

DEDICATION CEREMONIES OF THE :  
PHILLIP FORMAN THIRD CIRCUIT :  
LIBRARY, THE GEORGE H. BARLOW :  
ATTORNEY CONFERENCE ROOM, :  
AND THE TRENTON HISTORICAL :  
EXHIBIT. :  
:

Thursday, September 21, 2000  
4:00 p.m.

CLARKSON S. FISHER UNITED STATES COURTHOUSE  
402 EAST STATE STREET, TRENTON, NJ 08608  
COURTROOM NO. 1

B E F O R E : THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

HONORABLE ANNE E. THOMPSON, CHIEF JUDGE  
HONORABLE STANLEY S. BROTMAN, USDJ  
HONORABLE DICKINSON R. DEBEVOISE, USDJ  
HONORABLE JOSEPH H. RODRIGUEZ, USDJ  
HONORABLE JOHN W. BISSELL, USDJ  
HONORABLE NICHOLAS H. POLITAN, USDJ  
HONORABLE JOHN C. LIFLAND, USDJ  
HONORABLE WILLIAM G. BASSLER, USDJ  
HONORABLE MARY L. COOPER, USDJ  
HONORABLE JEROME B. SIMANDLE, USDJ  
HONORABLE STEPHEN M. ORLOFSKY, USDJ  
HONORABLE JOSEPH A. GREENAWAY, USDJ  
HONORABLE KATHARINE S. HAYDEN, USDJ  
HONORABLE JOEL A. PISANO, USDJ  
HONORABLE G. DONALD HANEKE, USMJ  
HONORABLE FRED A. WOLFSON, USMJ  
HONORABLE STANLEY R. CHESLER, USMJ  
HONORABLE JOEL B. ROSEN, USMJ  
HONORABLE JOHN J. HUGHES, USMJ  
HONORABLE ROBERT B. KUGLER, USMJ  
HONORABLE SUSAN D. DAVIS, USMJ

VINCENT RUSSONIELLO, CSR  
OFFICIAL U.S. REPORTER

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23 the courthouse was named. Inevitably, however, if I  
 24 begin to recognize individual public officials, I will  
 25 overlook someone. Rather, I issue a warm welcome to

1 THE CLERK: All rise.

2 CHIEF JUDGE THOMPSON: Please be seated.

3 Ladies and gentlemen, welcome to these  
4 dedication ceremonies of the United States District  
5 Court for the District of New Jersey. It is our  
6 distinct pleasure to welcome you to the Clarkson S.  
7 Fisher Courthouse to recognize Judge Phillip Forman,  
8 distinguished Judge of the Third Circuit Court of  
9 Appeals, and to dedicate our courthouse library to his  
10 honor. In addition, we wish to celebrate the opening  
11 of the George H. Barlow Attorney Conference Room,  
12 dedicated to the memory of former Chief Judge George H.  
13 Barlow who served so outstandingly on our U.S. District  
14 Court.

15 I particularly want to welcome some  
16 distinguished guests here today. Chief Justice Deborah  
17 Poritz and her colleagues on the New Jersey Supreme  
18 Court, Acting Administrative Director of the New Jersey  
19 Courts Judge Ricard J. Williams, and the many U.S.  
20 Judges and New Jersey State Court Judges in attendance  
21 today. I will not call them individually by name. We  
22 have Judge Clarkson S. Fisher, Junior, his father, whom  
23 the courthouse was named. Inevitably, however, if I  
24 begin to recognize individual public officials, I will  
25 overlook someone. Rather, I issue a warm welcome to

1 all. We have looked forward to this event with great  
2 excitement and happy anticipation. We are deeply  
3 gratified to see you here.

4 Now, the order of this proceeding is in the  
5 programs before you. The Phillip Forman Third Circuit  
6 Library is located to the left of the elevators on this  
7 floor of the courthouse. Judge Forman became a legend  
8 in this courthouse, having served for 55 years in  
9 federal office, 46 years as a U.S. Judge from 1932 to  
10 1978. He was a Trenton resident. He was admired far  
11 and wide for his community leadership, his humanity,  
12 his towering moral presence. Judge Edward R. Becker,  
13 Chief Judge of the Third Circuit Court of Appeals, and  
14 Judge Leonard I. Garth, Judge of the Third Circuit  
15 Court of Appeals, will speak on behalf of Judge Forman  
16 from the Circuit Court. Judge Dickinson R. Debevoise,  
17 Judge of our U.S. District Court, who served as a law  
18 clerk to Judge Forman, will speak on behalf of Judge  
19 Forman's law clerks.

20 Judge George H. Barlow had all too short a  
21 span on our Court, 1970 to 1979. I see his brother  
22 sitting right here on the front row, Richard Barlow.  
23 Judge Barlow's reputation shined with his brilliance,  
24 integrity and wit. You must visit the Attorney  
25 Conference Room opened today and dedicated to Judge

1 Barlow's name on the third floor of the Annex section  
2 of this courthouse complex. The photographs, speeches,  
3 transcript portions framed and mounted on the walls of  
4 that conference room give you a glimpse of the talent  
5 and the uniqueness of that special man. Joseph  
6 Markowitz, a Trenton attorney and friend of Judge  
7 Barlow, will speak on his behalf.

8 Donald Robinson, the President of the U.S.  
9 District Court Historical Society, will address us on  
10 behalf of that active and faithful group.

11 The last speaker will be Judge John J.  
12 Hughes to give remarks about the Historical Exhibit in  
13 the foyer of the courthouse. Judge Hughes has been the  
14 go-to-man, the get-it-done man, the  
15 juggling-ten-things-at-once man for today's event. The  
16 exhibits could not have happened without his  
17 inspiration, his energy and his fortitude.

18 I must also mention two other people who  
19 made this day possible.

20 Mary Gaskill originated the idea for the  
21 Historical Exhibit. I remember the day she came into  
22 my office telling me of her idea of displaying in  
23 museum fashion the artifacts of this courthouse. She  
24 spoke of gathering Angelo Locascio's stand-up desk in  
25 the Clerk's Office, the obsolete jury wheel in my

1 courtroom, old photographs of the Mercer County Bar  
2 hanging in our hallways, and making a display for our  
3 barren colonnade on the first floor of the courthouse.  
4 She spoke to Judge Hughes about this idea. He  
5 immediately reached out to the Trenton community and to  
6 our courthouse personnel including ever helpful Kent  
7 Marshall, Deputy-In-Charge of the Trenton Clerk's  
8 Office, for people who might have memorabilia which we  
9 could display.

10           This effort began in late May of this year.  
11 There were meetings of committees and meetings of  
12 sub-committees. This was not a basketball team of five  
13 or a football team of eleven. It took a veritable  
14 village, a village of people who have joined hands to  
15 execute this event. Former Forman law clerks, former  
16 Barlow law clerks, Mercer County Bar staff, Sally Lane,  
17 daughter of former U.S. District Court Judge Arthur  
18 Lane, GSA personnel, friends, the list goes on and on.  
19 You may refer to your program for many of the  
20 committees and their members. Many more people worked  
21 tirelessly to put the pieces together whose names are  
22 not listed in the program.

23           James Murphy, Chief Deputy to William T.  
24 Walsh, Clerk of this Court, has served as the overall  
25 director of this event. Ladies and gentlemen, if this

1 were a wedding, he and Mary Gaskill, who once she  
2 hatches an idea will not let it rest until it is  
3 successfully concluded, have together served as mother  
4 of the bride, if you know what I mean. Jim and Mary  
5 deserve our utmost appreciation and honor. I must also  
6 mention Helen McCloskey, Director of Court  
7 Administration, and Susan Travis, Jim's Administrative  
8 Assistant, who have been tireless and ever faithful in  
9 guiding this project to its fruition today.

10 And now, mindful of my limitations with  
11 respect to time, and without further ado, we will move  
12 into the program. We begin with remarks from Chief  
13 Judge Edward R. Becker.

14 (Applause)

15 CHIEF JUDGE BECKER: Thank you, Chief Judge  
16 Thompson.

17 It is always a privilege to appear before  
18 the United States District Court for the District of  
19 New Jersey. I have been in service as a United States  
20 Judge for almost 30 years and I know the Courts around  
21 the land. I consider this one of the great trial  
22 Courts in the land. You are men and women of great  
23 intellect, great spirit and great courage. I hope you  
24 will continue to distinguish yourself in years to come  
25 as you have during my years on the Court of Appeals.

1 I am pleased to speak for the Court of  
2 Appeals on this truly auspicious occasion. The Court  
3 of Appeals for the Third Circuit has a luminous  
4 history. Its judicial ranks have been occupied by many  
5 outstanding judges. But few have been more  
6 distinguished than Phillip Forman. Phillip Forman was  
7 an Article III Judge for 40 years, 27 on the District  
8 Court, eight as Chief Judge, and 17 years on the Court  
9 of Appeals. In fact, Judge Forman served the republic  
10 in high-level positions for over a half century when  
11 you add his five years of service as a United States  
12 Attorney for the District of New Jersey.

13 The vita of Judge Forman's personal life is  
14 also impressive. He was a Chief Petty Officer in the  
15 Navy during World War I. After World War II he worked  
16 with the Joint Distribution Committee on the relocation  
17 of survivors of the concentration camps. He was a  
18 trustee of Rutgers University, a member of the Board of  
19 Managers of two important hospitals, a delegate to the  
20 International Conference of Christians and Jews, a  
21 friend of Albert Einstein. I could go on.

22 This formal recitation does not even begin  
23 to convey the quality of the man. I knew Judge Forman  
24 only slightly. I entered on duty in 1970 when he was a  
25 Judge of the Third Circuit Court of Appeals, and I

1 leave to Judges Garth and Debevoise, who knew him well,  
2 the job of describing Judge Forman as a person. But I  
3 am familiar with his judicial reputation and can surely  
4 speak to that. Judge Forman was considered a brilliant  
5 judge. As one of the giants of the Third Circuit and  
6 National Bar, Bernard Segal, once wrote:

7 "Judge Forman's opinions, models of clarity,  
8 construction and legal reasoning, reflected a rich  
9 background of culture and learning. He possessed deep  
10 and perceptive insights into the larger functions of  
11 the law in our turbulent and rapidly-changing society."

12 My own reading of Judge Forman's opinions  
13 over the years, and I still consult them from time to  
14 time because they are still relevant, confirms this  
15 view. The respect and affection in which Judge Forman  
16 was held by members of the bench and bar is  
17 awe-inspiring. Let me quote briefly from two New  
18 Jersey icons. First, Former Chief Justice Richard  
19 Hughes has said:

20 "Judge Forman, always a humble man, was yet  
21 a towering giant of a judge. He revered the  
22 Constitution and all the rights of the humblest among  
23 us whom that Charter seeks to protect with an even  
24 hand. He always seems to me to thirst for justice in  
25 the law, a little impatiently pulling aside the red

1 tape and the obstacles which sometimes obscured  
2 justice, in order to expose and correct injustice of  
3 any and every kind.

4 "To me, Judge Phillip Forman was at once a  
5 judge, teacher and friend. Anyone trying cases before  
6 him, as I did in this courtroom almost continuously for  
7 five years as Assistant United States Attorney, gained  
8 a precious education, a special insight not only in law  
9 but in a vision of justice, scrupulous fairness,  
10 compassion and decency."

11 We also have a wonderful reminiscence from  
12 Justice Brennan describing a case before Judge Forman  
13 before he, Justice Brennan, went on the New Jersey  
14 State bench:

15 "There had been a heavy snowfall overnight  
16 and we from North Jersey were delayed in arriving. But  
17 with the unfailing understanding of practitioners'  
18 difficulties that marked Judge Forman's relations with  
19 the Bar, he patiently awaited our convenience. He  
20 ascended the Bench without a robe, a habit of his,  
21 meticulously dressed and wearing his ever-present bow  
22 tie."

23 I take it Judge Bassler emulates Judge  
24 Forman.

25 "He didn't sit down but walked back and

1 forth behind this Bench, another habit of his, where he  
 2 patiently heard us out, as was his practice, until each  
 3 of us had our say. What questions he put to us were  
 4 asked with the Old World courtesy that was his hallmark  
 5 and then, addressing me, he stated at length why he was  
 6 deciding the motion against me.

7 "One always had the feeling before Judge  
 8 Forman, however, that it actually caused him pain to  
 9 have to decide against any lawyer. It is no wonder  
 10 then that my generation at the Bar literally venerated  
 11 Judge Forman. No other judge, federal or state, of  
 12 that day was more completely the trial practitioner's  
 13 favorite trial judge."

14 Judge Forman's opinions appear as early as  
 15 2 Fed. Supp. That's early. But he was a modern judge.  
 16 He was a pioneer in mass tort cases. In the cases  
 17 arising out of the Amboy explosion, he pulled  
 18 everything together and miraculously effected the  
 19 settlement.

20 Finally, I must note Judge Forman served the  
 21 Judicial Conference of the United States on a number of  
 22 assignments, the most important of which was as Chair  
 23 of the Committee on Bankruptcy Rules.

24 And I add that many lawyers don't know  
 25 institutionally, the federal judiciary operates through

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1 the Judicial Conference of the United States, a body  
2 composed of the Chief Judges of each Circuit and one  
3 District Judge from each Circuit and presided over by  
4 the Chief Justice. There are 27 members of the  
5 Judicial Conference, but it works through a committee,  
6 and there is an enormous amount of work that has to be  
7 done in terms of rule-making, in terms of housekeeping,  
8 personnel, congressional relations, and so forth.

9 Judge Forman chaired the Committee on  
10 Bankruptcy Rules for 16 years and led the Committee  
11 through one of the most arduous tasks every faced by a  
12 Committee of the Judicial Conference, the complete  
13 rewriting of the Bankruptcy Rules, including those  
14 under all the reorganization chapters. This was  
15 necessitated by the 1964 Congressional enactment giving  
16 the Supreme Court full rulemaking authority in the  
17 bankruptcy field. Judge Forman attended every meeting  
18 and singlehandedly led the Committee through the  
19 completion of this enormous and herculean task. Many  
20 distinguished members of that committee have written  
21 glowingly of this achievement.

22 Judge Thompson, the naming of this library  
23 for Judge Phillip Forman is an inspired idea. I salute  
24 you and the members of your Court, and the Circuit  
25 library staff -- I recognize Susan English who is here

1 today -- for bringing this about. And I thank you for  
2 this opportunity to speak.

3 (Applause)

4 CHIEF JUDGE THOMPSON: And now we will hear  
5 from Judge Leonard I. Garth.

6 (Applause)

7 JUDGE GARTH: Chief Judge Thompson, and  
8 members of the United States District Court, in  
9 particular, I used to be a member of that Court. So  
10 when Judge Becker gave you plaudits, I took some of  
11 them for myself. He will never tell me anything like  
12 that. I am privileged to speak here today on behalf of  
13 Judge Forman.

14 It was in May of 1976, that then Chief Judge  
15 Collins J. Seitz of our Court had asked me if I would  
16 address the Court on the occasion of Judge Forman's  
17 80th birthday. Our Court at that time was assembled  
18 for a Circuit Conference in Buck Hill Falls,  
19 Pennsylvania.

20 Of course, I was delighted to do so,  
21 particularly since it was rare, if not unheard of, that  
22 a junior member of the Court, as I was at that time,  
23 was given the opportunity to speak about a truly choice  
24 subject, and Phil Forman was truly a choice and  
25 delightful subject. So it was not surprising that I

1 was so pleased at the opportunity to pay tribute to him  
2 on behalf of our Court.

3 I had known Judge Forman at that time longer  
4 than I had known any of my other colleagues, and  
5 whether or not Phil and Pearl, his wife, acknowledged  
6 the fact, my wife, Sarah, and I had always regarded  
7 ourselves as part of the Forman family. Indeed, now  
8 that I am on the eve of my own 80th birthday, the  
9 remarks I made then resonate even more significantly  
10 when I recall them.

11 I think you all know, if you didn't before  
12 Judge Becker spoke you know now, that Phil's public  
13 career started in 1923 when he was appointed an  
14 Assistant United States Attorney. And to put that date  
15 and his then age of 28 in a Court perspective, let me  
16 point out that in 1923, the year about which I'm  
17 speaking, our present Chief Judge Ed Becker had yet to  
18 be born by a good ten years, Judge Joseph F. Weis, Jr.,  
19 a colleague of mine on our Court, had just opened his  
20 eyes on the world, and I was but two years old.

21 It was only a few years later that Phil  
22 became United States Attorney for the District of New  
23 Jersey, and then at the age of 37, as you heard, a  
24 member of the United States District Court for the  
25 District of New Jersey, the most pre-eminent district

1 in the entire country. Did you hear my say that? The  
2 most pre-eminent District in the entire country.

3 (Applause)

4 JUDGE GARTH: I didn't want that to get lost  
5 among those of you who may be slumbering at this point.

6 As we now know, from 1951 to 1959, Phil  
7 Forman was the Chief Judge of that very pre-eminent  
8 Court, and in 1959 he joined the Third Circuit Court of  
9 Appeals. Of course, those with a flair for history,  
10 such as Don Robinson who will be speaking today and  
11 Judge Jack Bissell will observe that Judge Forman's  
12 career spanned the administrations of Calvin Coolidge  
13 and Herbert Hoover through the year 1978 when our  
14 President was then Jimmy Carter. Moreover, as Judge  
15 Becker has just mentioned, Judge Forman had the  
16 distinction of having filed opinions which appear as  
17 early as Volume 2 of the Federal Supplement, a series  
18 that now contains 1100 volumes.

19 For those who indulge in nostalgia, as I do,  
20 I observe that the Third Circuit in those days included  
21 Judges Buffington, Woolley, Davis and Thompson. The  
22 District Courts then consisted of Judge Niels of  
23 Delaware, Judges Avis, Clark, Fake and Forman of New  
24 Jersey -- we have a slightly larger cadre today than  
25 they had then -- Judges Dickinson, Kirkpatrick and

1 Welsh of the Eastern District of Pennsylvania, Judges  
2 Johnson and Watson of the Middle District of  
3 Pennsylvania, and Judges Gibson, McVicar and  
4 Schoonmaker of the Western District of Pennsylvania.

5           But even though today's gathering is a  
6 convocation of members of the Historical Society, among  
7 others, enough of history, dates and nostalgia. I knew  
8 Phil best as Judge Phillip Forman, the man, despite the  
9 fact I sat with him on innumerable occasions when we  
10 shared judicial panel sittings. Among his other  
11 qualities that endeared him to me and to those of us  
12 who knew him was his ever present wit, compassion and  
13 good humor. And I'm going to take just a moment or two  
14 to tell you of at least two instances rooted in  
15 judicial lore that I particularly recall.

16           On the occasion of a three-judge Court over  
17 which Judge Forman presided, the issue involved an  
18 attack on the New Jersey abortion law. I could say at  
19 this point, so what's new, but I won't. Counsel for  
20 the plaintiff then was a very young lady, garbed, if  
21 you will, in a very, very short skirt. She went to  
22 great pains at the outset of the argument to stress the  
23 fact indeed she was not a woman, and we were not to  
24 regard her as such. She was, as she called herself, a  
25 lawyer-person, an advocate, and she was not to be

1 confused with other members of the female sex.

2           Unfortunately, and if I'm not mistaken it  
3 was in this courtroom, at one point in her argument,  
4 her papers fell from the lectern. She bent to retrieve  
5 them, and it was at that point our presiding judge  
6 leaned over to me and he whispered, "Lenny, I know that  
7 she says she is not a woman. I accept her  
8 representations in good faith, as I do all lawyers.  
9 But from what I have just seen, by God she sure looks  
10 like one."

11           The second took place when Judge Forman  
12 spoke at an assemblage at New York University Law  
13 School. We had gathered there to dedicate a room to  
14 Charles Seligson who had been a professor at the Law  
15 School in his specialty, creditor's rights. As you  
16 just heard from Judge Becker, Judge Forman was not  
17 foreign to that particular specialty. Charlie, as we  
18 know, was also the editor of Collier's on Bankruptcy.  
19 That subject had been a most significant interest of  
20 Judge Forman's, and indeed it was during his  
21 chairmanship of the Advisory Committee on Bankruptcy  
22 Rules that the basis of our present bankruptcy  
23 procedures and jurisprudence were formulated.

24           Charlie Seligson was not only a dear friend  
25 of Judge Forman's, but he was also a close and dear

1 friend of mine, as well as that of my former partner  
2 and District Court Judge, Mendon Morrill. Charlie had  
3 been engaged in a complex and exceedingly intricate  
4 case before our Court representing national clients,  
5 and when Phil arose to dedicate the room in Seligson's  
6 name, he was faced with the delicate and diplomatic  
7 task of acknowledging Charlie's expertise on the one  
8 hand and, on the other hand, having to recognize that  
9 the slip opinion rejecting Seligson's position before  
10 our Court had been filed just that morning.

11 Phil, at his inimitable, tactful and  
12 self-effacing best, remarked as I recall: "The  
13 excellence of an appellate advocate is invariably  
14 displayed through his teaching ability, and Charles  
15 Seligson stands at the apex of his profession. He is a  
16 superlative teacher who not only knows his subject  
17 thoroughly, but he can also impart even its utmost  
18 subtleties to students. Unfortunately, on the day that  
19 Professor Seligson instructed us, that is, the members  
20 of the Third Circuit Court, on the intricacies of  
21 Chapters X and XI, his students, my colleagues and I,  
22 were not too bright and we failed to apply his  
23 teachings. And it was for this reason that Charlie's  
24 clients' position was rejected and Charlie lost."

25 I can report, however, that although Charles

1 Seligson's clients may not have been happy, everyone at  
2 the dedication ceremony accepted Judge Forman's  
3 explanation without any further comment.

4 Now, I will confess to you, I had intended  
5 stopping at this point and speaking only about those  
6 two instances in Phil Forman's lengthy career as a  
7 federal judge. But I have since recalled one other  
8 instance about which I will enjoy telling you, and I'm  
9 going to burden you with that.

10 The ceremony which I believe all Federal  
11 District Court Judges and Court of Appeals Judges  
12 enjoyed the most is that of naturalizing citizens. I  
13 know that it was the ceremony I most enjoyed. And  
14 Judge Forman's long time friend and clerk, Sam  
15 Rabinowitz, told me this story and I thought you might  
16 delight in hearing it as I did.

17 It was at a naturalization ceremony when an  
18 INS officer moved before Judge Forman for the  
19 naturalization of 103 citizens-to-be. The motion  
20 papers on Judge Forman's bench listed, however, 104  
21 candidates. Judge Forman turned to the INS  
22 representative and he asked why their numbers differed.  
23 Phil was then informed one of the candidates had asked  
24 to withdraw her name just that morning, but she was  
25 still in the courtroom.

1                    Judge Forman asked Sam Rabinowitz to bring  
2 her to the bench. He then asked her why she had  
3 withdrawn her name, and she replied she had always  
4 cherished the thought of becoming a United States  
5 citizen, but she did not feel as though she could  
6 answer the five questions that would be asked without  
7 embarrassing herself, or, more importantly,  
8 embarrassing the Court. As she explained, she was  
9 absolutely certain she could not pass the test. Phil  
10 then turned to the INS officer and he said, do you mind  
11 if I administer the test? No, there was no objection.  
12 And the five questions, as I remember Sam relating them  
13 to me, all of which were answered correctly without  
14 hesitation, were these:

15                    Are you sure you want to be a United States  
16 citizen? Yes, she said.

17                    What do you and your husband do for a  
18 living? They owned a small delicatessen.

19                    Do you make noodle pudding in your  
20 delicatessen? Yes, of course, we do.

21                    Do you put raisins in your noodle pudding?  
22 Now, I must tell you, the answer to this was somewhat  
23 equivocal because she stated, what else would you put  
24 in noodle pudding? To which Judge Forman gently  
25 reminded her, she was there to answer the questions and

1 not to ask them.

2                   Finally, he asked, do you think if I came to  
3 your shop this afternoon that I could pick up some  
4 noodle pudding for my law clerks and for me? She said,  
5 by all means.

6                   He then turned to the INS officer and  
7 certified that each and every one of the five questions  
8 had been answered correctly and enthusiastically, and  
9 he certified the candidate as having the necessary  
10 qualifications for citizenship.

11                   Now, you may be interested in knowing, every  
12 Friday night thereafter a feature of the Formans'  
13 evening meal was noodle pudding with raisins. After  
14 all, what's noodle pudding without them?

15                   Phil, as you have heard and will learn  
16 today, consistently displayed a warm and ready  
17 affection, compassion and kindness for his colleagues  
18 and for the litigants and their counsel. He was a  
19 dear, dear friend, and it is only fitting the  
20 courthouse library be dedicated today in his name, for  
21 there is one other aspect as man and judge that makes  
22 it so appropriate that this dedication honor him. In  
23 the words of one of our colleagues, Judge Ruggero  
24 Aldisert, "It was Judge Forman who forged one of the  
25 main links which has united the traditions and

1 scholarship of our Court's past with the traditions and  
2 scholarship of our present Court."

3 We would not be the great Court we are today  
4 without the special graces, influences, sensitivities  
5 and wisdom of judicial giants such as Judge Phillip  
6 Forman.

7 Thank you.

8 (Applause)

9 CHIEF JUDGE THOMPSON: And now we will hear  
10 from my colleague, former law clerk to Judge Forman,  
11 Judge Dickinson R. Debevoise.

12 (Applause)

13 JUDGE DEBEVOISE: Chief Judge Thompson,  
14 Chief Judge Becker, Judge Garth, former law clerks and  
15 friends of Phillip Forman, former law clerks, members  
16 of the family and friends of George H. Barlow, and all  
17 of you who are here today to join in the recollections  
18 of these two great former Chief Judges of our Court, my  
19 pleasant task is to contribute to the recollections of  
20 Judge Forman.

21 At the outset I want to extend special  
22 thanks to two people who worked particularly closely  
23 with Judge Forman and have made significant  
24 contributions to the memorabilia which have been  
25 assembled in connection with the library we are

1 dedicating.

2                   Helen Johnson was Judge Forman's last Court  
3 Reporter. She was my first Court Reporter when I  
4 joined the Court many years later. She had absorbed  
5 Judge Forman's wisdom so thoroughly that every time I  
6 made a ruling she either smiled and nodded her head or  
7 else she frowned and shook her head. There was a lot  
8 of frowning in those early years.

9                   Phil Albert is the dean of Judge Forman's  
10 former law clerks. Practicing and living in Trenton,  
11 he and his wife, Dorothy, remained close to the judge  
12 and his wife, Pearl, for the remainder of their lives,  
13 because he was in a position to provide photographs,  
14 letters and other memorabilia for the collection.

15                   A number of Judge Forman's former law clerks  
16 are with us today. Besides Phil Albert, there are  
17 Phillip Griffin, Alan Gutterman, Richard Norris, Ben  
18 Shiriak, Frank Stifelman, and a former member of our  
19 Court, H. Curtis Meanor.

20                   Judge Forman had a remarkable secretary, Sam  
21 Rabinowitz, who as a sideline wrote the bridge column  
22 for the Trenton Times. Sam's wife, Ann, is with us  
23 today.

24                   A number of Judge Forman's law clerks served  
25 as Judges of the State and Federal Courts. I have

1 mentioned Curt Meanor, Clifton Bennett and Paul  
2 Lowengrub became Judges of the Superior Court of New  
3 Jersey. Stanley Levine became a Judge of the New  
4 Jersey Worker's Compensation Court. A dear friend of  
5 our United States District Court, John Devine, served  
6 many years here in Trenton as a United States  
7 Magistrate. John's wife, Maureen, is with us today.

8 I'm not going to explore the contributions  
9 this remarkable judge made to federal jurisprudence.  
10 Chief Judge Becker and Judge Garth have touched upon  
11 them. We got a little mixed up with the noodle  
12 pudding. But, in any event, I plan to touch upon more  
13 personal biographical details. I plan to describe a  
14 few of the events which may suggest why he was so  
15 effective as a judge and why he had such a significant  
16 impact upon the development of the law in his day.

17 His origins must surely have left their  
18 mark. Son of a first generation American, Forman  
19 described his father's entry into the United States.  
20 The father, a tailor for the Austro-Hungarian Hussars,  
21 arrived in New York City with 25 cents in his pocket.  
22 Wandering through the streets, he looked into a barber  
23 shop, saw a man from his native village and was taken  
24 in. The senior Forman started working at Macy's, and  
25 five years before his son, Phillip, was born, moved his

1 family to Trenton to establish his own tailor shop.

2 The son, Phillip, attended Trenton High  
3 School. His principal knew of his interest in the law  
4 and arranged for him to work as a stenographer at the  
5 venerable law firm of Vroom, Dickinson & Scamell.  
6 Omitting college altogether, Forman attended Temple Law  
7 School at night. Before graduating, however, the young  
8 Phillip Forman passed the New Jersey State Bar  
9 examination in March of 1917 and served as a Chief  
10 Petty Officer in the Navy in World War I. He returned  
11 to graduate with his Temple Law School class in 1919.

12 Skipping ahead, Phillip Forman became a  
13 United States District Court Judge at the age of 37.  
14 He never referred to himself as judge outside the  
15 courtroom. It was always, this is Phil or this is Phil  
16 Forman. For him a case was never simply a statistic to  
17 be disposed of. Each litigant was a human being with  
18 his or her own concerns and to whom the case was of  
19 supreme importance.

20 I recall one litigant who styled himself  
21 Nicholas B. Curtis, LL.B. He was one of those frequent  
22 flyers. He sued everyone in sight, and then sued  
23 everyone's lawyers, and ended up suing the judge  
24 deciding the cases against him. Forman endured not  
25 only the lawsuits against himself but was the recipient

1 of a continuing barrage of letters. Judge Forman sent  
2 a package of Nicholas B. Curtis, LL.B's pleadings and  
3 correspondence to the chief psychiatrist at the  
4 Trenton's Hospital for the Insane, of which Forman was  
5 a trustee. He asked if Curtis was dangerous. He  
6 sought advice what to do about it.

7 The psychiatrist advised that Curtis was  
8 probably not dangerous and his letters to and  
9 litigation against the judge provided a useful release  
10 from whatever demons were tormenting him. So Judge  
11 Forman continued dealing patiently with Nicholas B.  
12 Curtis, LL.B's communications to him and suits against  
13 him until eventually Curtis found other consuming  
14 interests.

15 Both Judge Forman and his wife, Pearl, loved  
16 good food. She happily was a gourmet cook. This was  
17 particularly appreciated by the judge's law clerks  
18 because each day she provided not only the judge but  
19 also his clerks with lunch. The Formans tended fruit  
20 trees at their small place in New Hope on the Delaware  
21 River, producing superb peaches, apples and pears, and  
22 at one time they raised chickens.

23 The chickens gave rise to an incident which  
24 I recounted when I was sworn in as a judge some years  
25 ago. Pearl was at my swearing-in ceremony and, in

1 fact, presented me with the Bible on which I took the  
2 oath. A bore an inscription which the Judge himself  
3 might have written, "Write your name by kindness, love  
4 and mercy upon the hearts of those you come in contact  
5 with, and you will never be forgotten."

6 Back to the chickens. One night in New Hope  
7 Pearl was in the shower when a terrible ruckus arose  
8 among the chickens. Phil Forman looked out the window  
9 and with the aid of a flashlight saw a rooster with a  
10 weasel's teeth sunk in its neck. Phil called Pearl  
11 from the shower. She, as I recounted it, grabbed a  
12 rifle. He held the flashlight on the unfolding scene.  
13 Pearl shot through the window as the rooster sped  
14 through the yard with the weasel at its throat. The  
15 weasel dropped dead, and the next morning the rooster  
16 was crowing, bloody but unbowed.

17 Now, after the ceremony at which I told this  
18 story, Pearl telephoned me and said, "Dick, you got it  
19 all wrong. I never owned a rifle. It was a pistol."

20 Now, Phillip Forman loved his country with  
21 an intensity which perhaps reflected the fact that his  
22 father had so recently come from a less favored part of  
23 the world. He sought to enlist in the Armed Forces  
24 once again in World War II, but was persuaded he was of  
25 greater use to his country as a District Court Judge.

1 Pearl, however, became a Captain in the WAVES.

2           As recited just before, naturalization  
3 ceremonies were not rudimentary events for Forman. He  
4 sat in a courtroom only a few thousand yards from the  
5 spot where in 1777 Washington's troops ended months of  
6 defeat and retreat with the Christmas victory over the  
7 British, thus reviving what had seemed like a lost  
8 cause. Phil Forman often referred to this event during  
9 naturalization ceremonies. He recounted the sacrifices  
10 that had produced the America of which the new citizens  
11 were about to become a part.

12           But for all of his devotion to his country,  
13 Phil Forman was not unmindful of its faults. Long  
14 before the civil rights movement came to the forefront  
15 of American consciousness, Forman was fully aware of  
16 the blight of racism which affected America. There  
17 were mighty few African-American lawyers or law  
18 students when Forman became a judge. Clifford Moore  
19 was one of the few of them to be admitted to the New  
20 Jersey Bar. In 1948 Forman selected Moore to be his  
21 law clerk for two years and later in Moore's career  
22 Forman backed his appointment as a United States  
23 Commissioner, a position which had some of the  
24 attributes of a present day Magistrate Judge.

25           For many years representatives of the

1 Daughters of the American Revolution attended Forman's  
2 naturalization ceremonies and handed out an American  
3 flag to each new citizen. Forman noted their presence  
4 and described to the assembled people the contributions  
5 the Daughters' ancestors had made to the founding of  
6 this country. The day came, however, when the  
7 Daughters of the American Revolution refused to permit  
8 Marion Anderson to sing in Constitution Hall.  
9 Provoking a mostly unsympathetic press, Forman  
10 immediately revoked his invitation to the DAR to  
11 participate in the naturalization ceremonies, stating  
12 that their actions disqualified them from symbolizing  
13 American ideals to new citizens.

14           Early on, as women started entering the  
15 profession of law in significant numbers, Forman was  
16 among the first to hire women law clerks, acquiring  
17 daughters-in-law, as he styled them, as well as  
18 sons-in-law.

19           Forman was concerned about injustices in the  
20 legal system itself, particularly in state and federal  
21 criminal law procedures. There was a time when, under  
22 New Jersey law, an accused who had signed a written  
23 confession was not permitted to see the confession  
24 until it was introduced against him at trial. At that  
25 time this passed constitutional muster.

1           In 1956 Forman received a pro se habeas  
2 corpus petition from Vincent Cicensia, an inmate of  
3 Trenton State Prison who had been sentenced to life  
4 imprisonment for murder. He had confessed to the crime  
5 and, faced with the confession, pled guilty.

6           The circumstances would be inconceivable in  
7 today's world. Based on a tip, the police arrested  
8 Cicensia and two other persons. At about noon they took  
9 them to the City Jail in Newark. The suspects were  
10 placed in separate cells and a team of Assistant Essex  
11 County Prosecutors commenced grilling them, first one  
12 and then another.

13           At about 1:30 in the afternoon Cicensia's  
14 attorney arrived and asked to see his client. His  
15 request was denied. Each half hour thereafter the  
16 attorney renewed the request. Each time the Assistant  
17 Prosecutor refused the request, saying, "We haven't  
18 finished working on him yet." At 9:30 the prosecutors  
19 obtained written confessions from Cicensia and the two  
20 other suspects. Cicensia's attorney was then allowed to  
21 see him.

22           Although constitutionally permissible at the  
23 time, these police procedures seemed grossly unfair to  
24 Judge Forman. Judge Forman asked me to represent  
25 Cicensia. A hearing was held. The essential facts were

1 beyond dispute. Following Supreme Court precedent,  
2 Judge Forman dismissed the petition, stating, "This  
3 result is reached without enthusiasm."

4 On appeal the Court of Appeals affirmed,  
5 expressing a similar lack of enthusiasm. The Supreme  
6 Court granted certiorari and affirmed 5 to 3, with  
7 Justice Brennan abstaining. He had heard the case when  
8 he was a Justice of the New Jersey Supreme Court.

9 Nevertheless, Judge Forman's instinct for  
10 justice was vindicated. Six years later in Escobedo v.  
11 Illinois, the Supreme Court, in effect, overruled  
12 itself and established a suspect's unfettered right to  
13 counsel during police interrogation.

14 I think Phillip Forman would be particularly  
15 pleased to have the library in the Trenton Courthouse  
16 dedicated in his memory. It is in the city where he  
17 spent his youth and his days of legal apprenticeship  
18 and private practice. It is in the city to whose civic  
19 life he contributed mightily. But most of all, the  
20 library serves the Court he loved, the United States  
21 District Court for the District of New Jersey. From  
22 our perspective, the library serves a Court in which  
23 Phil Forman demonstrated the noblest qualities of a  
24 trial judge.

25 Thank you.

1 (Applause)

2 CHIEF JUDGE THOMPSON: And now we will hear  
3 from Don Robinson, President of the Historical Society  
4 of the United States District Court.

5 (Applause)

6 MR. ROBINSON: I just granted their motion  
7 for leave to leave.

8 Thank you, Chief Judge Thompson.

9 Members of the Court, friends of Judge  
10 Barlow and of Judge Forman, and members of the federal  
11 family, before I give you my brief remarks, I would  
12 like to recognize Mary Gaskill because today is her  
13 35th anniversary, this very day, with the Court.

14 (Applause)

15 MR. ROBINSON: Happy anniversary, Mary.

16 I also want to recognize Susan Travis, who  
17 has done so much as the coordinator which means a lot  
18 of hard work.

19 The Court's Historical Society is  
20 celebrating its 15th year this month. So it is  
21 appropriate we are part of this Trenton celebration,  
22 for it was here in this very courthouse that Chief  
23 Judge Fisher formed the Society. During those 15  
24 years, our projects have included a newsletter  
25 accurately named Nunc Pro Tunc. We had tributes. We

1 had exhibits. We had scholarly presentations.

2 Today we are happy to be part of what Judge  
3 Hughes has aptly called a terrific trifecta. These  
4 honors to Judge Forman and Judge Barlow, plus the rare  
5 Exhibit which I hope you all take a look at because  
6 it's marvelous, memorialize the work of two beloved  
7 jurists, as well as some of the history of this Court.  
8 The Society is delighted that today's federal judges  
9 are honoring Judge Barlow by naming the Attorney  
10 Conference Room in his honor, as is being done in  
11 Camden for Judge Brotman later and in Newark for Judge  
12 Whipple.

13 I will be presenting to Judge Hughes in a  
14 moment this rare bound volume, recording every word of  
15 the ceremony on December 22, 1964 commemorating the  
16 175th anniversary of the original holding of this  
17 Court, and in it is a group photo of the entire Court  
18 at that time, only eight judges, and photos or  
19 reproductions, portraits of every single judge in the  
20 District Court up until that time 1964. Judge Forman  
21 then sitting as a Court of Appeals judge was a speaker.  
22 He was introduced by Chief Judge Madden of the Camden  
23 vicinage as the great leader of the Court, a great and  
24 wise judge. Judge Forman then spoke at length, 30  
25 pages, about the history of this Court, including

1 several colorful personal experiences.

2           One story you got to hear. It reveals Judge  
3 Forman's compassion and his humor while he was an  
4 Assistant United States Attorney. Here is what  
5 happened. A prisoner named Lamar made a personal  
6 appeal to him. The warden of the Mercer County Jail  
7 which then housed federal prisoners had refused to  
8 allow Mr. Lamar to buy a supply of his favorite food,  
9 Fig Newtons. Here is how Judge Forman, always loyal to  
10 his job, yet not without tolerance described what he  
11 did for prisoner Lamar:

12           "I let myself be persuaded to talk to the  
13 warden, at least to the extent of telling him that the  
14 Government would not object to indulging prisoner Lamar  
15 in this manner if the regulations of the jail were not  
16 too badly fractured thereby. Apparently, the warden  
17 acquiesced, for I next received a very grateful letter  
18 from prisoner Lamar -- said Judge Forman in his  
19 speech -- that he was revelling in his Fig Newtons."

20           Judge Hughes, where are you? Please come  
21 forward.

22           You will especially enjoy this volume which  
23 we are presenting to you because Governor Richard J.  
24 Hughes was also a speaker. He spoke about his  
25 experience as a young AUSA practicing in this very

1 court before Judge Forman. Judge Hughes ended with  
2 these words that are in the bound volume:

3 "The Federal Court means something in this  
4 state. It is a towering symbol of the image of the  
5 administration of justice in New Jersey, and I feel  
6 that I should at this time of reminiscence and a little  
7 nostalgia merely paraphrase what the court crier says."  
8 And in the words of Judge Hughes, that is, Governor  
9 Hughes, "God bless the United States and this Honorable  
10 Court."

11 And I leave you with that. God bless this  
12 Honorable Court.

13 (Applause)

14 CHIEF JUDGE THOMPSON: Now, ladies and  
15 gentlemen, we will hear from Joseph Markowitz.

16 (Applause)

17 MR. MARKOWITZ: You will be pleased to know  
18 I'm going to be brief.

19 I want to acknowledge Chief Judge Thompson,  
20 Chief Judge Becker who had to leave, Chief Justice  
21 Poritz, if she's here, Honorable judges, lawyers,  
22 former law clerks of Judge Barlow and friends and  
23 family. I want to particularly acknowledge Judge  
24 Barlow's family, Lisa Barlow, Jane Barlow who is here,  
25 and the grandchildren, Sophie and Max Pergavie, and

1 last but not least, Honorable Richard J.S. Barlow, his  
2 brother.

3 (Applause)

4 MR. MARKOWITZ: I want to particularly thank  
5 all the contributors. We did this bust. We took a  
6 shot and we sent out letters to former friends and  
7 lawyers and the response was wonderful. We raised  
8 enough money to pay for the bust and the pedestal, all  
9 private money, all friends, judges contributed, lawyers  
10 contributed. It was really wonderful and we are over  
11 budget, but nobody gets anything back.

12 About Judge Barlow, I am honored just to be  
13 able to speak about him. I was a friend of his and I  
14 hope he was of mine. He was a man of many parts. He  
15 was a great jurist. He was an artist. You will see  
16 when you get up there on the third floor, he created  
17 and designed The Middle Vicinage. That was his  
18 creation and he painted it and it's absolutely  
19 fantastic. You look for it.

20 He was a great student of the Civil War, and  
21 interestingly enough so was Judge Fisher who was also  
22 Chief. They both were Civil War buffs. And you would  
23 go to George's house and sometimes he would be playing  
24 with little old cannons and little guys and doing the  
25 War.

1                   He was just a fantastic human wonderful man.  
2 He was a very compassionate jurist except maybe in two  
3 instances, when he had to deal with or sentence people  
4 involved in organized crime. He had a real serious  
5 thing about that, as he did about public elected  
6 officials who went wrong. When he got to those kinds  
7 of cases, you really wouldn't know him. He just felt  
8 so much that people who are elected to public office by  
9 us have to live up to it. And when you don't live up  
10 to it, don't go before Judge Barlow.

11                   He had a delightful sense of humor.  
12 Everybody wanted him to speak at their affairs and so  
13 forth. He was on the County Court in Mercer, and then  
14 the Superior Court when it was an elevation. His  
15 brother, Richard, became a Superior Court Judge because  
16 they did away with the County Court. So it was sort of  
17 an automatic, and Judge Barlow would refer to him as an  
18 expansion judge.

19                   To give you an idea of the sense of humor,  
20 he had a friend, a guy named Eugene Smith. And Eugene  
21 Smith wanted to change his name to George. He wanted  
22 to be George Ransbery Smith and that's what he wanted  
23 on his tombstone. And so in those days you had to go  
24 to court and have that approved.

25                   We happened to be in court that day and

1 Eugene was on the witness stand and Judge Barlow said,  
2 now, what's this about? And he knew, and he knew  
3 Eugene a long time. The attorney for Eugene said, he  
4 wants to change his name to George, and Judge Barlow  
5 looked down. He said, well, I got some Roberts. I got  
6 two or three Howards. I have some Harries. I'm sorry.  
7 I have no Georges. Can you come up with anything else?  
8 And poor Eugene was beside himself. He didn't know how  
9 to respond. And then ultimately he did become George  
10 Ransbery Smith.

11 Judge Barlow loved to play golf, and I  
12 remember playing with him at Trenton and the 10th hole  
13 at Trenton is a par 3. We were playing one afternoon  
14 and he hit a shot. It hit the tree which guarded the  
15 green and banged down into the hole, a hole in one.  
16 And he turned to us and said, "You can't say anything  
17 because I'm not supposed to be here," and we never did  
18 until now.

19 I particularly want to acknowledge Arthur A.  
20 Salvatore, Judge Salvatore. And what we have done  
21 through John Hughes, who has been absolutely marvelous  
22 in putting this together. He worked harder than any of  
23 us on the committees. He's like a mother hen. How  
24 much money do you have? He went with me and went down  
25 to look at the bust partially completed. He's done

1 everything anybody could do. He really, as Judge  
2 Thompson said, he made this.

3 (Pause)

4 MR. MARKOWITZ: What we are going to do,  
5 because this was Judge Barlow's courtroom, we got a  
6 tape and it was sort of a homemade tape of Judge  
7 Barlow's remarks at Judge Salvatore's retirement  
8 dinner. It originally was nothing but forks and knives  
9 and noise, and we sent it out, and it's not a lot  
10 better but it's better. I guess you have to go to  
11 those Watergate guys to get it good because we couldn't  
12 get it really good. We've done the best we can.

13 Thornton Smith, Thornton, go.

14 Thank you.

15 (The following tape is played)

16 Judge George Barlow - Speaker

17 Judge Arthur A. (Sarky) Salvatore Retirement Dinner

18 ...on the day following his swearing-in  
19 ceremony, I went to his Chambers to congratulate him  
20 and I found him pouring over a pile of papers. I was  
21 pleased, and I expressed the thought that he was  
22 familiarizing himself with his judicial duties. He  
23 denied that with some uncharacteristic vehemence, as I  
24 recall, and told me that all, that he knew all there  
25 was to know about judging, and that all he was doing

1 was simply computing his retirement date. Many of you  
2 may be unaware of the fact that establishing that date  
3 is a very complicated process. For under the State  
4 Judicial Plan, unhappily not under the Federal Judicial  
5 Plan, a judge may take retirement credit for other  
6 periods of State, County or Municipal service.  
7 Accordingly, in computing his retirement date, Sarky  
8 told me he had included for such purposes, among other  
9 periods, the time he had devoted to Mayor Connolly's  
10 election campaign, his years of service to the Young  
11 Democrats, the time he devoted to the preparation for  
12 the Chambersburg Feast of Lights, and he even included  
13 the single day he had served as the Marshal of the  
14 Columbus Day Parade. And so, ladies and gentlemen, I  
15 am afraid there remains some question as to whether or  
16 not Judge Salvatore actually has reached the mandatory  
17 retirement age, because I know for a fact that Sarky  
18 has at least two birth certificates, using one of them  
19 at any given time that fits his purpose. I know this  
20 because when the Army tried to draft him in World War  
21 II, he produced a birth certificate with a date of  
22 birth, which established beyond any question, that he  
23 was the only 14 year old lawyer in the state.

24 (Applause)

25 CHIEF JUDGE THOMPSON: And now we will hear

1 from Judge John J. Hughes.

2 (Applause)

3 MAGISTRATE JUDGE HUGHES: Chief Judge  
4 Thompson, Chief Justice Poritz, who is here and is  
5 truly a judge of the people, distinguished judges and  
6 lawyers and distinguished friends of the United States  
7 Courts, Don Robinson and Chief Judge Thompson asked me  
8 to say a few words of invitation to visit the Trenton  
9 Historical Exhibit. The Exhibit is located in the  
10 Courthouse Colonnade which, for the benefit of my  
11 friend, Judge Cavanaugh, would be the area on the first  
12 floor with all the big columns in it. As a prelude to  
13 briefly discussing the Exhibit, I have to seize the  
14 moment, if you all will forgive me, to take a very  
15 quick walk down memory lane with a little bit of  
16 personal history that is relevant to Judge Forman,  
17 Judge Barlow and the Trenton Courthouse.

18 Around a half a century ago, my father tried  
19 cases in this very courtroom before the great Judge  
20 Phillip Forman; in the 1940s, as an Assistant United  
21 States Attorney; and in the 1950s, as local counsel for  
22 New York Governor and Presidential Nominee, Thomas E.  
23 Dewey. Richard Hughes went on to become the only  
24 citizen of New Jersey to serve both as Governor and  
25 Chief Justice of the Supreme Court. Of course, not at

1 the same time.

2           When I was five or six, my family lived  
3 right down the block from the family of the great Judge  
4 George Barlow. A few years after that, in another  
5 house, on my way to and from Blessed Sacrament Grammar  
6 School in Trenton, I would pass by the Forman house on  
7 Belmont Circle and I would wave to Mrs. Forman and  
8 Judge Forman, as they sat on their front porch. And  
9 aside from anything else you hear today about the  
10 Formans, you should know they were exceptionally nice  
11 people, especially to kids.

12           Many years after that, not believing there  
13 was any way in the world I would pass, and my friends  
14 can appreciate this, any way in the world I would pass  
15 the bar exam on the first try, Claudia and I arranged  
16 to take a trip across the country at the same time I  
17 would have been sworn in with everybody else. So when  
18 I fortuitously passed and returned from our trip, Judge  
19 Barlow was gracious enough to conduct a private  
20 ceremony, just George and me, right here in this  
21 courthouse.

22           In 1976, after being hired to open the first  
23 branch offices of the Federal Public Defender, and,  
24 again, after consulting with Judge Barlow, I began  
25 driving my Pinto station wagon, full of files, to

1 Trenton one day, Camden the next. For various reasons,  
2 Ruth and I opened the office in Camden first. When in  
3 Trenton, I would just roam the hallways, much like the  
4 Phantom of the Opera, just trying to find a place to  
5 interview clients and what not.

6 After about a year of seeing my face in the  
7 window of his courtroom one too many times, Judge  
8 Barlow was very instrumental in getting me office space  
9 here in Trenton. Even though it was 23 year ago, I can  
10 close my eyes now and hear the great Judge's deep voice  
11 just like it was yesterday, "Would somebody please get  
12 this kid an office." So, with furniture that was  
13 begged or borrowed, I was given a single room on the  
14 fifth floor of this courthouse. To illustrate the  
15 federal hierarchy in those days, going down the hallway  
16 you first passed by the Division of Fish and Wildlife,  
17 then the mens room, the ladies room, and finally the  
18 Office of the Federal Defender.

19 In 1978, I tried my last case before Judge  
20 Barlow, never realizing that his way-too-early passing  
21 was only a short time away. My adversary was Jim  
22 Plaisted, but I'm not sure he showed up. This was in  
23 the days when judges made it a joy to try cases,  
24 relatively speaking of course. Judge Barlow was a  
25 great trial judge because when good lawyers were trying

1 the case, you never heard his voice except when he was  
2 addressing the jury.

3           You young lawyers should know that Judge  
4 Barlow and, as I learned from my father, Judge Forman,  
5 and since the Circuit Judges have left, these two  
6 judges, Barlow and Forman, were not above dealing with  
7 the jot and tittle of courtroom law that judges and  
8 lawyers deal with every day. It was also the time that  
9 while the jury was out the lawyers like Jim and I went  
10 across to the library, as the Tremont Lounge is still  
11 known, to discuss the many nuances of the trial and our  
12 performances.

13           After trying many more cases in Trenton,  
14 Camden, and Newark, I had the great good fortune in  
15 1991 to be appointed a United States Magistrate Judge  
16 to succeed my friend, Judge John Devine, and the rest,  
17 as they say, is history.

18           And if you don't believe any of this, you  
19 can ask Helen Johnson. As Judge Debevoise pointed out,  
20 Helen Johnson was a Court Reporter in this very  
21 courtroom in the forties and fifties when my father was  
22 trying cases, and in the seventies and eighties when I  
23 was trying cases. For those of you wondering about the  
24 missing decade, as we all know, it's often wise not to  
25 ask people what they were doing in the sixties. This

1 same Helen Johnson is here again today gracing this  
2 same courtroom once more simply by her presence.

3           The spectacular Exhibit you will see in a  
4 few moments is the product of literally a thousand  
5 hours of work by many talented people. The entire  
6 Clerks Office, and I mean the entire Clerks Office,  
7 Chief Judge Gaskill, and Howard Landesman, the creator  
8 of the Historical Exhibit, have done a remarkable job.  
9 This Exhibit tracks a history of almost 75 years of  
10 events in this courthouse, beginning with the first  
11 construction contracts in 1926, and highlighted by  
12 Judge Forman swearing in a brand new American citizen,  
13 Dr. Albert Einstein. I won't take the time here to  
14 describe the various items in the Exhibit. When you  
15 see it for yourself, I guarantee that you will feel  
16 proud and very fortunate simply to be an American  
17 citizen, just like Albert Einstein.

18           This is a perfect day to relax and to enjoy  
19 as we recall our history. But it's also a day to  
20 remind's us all, we are only temporary custodians, as  
21 the great Judge John Gerry so aptly described us. And  
22 I would end by respectfully suggesting that all of us  
23 have a continuing and unconditional obligation to the  
24 next generations to work together to preserve our  
25 history, and to protect this magnificent institution of

1 the United States Courts.

2 Thank you.

3 (Applause)

4 CHIEF JUDGE THOMPSON: Ladies and gentlemen,  
5 you are invited to the reception on the first floor in  
6 the Colonnade so you may see the Historical Exhibit.

7 At this time these proceedings are  
8 concluded.

9 Thank you for your presence.

10 THE CLERK: All rise.

11 (Proceedings concluded)

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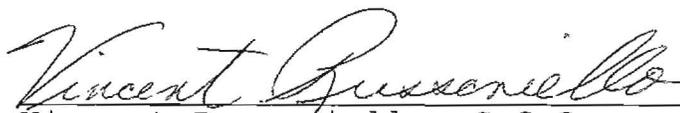
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C E R T I F I C A T E

I, **Vincent Russoniello**, Official United States Court Reporter and Certified Shorthand Reporter of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.



Vincent Russoniello, C.S.R.

Certificate No. 675

Date: 10-6-00