the judiciary. He fully deserves this national recognition.

Ed, for your lifetime of service;
for your unassuming generosity;
for your legal brilliance and your furtherance of justice;
for teaching all of us what it means to love and to serve the law;
for all of this and more, we thank you.
You have given us more than we can ever repay.