

Feature

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Profiles of Success: Philip G. Dufford

Interview by David L. Masters



Philip G. Dufford

Editor's Note:

The Colorado Lawyer Board of Editors has approved space for bimonthly profiles of practicing lawyers. The newly established Profiles Committee has chosen Colorado Bar Association members who were nominated as outstanding lawyers by their peers. With these profiles, the CBA hopes to: promote the image of lawyers by emphasizing qualities that should be emulated; show the benefits of public service to both the lawyer who serves and the community; emphasize professionalism; provide role models for new lawyers; manifest ways of becoming successful and respected; and reward deserving lawyers for their contributions to the profession. Standards and procedures for these profiles differ from those established for the annual July issue featuring outstanding lawyers in Colorado history. These profiles of lawyers are an opportunity to highlight the qualities that are important for effective lawyering in today's legal practice. We welcome feedback at any time. Please send your suggestions, comments, or questions about this ongoing feature to: Arlene Abady, Managing Editor, 1900 Grant St., Ninth Floor, Denver, CO 80203; (303) 824-5325; fax, (303) 830-3990; e-mail, aabady@cobar.org.

A man's real life is that accorded to him in the thoughts of other men by reason of respect or natural love.¹

Philip G. Dufford ("Phil"), as a lawyer in private practice, as a law school professor, as an appellate judge, as an author and an individual, has enjoyed a "real life" through the respect of other men and women. Unassuming and demure, Phil Dufford has achieved the highest of goals—the respect of one's peers. This accomplishment stems from a simple philosophy: work hard and have fun.

Background

Born February 2, 1926, at Sunnyside, Utah, Phil Dufford was one of four children. His father worked in the coal mines, while his mother kept the home fires burning. Phil describes his mother as extremely bright and says that he learned more from her than he did through the school system. When Phil was six, his family moved to Grand Junction, Colorado, where he attended public school. The move to Grand Junction came when Phil's father gave up mining coal and moved into the insurance business. Not subject to the limitations imposed today by a seventh-grade education, Phil's father served on the Grand Junction city council and in the Colorado legislature.

In 1942, Phil entered the Millard Preparatory Academy in Washington, D.C., to prepare himself for West Point and a career in the military. He had hoped to attend the U.S. military

academy at West Point and, indeed, had two appointments to the Army's military college. However, his eyesight was not up to Uncle Sam's standards. As was the case for many young people in those years, his education was interrupted by military service. During the height of World War II, he volunteered for induction and was drafted along with more than 10 million others. Phil entered the service as a private, but advanced to the rank of staff sergeant. Later, he received a field commission and then became a second lieutenant and was stationed in the Philippines. Always looking to the bright side, he describes his time in the Army as "not all bad."

At the end of the war, Phil returned to Grand Junction and enrolled at Mesa College, where he studied English, history, and economics. The last thing in the world he had in mind was to attend law school, but his studies to that point did not lend themselves to his goal of becoming an engineer. After some thought, and realizing that he did not have the required math skills, Phil concluded that history blends with the law and decided to go to law school. After Mesa College, Phil moved to Boulder for a final year of undergraduate studies and then attended law school at the University of Colorado.

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During law school, in October 1951, Phil married Kathryn (“Kathy”) Ducey, whom he had met through mutual friends at the university. Phil and Kathy raised four children, all of whom are well educated and successful in their own way. Phil takes great pride in the accomplishments of his children and speaks fondly of their contributions to his life.



Phil and Clair Brown, wife of partner Tom Brown, at Phil's birthday celebration

Law Practice and Other Paths

After graduating from law school in 1952, Phil wanted to return to Grand Junction, where his brother practiced law.² Apparently, the need for lawyers in Grand Junction was at an all-time low, and he found no suitable work. Indeed, his brother was working for a salary of \$45 per month and living at home with their parents. Phil had a wife to support, and so returned to Denver to interview with several firms. He landed a position as the only associate with Tippet, Haskell, and Welborn. Phil recalls that this was a top-paying position where he earned the princely sum of \$250 per month. Eventually, Phil became a partner. Throughout his career, Phil's practice focused on real property and natural resource matters.

When Bob Welborn decided to leave the firm in 1960, he asked Phil to join him in starting a new firm. Welborn and Dufford began with a good client base, and the firm continued to grow, ending up with forty lawyers supported by a staff of fifty. Phil says that his secret to success was to honor referrals, making sure that clients always returned to the lawyer who referred them. In 1963, Joe Cook joined the firm and the name was changed to Welborn, Dufford and Cook. Later, Dave Phipps came on board as a name partner. Then, in 1964 Tom Brown joined, and the firm name changed yet again. In the early 1980s, former Denver District Attorney Dale Tooley was a member, resulting in yet another name change. Over time, Dave Phipps and Dale Tooley died and Cook and Welborn left the firm, which is known today as Dufford & Brown, P.C.

The original emphasis of the firm on commercial and natural resource matters has expanded and now includes litigation, environmental law, and alternative dispute resolution. One of his many law partners recalls that Phil was famous for declaring “snow days.” As the first flakes fell, Phil would declare a snow day and send the support staff home, leaving the associates to fend for themselves.

In 1958, as an adjunct faculty member, Phil began teaching natural resources and real property courses at the University of Denver College of Law. For twenty years, he taught part-time (while practicing law full-time). In 1978, Phil began teaching full-time and took the position of director of the law school's natural resources department. He relished this job and has fond memories of his students—particularly the “night” students. Phil enjoyed working with those who had the energy and perseverance to pursue law degrees while managing families and full-time jobs. After five years as a full-time professor, Phil returned to private practice.

Another break in private practice came in 1970 when Phil took a seat on the Colorado Court of Appeals. During his two years on the bench, he authored 129 opinions. Those were the days when opinions not selected for publication were nonetheless published. However, in two short years, fifty-six of those opinions were selected for “official publication.” Phil attributes his productivity on the bench to having a “great clerk.”³ He loved his time on the bench and says the experience necessarily broadened his knowledge of and interest in the law. In the end, he felt it was a lonely job. The lack of personal contact with lawyers and clients convinced Phil to return to private practice.

Contributions to the Legal Community

The list of Phil's contributions to the legal community exceeds the scope of this short profile. Only a few can be highlighted here. Phil has been a member of the American, Colorado, and Denver Bar Associations since being admitted to the bar in 1952. He served on the Board of Governors of the Colorado Bar Association,⁴ served a term as Vice-President of the Denver Bar Association,⁵ and was a hearing officer for the Colorado Real Estate Commission.⁶ Phil served as President of the Colorado Bar Association in 1987-1988.

As one might expect, Phil believes that active participation in state and local bar associations was a key factor in his success. From 1979 to the present, Phil has been on the Board of Editors of both the *Public Land Law Review Digest* and the *Oil and Gas Reporter*. Moreover, throughout his career, Phil found the time and energy to write on a broad range of topics, primarily essays and commentaries appearing in *The Docket* (the newsletter published by the Denver Bar Association). He also wrote the book *A Practitioner's Guide to the Law of Oil and Gas in Colorado* in 1983.

The Man Away from the Law

“Far and away the best prize that life offers is the chance to work hard at work worth doing.”⁷ Although Phil worked hard at a job (actually many jobs) that he believed worth doing, he also relied on his personal philosophy of combining work with fun. This was not always so. Phil reluctantly admits that during the early years of his practice, he boasted of not taking a vacation. Then, one year, Kathy told him that she had rented a house on the beach in California, that she and the children were going to have a real vacation, and that he could join them if he so desired. Sensing a milestone in his life, Phil decided to join the family for this vacation, and has not missed one since. He had the “work hard” part of his philosophy down cold, but it took the prompting of his wife to learn and adopt the second element of the formula (have fun). Camping trips and skiing also kept his mind refreshed and ready for the challenges of his professional life.

Through much of his career, Phil found relaxation and diversion in painting (mostly watercolors) and building model ships. His interest in painting began as a young man, when he was in high school. His time occupied with college, the Army, and then law school, Phil gave up painting for a number of years. Then, in about 1960, his wife suggested that he take some lessons and return to painting. Phil took the lessons and, as he puts it, "has been going steady since." He sees having an avocation as an important ingredient in a successful professional life. According to Phil, the avocation must take your mind off your work and be fun so as to provide the fresh perspective. In addition to painting, Phil is a proud model ship-builder. This hobby began when his daughter sent him a kit from Maine. He has been hooked ever since, although he admits that his desire to build has outpaced his production in recent years.

The Secret of His Success

In addition to hard work and taking time to enjoy life, Phil attributes much of his success to his friends and mentors. Shortly after law school, Phil was befriended by two lawyers⁸ who provided Phil with a much-needed sounding board. They helped him not just with questions arising in the practice of law, but anything that Phil had on his mind. Phil firmly believes that personal success also lies in representing good clients and not in chasing the money. To be successful, he believes that the primary motivation must be to serve the client. He does not

think that this has always been the case for the majority of lawyers, but feels that the trend among younger lawyers promises good things for the profession and clients alike.

Phil recalls the early years of his practice and thinks that in those days there was too much emphasis, by too many lawyers, on money. In more recent times, his visits to smaller communities have convinced him that many younger lawyers have chosen their careers for what he sees as the right reason (to serve clients).

In the end, Phil believes that he was blessed with much good fortune, good colleagues, and good clients. He certainly worked hard and, to hear him tell it, had fun while doing it. The respect of his peers naturally followed.

NOTES

1. Joseph Conrad, *Under Western Eyes* (1911).
2. Phil's brother, Donald J. "Jim" Dufford (1919-1998), practiced in Grand Junction for many years and, at the time of his death, was a member of Dufford, Waldeck, Milburn and Krohn, L.L.P.
3. David L. McCarl.
4. From 1961 to 1963.
5. The 1968-1969 administrative year.
6. From 1964 to 1970 and from 1972 to 1975.
7. Theodore Roosevelt (1858-1919), Labor Day speech (Sept. 7, 1903), Syracuse, N.Y.
8. These mentors were Donald S. Stubbs and Chuck Beise.

