

"Profiles in Success" celebrates those individuals, living and deceased, whose contributions to the practice of law lend themselves to inspiring narratives. This article is part of the "Six of the Greatest" series profiling outstanding lawyers in Colorado history. To submit a profile or to nominate someone to be the subject of a future profile, contact Communications Specialist Brendan Baker at bbaker@cobar.org.

Robert Delaney (1917–2008)

One of the Greatest

BY DIANE DELANEY AND GEOFFREY P. ANDERSON

Robert "Bob" Delaney was born in 1917 in Meeker, Colorado, and grew up on the family ranch on the lower White River. His grandparents settled there in the early 1880s, at a time when it was still inhabited by Native Americans and only a couple of years after the Ute uprising known to history as the Meeker Massacre.¹ "My family got along with the Indians. They had to," he used to say. The lower White River proved to be a difficult place to ranch, and one family member observed of the original ranch that it would be hard to find a tract "where the river was more crooked or the brush was more dense, or the possibility of constructing a good, inexpensive ditch more difficult."²

Bob's mother, Anne Carbrey, was a school-teacher who obtained a teaching position in Rio Blanco County in 1909 only to discover, upon arrival, that the school was some 26 miles downriver from Meeker, the nearest town. But here she met James Delaney, whose family by then had several ranches in the area. They married in 1913 and subsequently had three children, including Robert and his two sisters, Elizabeth and Claire. In that era, when the children were young, their ride to a rural schoolhouse was on horseback, no matter the weather. Later they moved into town, to Meeker, to attend the higher grades of school, returning to the ranch in the summer.³ In 1935 James Delaney was killed in a ranch accident. Bob graduated from Meeker High School a few



months later and decided he did not want to be a rancher. This was during the Depression and there seemed little on offer but relentless hard work. Bob later joked that he owed anything he ever achieved in the practice of law to the experience of digging postholes on the ranch. Nothing compared for hard work.

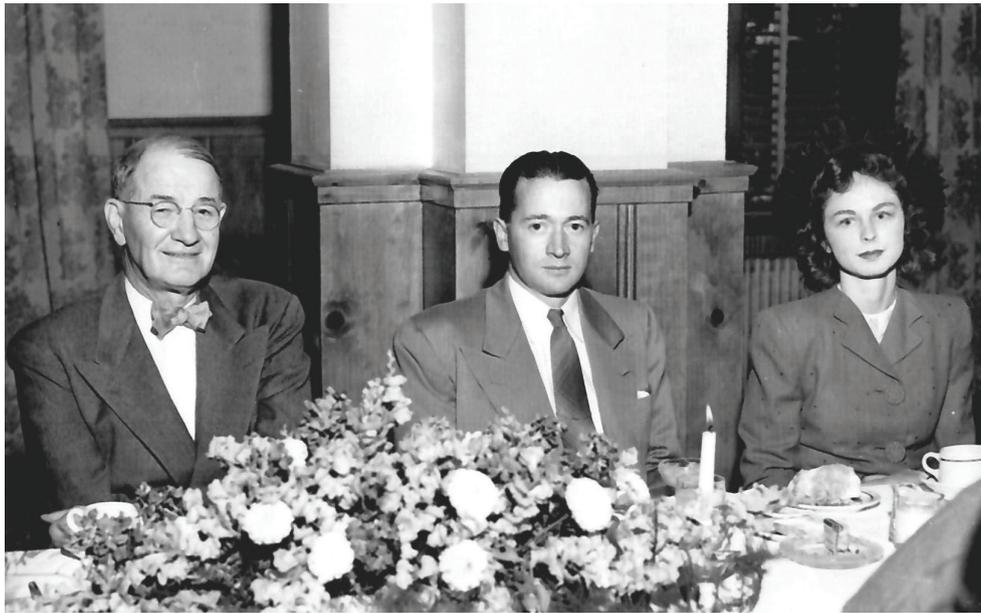
So he rounded up his cattle and drove them to Rifle, where he sold cattle, horse, and saddle, and then used the proceeds to buy a train ticket to Denver. There, he worked his way through college and law school, working for

a construction company, as a manufacturer's agent, and for a Denver wholesale firm. At the same time, he learned to take shorthand, a useful skill that he referred to as "the next best thing to having a memory."

He attended the University of Denver, and then enrolled in the Westminster Law School in what he anticipated would be the Class of 1942. The school was located in downtown Denver, 16th and Glenarm, so that "students employed in the business district can attend," according to the school catalog.⁴ Classes met every evening (except Sunday), and it was "one of the very few schools in the nation which presents a three year standard law course in the evening."⁵ Bob said his Westminster education served him well because classes were taught by pragmatic, practicing attorneys and focused on "exactly what we would need" to practice law.

In 1941, beginning his final year of law school, Bob went to work for the Federal Bureau of Investigation in the Denver field office. He remembered December 7 as a quiet Sunday in the office, until suddenly the telexes began chattering furiously with news of the Japanese attack on Pearl Harbor, and subsequent orders. One such order was that Robert Delaney was to be on a plane to Alaska by December 9. Law school was on hold until the end of the war.⁶

After working for 15 months in the FBI's Juneau field office, Bob opted to join the Army Air Corps, and was about to ship out to the South Pacific as a gunner on a B-29 bomber



LEFT: Bob and Connie with Gov. Lee Knous, Hotel Colorado.

BELOW: Bob and Connie at home.

when the war ended. One benefit of his time in the military was that, while stationed in California, he met Connie Wheat, a cousin of one of his fellow airmen. They were married in 1946 in Los Angeles, California, and moved to Glenwood Springs, Colorado, where Bob, having completed law school and been admitted to the bar, began his law practice working for his uncle Frank Delaney.⁷

Two years later, Bob decided to run as the Democratic candidate for the Office of District Attorney of the Ninth Judicial District, comprising Garfield, Pitkin, and Rio Blanco counties. He was running against William Mason, a well-respected county court judge, and the outcome of the contest “was eagerly anticipated by voters in both parties.”⁸ That was the year President Harry Truman’s “whistle-stop” train tour came to Glenwood Springs, where Truman was introduced to the crowd by candidate Robert Delaney.⁹

Bob won the election, carrying all three counties (although at least in Garfield County, the whistle-stop in Glenwood notwithstanding, Dewey did defeat Truman).¹⁰ Bob served three terms as district attorney, including a stint as president of the Colorado District Attorney’s Association. He and deputy DA Kenneth Balcomb later recounted that they initially found in the District Attorney’s Office that “there were few guilty pleas for a while and that the



lawyers in the area were inclined to ‘try them out’ in court. For various reasons they found themselves prosecuting against some of the best trial lawyers in the state.”¹¹

The DA at that time was paid \$5,000 a year, and the deputy DA \$3,000. They were expected to have a civil practice to supplement their income, and found that their trial experience proved beneficial as “the best way to gain public exposure, establish a reputation, and build a

civil practice.” They formed a law firm, Delaney & Balcomb, in June 1953.¹²

Bob was quite active in Democratic party politics and contemplated running for attorney general. However, one winter day, while driving to Denver for a political meeting, he rounded a corner on Vail Pass (then two-lanes) and his car slid on ice and under a truck that was hauling explosives. He dived under the dashboard of his car and emerged unscathed, but the car was totaled. He did go on to the meeting, having taken a bus, but on further reflection decided instead to focus on his law practice.

A major focus of his civil practice was protection of Western Slope water interests. Bob was legal counsel to the Middle Park Water Conservancy District and to the Colorado River District, and later was a member of the Colorado River District Board of Directors. He joined Frank Delaney in the mid-1950s in the Blue River case in U.S. District Court, which brought about a settlement over Dillon Reservoir and the administration of Green Mountain Reservoir, two of the largest trans-mountain water diversion projects in the state.¹³ He served as Western Colorado’s representative on the “Hill Committee” (a committee created by the legislature to attempt to settle the trans-mountain diversion disputes), as a representative of Western Colorado on the Frying Pan/Arkansas Committee, and in various litigation matters.¹⁴

He represented a number of private entities as well. One attorney with whom he worked over the years recalled having been with Bob when he presented oral arguments on a complex water case to the Colorado Supreme Court. He reflected, “I was impressed with his quiet, low key, short, yet confident argument to the court.”¹⁵

Bob’s practice also included local government law. He was counsel to the City of Glenwood Springs. He was also Pitkin County Attorney for 14 years, and as such was the subject of some controversy. An editorial in *The Aspen Times*, for example, referred to him as “an astute, sought-after lawyer,” and said that “[b]ecause he is so sharp, Delaney automatically fills the



Introducing Truman at Glenwood Springs whistle-stop.

vacuum created by the vapidness of the county commissioners. At meeting after meeting they turn to him for advice, and his are often the decisions that rule the county. He keeps notes of what goes on and provides the official minutes and it is his memory that determines what was decided by the commissioners.”¹⁶ The writer Hunter S. Thompson once produced a wall poster attacking local political figures, including Robert Delaney, who, he said, was allowed to “run Pitkin County as a sort of personal fief. Most people don’t even know who he is, and the few who do seem to view him with the same kind of fearful deference that street hoods reserve for a Mafia chieftain. Not even the local attorneys who know him—and privately deplore his massive influence—are willing to talk about him for the record.”¹⁷

Over time, Bob became deeply engrossed in and primarily focused on mining and corporate law. Starting in 1953, he represented Leighton S. Wood, a businessman who was intent on reviving coal mining operations, dormant since 1909, in the Coal Basin (situated west of Redstone, Colorado). Over the next several years, acting for Mr. Wood and his Mid-Continent Coal & Coke Company, Bob handled acquisition of properties, leases, contracts, and labor. Mid-Continent began mining in 1956. Despite adverse mining conditions, the mines became significant suppliers of metallurgical coal to western steel mills at Fontana, California and Geneva, Utah and continued in operation until a mine fire led to closure of the mines in 1991. Bob was general counsel to the Mid-Continent Companies throughout the often turbulent life

of the mining operations, also becoming an officer and shareholder. He took a particular interest in setting up a subsidiary corporation, of which he was the president, to address local housing needs for the increasing Mid-Continent workforce. After the mines closed, through his efforts in collaboration with the Western Land Exchange and the White River National Forest, the extensive Mid-Continent property holdings in the Coal Basin were transferred to public ownership through a series of land exchanges, and the financial proceeds went primarily to funding the reclamation of the mine site.

Bob was a trustee of a the L.S. Wood Charitable Trust, set up in 1967 after the death of Leighton Wood, which has made substantial awards (\$12 million in the last 20 years alone) in scholastic grants and scholarships. Recipients



Riding with granddaughter Laurie.



Bob and Connie, McClure Pass, 1985.



Diane Delaney is the second child of Bob and Connie Delaney, and was born and raised in Glenwood Springs. She has been a reporter

for the Salt Lake Tribune, the press secretary to U.S. Senator Wallace F. Bennett (R-Utah), and a mining lobbyist and lawyer. Now retired, Delaney resides in Colorado and California—ddelaney7@me.com. **Geoffrey P. Anderson** is a shareholder at Sweetbaum Sands Anderson PC in Denver, where he practices in the areas of real estate litigation, commercial litigation, and real estate transactions. Anderson earned his law degree at the University of Denver and a Bachelor of Science degree at Colorado State University. He is an announcer on a jazz radio program on KUVU radio, 89.3 FM and kuvo.org on Tuesdays from 8 p.m. to 10 p.m. and every other week on All Blues from 4 p.m. to 6 p.m. on Saturday, as well as an occasional contributor of concert reviews to kuvo.org and allaboutjazz.com.

are asked to give back to the community in repayment of the educational assistance given to them, and many have taken that charge very seriously. In a similar vein, Bob served for some years on the RE-1 school board. In 1987, he and Kenneth Balcomb contributed an office building in downtown Glenwood Springs to Colorado Mountain College for use as an administrative office. Bob made a \$100,000 contribution to University of Denver Sturm College of Law and was a member of the Alumni Council. He and Connie took an active part in the community effort to start, and then support, the Valley View Hospital in Glenwood Springs. The Robert and Connie Delaney Foundation, which he set up, continues to make annual contributions to fund Parkinson's disease research and the Connie Delaney Medical Library of Valley View Hospital. He also served as secretary-treasurer of the White River National Forest Association.

Bob and Connie were happily married for 58 years, until her death in 2004. He never did retire, but they traveled extensively, and particularly enjoyed their trips to Africa, Egypt, Pacific Rim countries, South America, Australia, New Zealand, and Europe. They were excellent skiers, and indifferent golfers. They had three children, Rob, Ralph, and Diane, to whom

they were devoted, if sometimes frustrated, parents, and two grandchildren, Laurie and Ryan, on whom they doted. Bob died in 2008 at the age of 91. He considered himself to have had a fortunate life, in considerable measure due to the opportunities afforded him by the practice of law to do interesting, varied, and consequential work. ^{CL}

NOTES

1. www.meekercolorado.com/HSociety.htm. Said to be "The Last Major Indian Uprising," the Meeker Massacre occurred on September 29, 1897.
2. Memoir of Frank Delaney. Unpublished.
3. Memoir of Anne Carbrey Delaney. Unpublished.
4. Westminster Law School, Announcements and Catalog, 1942-43 at 8.
5. *Id.*
6. Telex dated December 9, 1941. Robert Delaney file.
7. Cutter and Satterfield, "Six of the Greatest: Frank Delaney," 23 *Colorado Lawyer* 1489 (July 1994).
8. "Truman Defeats Dewey in Exciting Presidential Race; Democrats Win Majorities in Congress and Sweep Most State Offices; Republicans Dominate County," *Glenwood Post* 1 (Nov. 4, 1948).
9. www.trumanlibrary.org. President Truman,

campaigning by train, stopped to give speeches at small towns never before visited by a President.

10. "Truman Defeats Dewey in Exciting Presidential Race; Democrats Win Majorities in Congress and Sweep Most State Offices; Republicans Dominate County," *supra* note 8.
11. History of The Delaney & Balcomb Law Firm, 1993. Unpublished. Robert Delaney file.
12. *Id.*
13. Stroud, "Country Lawyer and Industrialist Reflects on 52-Year Career," *The Roaring Fork Valley Journal* B1 (Aug. 27, 1998).
14. History of The Delaney & Balcomb Law Firm, *supra* note 11.
15. Letter from Burns Errebo, Jan. 5, 2009.
16. "Several Hats for Delaney," *The Aspen Times* 2A (Sept. 28, 1967).
17. Thompson, *The Aspen Wallposter*, vol. 1 (Mar. 1970).