



United States Courts for the Ninth Circuit

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OBITUARY

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Ninth Circuit Court of Appeals Mourns Passing of Judge Edward Leavy

SAN FRANCISCO – Judge Edward Leavy, 93, of the United States Court of Appeals for the Ninth Circuit, died March 12, 2023. Judge Leavy was born Aug. 14, 1929, on the family hop farm near Butteville, Oregon, and served as a judge in both state and federal courts for 66 years.



Judge Leavy graduated from the University of Portland in 1950 and from Notre Dame Law School in 1953. He served as deputy district attorney in Eugene, Ore., from 1954 to 1957. He was appointed, and then elected, as Lane County district judge from 1957 to 1960, and as Lane County circuit judge from 1961 to 1976. Judge Leavy was selected by U.S. District Court of Oregon judges as U.S. magistrate for the District of Oregon in Portland from 1976 to 1984. In 1984, President Reagan appointed him to the U.S. District Court of Oregon, where he presided over many civil and criminal trials, including the plea negotiations involving Bhagwan Shree Rajneesh and his followers. President Reagan in 1987 appointed Judge Leavy to the Ninth Circuit Court of

Appeals, where he served until his death.

Judge Leavy assumed senior status in 1997 and continued to participate in the court's cases until 2022. In 2001, he was appointed by U.S. Supreme Court Chief Justice William H. Rehnquist to the Foreign Intelligence Surveillance Act Court of Review, serving until 2008. He also served as a mediator in many complex federal cases, including multiparty Oregon pension fraud cases, and numerous precedent-setting mediations involving the Tribes of the Warm Springs, Umatilla, the Yakama Nation, the Department of Justice, and the Federal Energy Regulatory Commission. In 2015, he was selected to receive the prestigious Edward J. Devitt Distinguished Service to Justice Award, considered to be among the federal judiciary's highest honors.

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“Simply put, Judge Leavy was a legend in Oregon and on this court,” expressed Chief Judge Mary H. Murguia. “He was truly a remarkable man, deeply respected and admired by all those who knew him. It was my honor to be his colleague and friend.”

“Judge Leavy was a brilliant yet humble and modest judge, mediator and mentor,” said Judge Diarmuid O’Scainnlain, U.S. Court of Appeals for the Ninth Circuit. “His wisdom, grace and goodness will be long remembered.”

When not working, Judge Leavy was happiest driving a tractor on the farm. He also enjoyed woodcutting and crabbing, and spending time with his grandchildren. Judge Leavy is survived by his wife of 71 years, Eileen; three sons, Thomas, Patrick (Jean Ann), and Paul (Trisha); and five grandchildren. He was preceded in death by his beloved daughters, Susan Ann and Mary Kay (Mark Brown).

A funeral Mass was held on March 24, 2023, at St. Mary’s Cathedral. In lieu of flowers, the family suggests donations to the University of Portland or St. Cyril Catholic Church, Wilsonville, Ore.

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