

Timothy M. Tymkovich
Circuit Judge
UNITED STATES COURT OF APPEALS for THE TENTH CIRCUIT
Byron White United States Courthouse
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Timothy_M_Tymkovich@ca10.uscourts.gov

Prior Legal Experience

1982 – 83 Law Clerk, Chief Justice William H. Erickson of the Colorado Supreme Court
1983 – 91 Private Practice – Denver and Washington D.C. (Davis Graham & Stubbs; Bradley
Campbell Carney & Madsen
1991 – 96 Colorado Solicitor General, appointment by Attorney General Gale A. Norton
1996 – 03 Hale Hackstaff Tymkovich, LLP (Denver, CO), private practice

Legal Memberships

United States Supreme Court	Faculty of Federal Advocates (Colorado)
American Bar Association	The Federalist Society
Colorado Bar Association	District of Columbia Bar Association
Denver Bar Association	Tenth Judicial Circuit

Degrees

1979 The Colorado College, B.A., Political Science
1982 University of Colorado School of Law, J.D.

Honors and Activities

Member, Judicial Resources Committee; Judicial Conference of the United States
Chair, Tenth Circuit Judicial Conference, 2006
American Law Institute, Member: National legal organization of judges, academics and practitioners responsible for the well-known *Restatement of Law* series and the *Uniform Commercial Code*.
International Society of Barristers, Fellow: International organization of lawyers furthering the development of the legal profession.
American Bar Foundation, Fellow: Academic-oriented adjunct to the American Bar Association.
Colorado Bar Foundation, Fellow: Honorary organization of the Colorado Bar Association.
Managing Editor of the University of Colorado Law Review (1981-1982)
Law School's Scribes Award for the outstanding student law review article (1982)
Martindale-Hubbell Rating: AV
Doyle Inns of Court, Master Judge

Community Service

- 2000-2003 Counsel, The Governor's Columbine Review Commission (established to review the agency response to the Columbine High School shootings)
- 1999-2000 Co-Chair, The Governor's Task Force on Civil Justice Reform (comprehensive review of state Civil Justice matters)
- 1999-present Chair, Colorado Board of Ethics (statutory body for review of state Executive Branch ethical issues)

Publications – Articles

- T. Tymkovich, J.D. Dailey, P. Farley, "A Tale of Three Theories: Reason and Prejudice in the Battle Over Amendment 2," 68 Univ. Colo. L. Rev. (1997)
- T. Tymkovich, "William H. Erickson, Colorado Supreme Court, Judicial Profile," 63 Denver U. L. Rev. (1985)
- Comment, "Referendum and Rezoning," 53 Univ. Colo. L. Rev. (1982)
- T. Tymkovich, "The Law Review and the Judiciary," __ Univ. Colo. L. Rev. (2004)
- T. Tymkovich, "The Problem With Pretext," __ Denver U. L. Rev. (2008)

Speeches & Presentations

- Harvard Law School Federalist Society, Judicial Nomination Process; Technology for Judges; Circuit Judges Biannual Meeting;
- Campaign Finance Issues (CLE - ACLU Foundation of Colorado)
- The Rule of Law, Republican Leadership Program
- Recent Developments in Colorado Election Law
- The Colorado Consumer Protection Act (CLE Seminar – Denver)
- Should Judges be Subject to Term Limits? (Denver)
- Campaign Finance and the Supreme Court (University of Denver College of Law)
- Complying with Colorado Election Law (Various audiences)
- Complex Civil Litigation (Colorado Bar Association)
- The Debate over Amendment 2 (Rothgerber Lectures – University of Colorado School of Law)
- The Initiative Process and Social Controversy (University of Chicago Law School)
- Water Rights and Western River Basins (National Association of Attorneys General)
- The Initiative Process and Amendment 2 (National Conference of State Legislators –New Orleans)
- Recent Developments in Federalism (Colorado Bar Association Annual Convention)
- The Colorado Constitution and Public/Private Partnerships (Annual Convention, Colorado Counties)
- Various presentations to the National Association of Attorneys General on Colorado legal matters

Legal Practice

Judge Tymkovich has broad experience in private practice and government. Prior to his confirmation in 2003, he was in private practice with Hale Hackstaff Tymkovich. His practice there focuses on business

litigation and representation, trade regulation, appeals, and state and local government, especially legislative and regulatory matters.

From 1991 - 1996, as Colorado's Solicitor General, Judge Tymkovich directed legal policy for the State of Colorado and was responsible for legislative matters before the Colorado General Assembly and the U.S. Congress.

Judge Tymkovich represented Colorado in a variety of complex and difficult legal matters while Solicitor General. He has appeared frequently before the Colorado Supreme Court, the Tenth Circuit U.S. Court of Appeals, and state and federal trial courts. His extensive constitutional and appellate experience includes two oral arguments before the United States Supreme Court. In 1995, Mr. Tymkovich argued on behalf of Colorado in *Romer v. Evans*, 116 S. Ct. 1620 (1996) (an equal protection challenge to a voter approved initiative), and *Nebraska v. Wyoming and Colorado*, 115 S. Ct. 1933 (1995) (an original proceeding involving interstate water rights in the Platte River System). He has also argued before state appellate courts and the Tenth Circuit on civil and criminal matters involving Colorado.

He has spoken at numerous law schools, the National Conference of State Legislatures, and the University of Colorado School of Law, where he participated in the 1996 Rothgerber Conference on constitutional law.

Personal

A Colorado native, Judge Tymkovich lives with his wife, Suzanne Lyon, who is the author of four historical novels, *Bandit Invincible: Butch Cassidy*, *Lady Buckaroo*, *El Desconocido*, and *A Heart for Any Fate*. They have two sons.