

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY

**RETIREMENT CEREMONY HONORING THE  
HON. RICHARD S. GEBELEIN, J.**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

-----  
BEFORE: CHIEF JUSTICE MYRON T. STEELE  
PRESIDENT JUDGE JAMES T. VAUGHN, JR.,  
-----

-----  
JOHN P. DONNELLY, RPR  
SUPERIOR COURT REPORTERS  
500 N. KING STREET WILMINGTON, DELAWARE 19801  
(302) 255-0563

1                   AUGUST 10, 2005  
2                   Courtroom 8B  
3                   4:00 p.m.

4  
5       ALSO PRESENT:

6           HON. PEGGY L. ABLEMAN, J.  
7           HON. WILLIAM C. CARPENTER, JR., J  
8           HON. CARL GOLDSTEIN, J.  
9           HON. SUSAN C. DELPESCO, J.  
10          HON. JEROME O. HERLIHY, J.  
11          HON. FRED S. SILVERMAN, J.  
12          HON. CHARLES H. TOLIVER, IV., J.  
13          HON. JOSEPH R. SLIGHTS, III, J.  
14          HON. CALVIN L. SCOTT, J.  
15          JUSTICE HENRY DUPONT RIDGELY  
16          HON. WILLIAM J. WITHAM, J.  
17          HON. E. SCOTT BRADLEY, J.  
18          HON. RICHARD F. STOKES, J.  
19          HON. ROBERT YOUNG, J.

20  
21       REMARKS

22           CHIEF JUSTICE MYRON T. STEELE  
23           PRESIDENT JUDGE JAMES T. VAUGHN, JR.  
24           HON. VINCENT J. BIFFERATO, J.  
25           JOSEPH R. BIDEN, III, ESQUIRE  
26           THE HONORABLE THOMAS R. CARPER  
27           THE HONORABLE MICHAEL N. CASTLE  
28           JOSEPH SCHOELL, ESQUIRE  
29           THE HONORABLE M. JANE BRADY

1           PRESIDENT JUDGE VAUGHN: Good afternoon,  
2 everyone. I would like to extend a warm welcome to  
3 everyone who joins us here today for this ceremony  
4 honoring the retirement of Judge Richard S. Gebelein.  
5 I would like to begin by recognizing the members of  
6 Judge Gebelein's family who are present; they are his  
7 wife Jerri, and his son Zachary. I would also like to  
8 recognize the members of the Delaware General Assembly  
9 and other elected officials who are present, the Chief  
10 Justice, other members of the Supreme Court, retired  
11 and current members of the Superior Court, and other  
12 members of the judiciary who are present, members of  
13 the Bar, members of the Superior Court staff who are  
14 present and Judge Gebelein's many friends, including  
15 those who will speak to us shortly.

16           I would also like to recognize former Governor  
17 Dale Wolf who I understand is present today, also  
18 Commissioner Stan Taylor of the Department of  
19 Corrections. Our speakers today will tell us about  
20 Judge Gebelein and the distinguished service which he  
21 has performed, not only for the people of the State of  
22 Delaware, but for our country, as well.

23           I would like to recognize, briefly, three of

1 his many accomplishments as a judge of the Superior  
2 Court. For over ten years, Judge Gebelein served as  
3 Criminal Division Chief and then Criminal  
4 Administrative Judge for the Court of New Castle  
5 County, which is one of the Court's most demanding  
6 jobs. For 14 years he served as Chairman of the  
7 Sentencing Accountability Commission. During that time  
8 he was instrumental in the development of Delaware's  
9 Truth in Sentencing legislation. In 1993, he designed  
10 and implemented the drug court in Delaware, which has  
11 served as a model to be studied and adopted by other  
12 jurisdictions.

13 On behalf of your colleagues, Judge Gebelein,  
14 I would like to express the Court's gratitude for the  
15 invaluable service you have performed over these last  
16 21 years. I would like to now invite the Honorable  
17 Myron T. Steele, Chief Justice of the Delaware Supreme  
18 Court of Delaware.

19 CHIEF JUSTICE STEELE: Thank you very much,  
20 President Judge Vaughn. I appreciate the opportunity  
21 to address Rich primarily, Judge Gebelein, as well as  
22 members of his family, members of our Bar and  
23 colleagues of the Bench. I looked at the agenda, I

1 thought with college football season 24 days, 7 hours,  
2 18 minutes away it would be fair for me to penalize  
3 Franny Haney for piling on. 15 yards, Franny.

4 As a result, it is necessary for me to be a  
5 person of few words. That reminds me of the story that  
6 I like the best about Calvin Coolidge. You may recall  
7 the story where the beautacious young lady sat next to  
8 the President at dinner, batted her eyes at him and  
9 said -- he was notorious for being a man of few  
10 words -- she said, I bet my friends, Mr. Coolidge, that  
11 I can get you to say three words at dinner tonight.  
12 His response without thinking, You lose. I will keep  
13 Calvin Coolidge in mind for the balance of my remarks.

14 Rich, you have gained a reputation with your  
15 colleagues, and all who have known you, most of the  
16 people in this room have known you for 20 years or  
17 more, some for 30 years of more, as a caring father,  
18 and a loving husband. For those of us like the  
19 President Judge who are prior service and veterans, I  
20 think of you also as a good soldier. The term good  
21 soldier is not just a passing phrase for those of us  
22 who served; it means someone who cares about doing  
23 things the right way, cares about the people who work

1 around him, cares about the people that serve with him,  
2 those of the same or lesser rank, and watches your back  
3 and takes care of colleagues and all fellow workers.  
4 We lose a good soldier.

5 Your former adversaries, and there are more  
6 than a few, given your rich tradition as a Delaware  
7 lawyer, thought of you and still think of you as a  
8 tough adversary; tough as an adversary in politics;  
9 tough as an adversary in the courtroom; sometimes an  
10 unforgiving adversary, but never, ever an ungracious  
11 adversary.

12 Among your colleagues you are admired and  
13 respected. I personally can't think of two better  
14 terms for any colleague to be remembered by his friends  
15 and fellow workers. I have often noted over the years  
16 how incredible your abilities were to balance all that  
17 you undertook. It is enough to be a Superior Court  
18 Judge, in anyone's lifetime; for a day, a month or even  
19 a year. The responsibility and the work load is  
20 significant, but it was never enough for Rich. The  
21 President Judge mentioned briefly SENTAC, but Rich was  
22 balancing his work as a Superior Court Judge, his  
23 career in the Delaware Army National Guard, and his

1 responsibilities for SENTAC well beyond the ordinary  
2 work load of any individual.

3 You don't get accomplished what Rich has  
4 accomplished, including becoming a Full Bull, as a  
5 Colonel is called in the Army, in the extraordinary  
6 case without being full of bull in the process, without  
7 extraordinary devotion and exceptional talent.

8 The SENTAC work Rich did alone is a monument  
9 to his career. Most everyone in this room knows  
10 generally what SENTAC is about, but when you focus on  
11 the mission of SENTAC, you will recall that when  
12 Governor duPont set up the Sentencing Reform  
13 Commission, it was then succeeded by the Sentencing  
14 Accountability Commission. Rich, for more than ten  
15 years, was the head of that organization, an incredible  
16 task. It is a group made up of people with diverse  
17 perspectives in criminal law, but with a common goal in  
18 mind to make sure that you incarcerate those who need  
19 to be incarcerated, and you find alternative, but  
20 suitable punishment or supervision for those that do  
21 not need to be incarcerated.

22 Rich was able to negotiate for over ten years,  
23 through a virtual mind field or differences of opinion,

1 to reach a goal that balanced appropriate  
2 incarceration, innovative supervision with fiscal  
3 responsibility. Organizations made up of the police,  
4 Attorney General's office, the Public Defender's  
5 office, members of the judiciary, public members, he  
6 kept it all in balance, and it amounted to an  
7 additional job to being a Superior Court Judge.

8           When the time came to expand the appropriate  
9 supervision, Rich was in the forefront with the Drug  
10 Court Initiative. While other States started one, Rich  
11 was primarily responsible for both the initiation of  
12 and success of the drug court in Delaware.

13           No challenge that Rich has he ever undertaken  
14 was accomplished with less or more enthusiasm than what  
15 Rich brings to bare. The perfect balanced individual;  
16 even temperament, good judgement, sound discretion.  
17 When I think about the fact that Rich is going to be  
18 leaving our judicial community, I am disappointed, but  
19 I am excited. Again, Rich looks at a challenge; as his  
20 career for more than 20 years as a judge in Delaware  
21 has enhanced the reputation of our judiciary, each of  
22 us as an individual, the judiciary as an institution,  
23 and the State of Delaware as a result, he accepts

1 another challenge that, again, enhances our reputation.  
2 A year in Afghanistan as a citizen soldier, and now  
3 duty in Bosnia as a war crimes and organized crime  
4 judge.

5           You are going to a distant land to face a new  
6 challenge, but just as the old soldier who predicted  
7 that, incorrectly, that he would fade away upon leaving  
8 his career, Rich, you will not fade away from your  
9 colleagues, and the people you served in Delaware; not  
10 from our minds, because of your intellectual ability,  
11 not from our memories, because of your collegial  
12 spirit, innovation, spirit and energy; and not from our  
13 hearts for your friendship and devotion to Delaware.  
14 God's speed, best wishes, bonne chance.

15           (Applause.)

16           CHIEF JUSTICE STEELE: The Court would now  
17 like to recognize the Honorable Vincent J. Bifferato,  
18 retired judge of the Superior Court of Delaware.

19           HON. VINCENT J. BIFFERATO: Mr. Chief Justice,  
20 Mr. President Judge, Judge Gebelein, Senator Carper,  
21 Congressman Castle, other distinguished guests. My  
22 wife pulled up on the Internet the other day an order.  
23 It was from the office of the High Representative in

1 Sarajevo appointing Richard Gebelein as a judge. It  
2 was by Paddy Ashdown. I am not going to go into  
3 anything else about that order. I think that is  
4 primarily why he may be moving on with his career.

5 I have known Richard Gebelein for a long time.  
6 I first met him shortly after he graduated from law  
7 school because he clerked for Justice Duffy when Bill  
8 Duffy was a Chancellor. In those days we only had a  
9 few law clerks. We had the pleasure of exchanging them  
10 so they would get a broader view of the judicial system  
11 in the state. Richard was assigned to me for a very  
12 short period of time. I remember the case you worked  
13 on, it was a pornography case; of course, Richard being  
14 as thorough as he always is, insisted on reviewing all  
15 the evidence.

16 He was very fortunate starting with Bill  
17 Duffy. We all remember Bill as one of Delaware's  
18 leading legal scholars; also, one of Delaware's true  
19 gentlemen. I believe this early mentoring is something  
20 Rich has relied upon throughout his legal career. He  
21 is soft spoken, but determined. He is a man who has  
22 sought and achieved success in many areas, varying  
23 areas of the law, especially criminal law. I remember

1 Rich as a politician who successfully ran for Attorney  
2 General; after acting as Chief Prosecutor and a small  
3 short stint with the Office of Disciplinary Counsel he  
4 became a Superior Court judge and he renewed his  
5 interest and expanded his approach to criminal law as a  
6 jurist.

7 He worked revising rules of criminal procedure  
8 with a well balanced approach to the needs for due  
9 justice, due process. While performing as an active  
10 trial judge, Richard sought new avenues to meet the  
11 changing needs of the criminal justice system. As  
12 Chief Justice Steele alluded to, the sentencing reform,  
13 of course the drug court. During the years of his  
14 legal career, Richard continued in a parallel career,  
15 the military. I hear he is a Colonel. To me he never  
16 looked like a Colonel.

17 His career as a JAG officer continued during  
18 his judicial career. It seems there was a wanderlust  
19 in his actions, as well. He traveled extensively to  
20 promote the work he was doing with the drug courts and  
21 sentencing reform. While we all knew Richard liked to  
22 travel, his ventures into improving, even devising  
23 legal procedures in Bosnia and later Afghanistan

1 reflect Richard's belief that one person can make a  
2 difference.

3           During all of the years that I have known  
4 Richard, he has been a compensative man who always  
5 maintained the appropriate demeanor and serious  
6 approach to his evolving professional duties as a  
7 prosecutor, as a judge, as a military officer.

8           He is also more than a professional. He has a  
9 family. He is a family man, as well. With his wife  
10 Jerri at his side, Richard has been able to pursue his  
11 professional goals. He's always been the father of  
12 three children, and catered to them. Some people may  
13 review today's ceremony as marking a slowing down, an  
14 ending of a career for Richard Gebelein, but I know  
15 that it is not. This is a new beginning, because  
16 Richard is a man who believes he can accomplish things.  
17 His complex view of action in his daily life reminds me  
18 of a short poem:

19           If you think you are beaten, you are. If you  
20 think you dare not, you don't. If you like to win, but  
21 think that you can't, it is almost a cinch that you  
22 won't. If you think you lose, you are lost; for out in  
23 the world we find success begins with a fellow's will.

1 It is all in the state of mind. If you think you are  
2 outclassed, you are. You've got to think high to rise.  
3 You've got to be sure of yourself before you can ever  
4 win a prize. Life's battles don't always go to the  
5 stronger or fastest man; but soon or late, the man who  
6 wins, is the man who thinks he can.

7 I am pretty sure Richard probably did not read  
8 this poem, but I believe it reflects his approach to  
9 life. Richard goes believing he can make a difference.  
10 We all know that he will try.

11 Although Richard is retiring from the Superior  
12 Court Bench, has retired from the military, he is  
13 simply not the retiring type. Richard and I have been  
14 friends for a long time. We used to walk three miles  
15 every morning. I remember one morning it was icy, he  
16 slipped on the ice and hit his head. I looked down at  
17 Richard and said, how the devil am I going to walk  
18 three miles dragging Richard.

19 We still meet occasionally, socially. Your  
20 life on Superior Court has been very rewarding for you  
21 and very rewarding for the State of Delaware and your  
22 family. I think I say for everybody in this courtroom;  
23 Richard, we wish you much success, and we are truly

1 going to miss you.

2 (Applause.)

3 CHIEF JUSTICE STEELE: The Court recognizes  
4 Joseph R. Biden, III, Esquire, representing the  
5 Honorable Joseph R. Biden, United States Senator from  
6 Delaware.

7 MR. BIDEN: Chief Justice Steele, President  
8 Judge Vaughn, Judge Gebelein, Mrs. Gebelein,  
9 distinguished members of the Delaware Courts, Senator  
10 Carper, Judge Bifferato, Congressman Castle, General  
11 Brady, my name is Bo Biden. I am here on behalf of my  
12 father who cannot be here today. He wanted me to read  
13 a letter to you and your family.

14 Dear Judge Gebelein: I am sorry that I could  
15 not be there with you and Jerri today to honor you as  
16 you end one chapter of your remarkable career and begin  
17 another as an International Judge in Bosnia. In a  
18 public service career marked with great milestones,  
19 your recent appointment as an International Judge is  
20 yet another extraordinary achievement. From your time  
21 as Delaware's Attorney General, to your distinguished  
22 tenure on the Superior Court Bench, to nearly two  
23 decades of service with Delaware National Guard, each

1 chapter has been exceptional.

2           The drug courts you pioneered will forever  
3 serve as your legacy. With your innovative and  
4 nationally recognized emphasis on rehabilitative  
5 solutions for drug court defendants that led me to ask  
6 you to come to Washington and lead the National Court  
7 System -- Drug Court System. However, you chose to  
8 answer different call, and volunteered for Operation  
9 Enduring Freedom in Afghanistan. Your tenure -- your  
10 tour serving as a Colonel in war torn Afghanistan gave  
11 you the opportunity to apply first-hand what you have  
12 always known was essential, Judge, the rule of law. In  
13 Afghanistan, you did what few men or women have ever  
14 done. You risked your life for the values you hold.

15           When I consider your career, I am reminded of  
16 the words the writer Louis Demick who wrote, "There is  
17 a certain blend of courage, integrity, character and  
18 principle which no satisfactory dictionary name" --  
19 "which has no satisfactory dictionary name, but has  
20 been called different things at different times in  
21 different countries. Our American name for it is  
22 guts."

23           Judge, you left the comfort of home and family

1 to put yourself in harm's way to help build what you  
2 knew was an integral part of any budding Democracy; the  
3 rule of law; the rule of law that has guided you your  
4 entire adult life. The nation is fortunate to have men  
5 and women like you willing to put their lives on the  
6 line for the best interest of America.

7 Now, in typical Gebelein fashion, you are  
8 voluntarily walking away from a prestigious judgeship  
9 and comfortable environment to serve your country once  
10 more. We, the people of Delaware, owe you a debt of  
11 gratitude.

12 Forgive a point of personal privilege, I am  
13 proud of you, Richard, proud to consider you a friend.  
14 I have no doubt when you finish your tenure as  
15 International Judge, the people of Bosnia will have a  
16 much fuller appreciation of the uniqueness of America.  
17 One more thing, Richard, I also have no doubt that this  
18 will not be the last chapter of your service to your  
19 State and to your Country.

20 Jerri, I would be remiss if I did not  
21 recognize, once again, your personal commitment and  
22 patriotism. We owe you a debt of gratitude, as well.

23 Sincerely, Joe Biden.

1           If I may, Your Honor, with all due respect,  
2       Judge Bifferato, you very much look like a Colonel to  
3       me. I think I might speak on behalf of some of my  
4       colleagues here who served you in the JAG unit. You  
5       make us proud. You are a great role model. Thank you,  
6       Your Honor.

7           (Applause.)

8           PRESIDENT JUDGE VAUGHN: Thank you, Mr. Biden.  
9       The Court would now like to recognize the Honorable  
10      Thomas R. Carper, United States Senator from Delaware.

11           HON. THOMAS R. CARPER: President Judge  
12      Vaughn, Chief Justice Steele, Judge Gebelein, Jerri,  
13      Zach and any others in this room that might be part of  
14      your family; to my fellow elected officials, to those  
15      who serve on the Bench as our judges and across the  
16      State, and ladies and gentlemen. Several people have  
17      mentioned, they raise this issue of your rank. I was  
18      just thinking before you -- long before you were a  
19      Colonel, you were a General. Whenever I see an  
20      Attorney General of this State or Country I call them  
21      General. It is a pleasure to call you General, it is a  
22      pleasure to call you Colonel, and Judge, as well.

23           I had the privilege of nominating Judge

1 Gebelein for a second term to the Superior Court. It  
2 was 1996. Something Biff said sort of brings  
3 everything else into focus. The day that he came for  
4 the interview his head was bandaged, and I remember  
5 just saying, What happened to you? He said, Judge  
6 Bifferato and I have been training for the Caesar  
7 Rodney Half Marathon. We were out running on this cold  
8 winter morning, hit an icy spot and he went down. I  
9 tried to save him, and hit my head as a result. I  
10 said, How did the other guy look? He said, Not much  
11 better. Whether it was running half marathons or  
12 walking three miles, or any other things that you have  
13 done, I want to really echo the sentiments we have  
14 already heard, and hear from others here who follow me.

15 I do remember the day that I was privileged to  
16 interview Rich. I have had the pleasure of  
17 interviewing a lot of folks sitting here in judicial  
18 garb today, and those who are not. We are blessed in  
19 this State with a wonderful, wonderful judiciary.  
20 Delaware is a model in many ways. We are a model with  
21 respect to how we get people off of welfare. We are a  
22 model, I think, with respect to the way we educate kids  
23 in our schools, prepare them for kindergarten in this

1 State, make sure they go on to make sure they become  
2 successful. We are a model in the way we select our  
3 judges. God knows I wish we could take this model to  
4 Washington, to use this model for the selection of a  
5 judge, whether it's the US Supreme Court or any of the  
6 others because we do it right in the State of Delaware.  
7 We end up with just wonderful people who serve, a bunch  
8 of them are in this room today.

9 I said to Judge Gebelein the day that we met,  
10 I said a number of qualities that I look for in someone  
11 that I nominate, whose name I submit to the State  
12 Senate. I indicated that I look for people who know  
13 the law, people who are knowledgeable with respect to  
14 the law. I look for people who are objective, who  
15 listen to both sides of an argument as folks come into  
16 their courtroom and go in with an open mind and be  
17 willing to be a good listener. I look for people who  
18 are able, not only able to make a decision in a timely  
19 way, but will make a decision, more often than not make  
20 the right decision. I look for someone who has good  
21 judicial temperament and sort of follows the golden  
22 rule with respect to the way they treat people in their  
23 courtroom. I said I look for people who just work

1 hard. I never want to nominate someone to the Bench  
2 who gets on the Bench, and frankly, they just don't, in  
3 an esteemed job, they don't give it 100 percent.

4 I said, as a result, I will have to look for  
5 someone else to fill your seat. I was kidding. He  
6 knew it. He meets all those criteria, every one of  
7 those. It was an honor for me to be able to submit his  
8 name to the Senate and I think we squeaked through on  
9 an 11 to 10 vote. It was a unanimous vote. I think  
10 his first one was, too.

11 I mentioned earlier that Delaware is a model  
12 for the nation; some of the ways I think we are a model  
13 for the nation. Judge Gebelein, also, in his drug  
14 court idea which served -- I think maybe the President  
15 Judge mentioned this -- it is a model for the nation.  
16 It is one that has not only worked well for us here in  
17 Delaware but other nations, other States, rather, have  
18 come in and stolen this idea and put it to good use in  
19 their own lives.

20 Last Friday many of us gathered at  
21 Westminister Presbyterian Church to say goodbye to a  
22 good friend, Karen Johnson, who served as Secretary of  
23 Public Safety in my administration. I talked about her

1 understanding that her job was not to simply make sure  
2 the bad guys were arrested, locked up, and put in jail.  
3 A lot of times that needs to happen, but a big part of  
4 her job was to make sure we went after and fought the  
5 root causes as to why people wind up going to jail.  
6 Whether it was Rich as our Attorney General, or as the  
7 Superior Court judge, someone who is innovative for the  
8 drug court, or served in Afghanistan, he has always  
9 sought to go after the root cause of a problem, and to  
10 address that problem, and not simply address the  
11 symptoms but to go after the root cause. I think it's  
12 that I respect and admire you the most.

13 In an age where a lot of us people, I think we  
14 are about the same age, a lot of people are thinking  
15 about slowing down, doing something else, you are still  
16 picking up speed, ready to head off to the next  
17 assignment.

18 I just want to say to Jerri, Zach, and I guess  
19 your son and daughter who are not here today, that we  
20 appreciate your sharing with us a good man, and for  
21 this State, and as it turns out, really, for the  
22 country. A couple of us served in the military. I  
23 know our Chief Justice has for a number of years,

1 obviously Rich has, as well; so have I. I am an old  
2 Navy guy. They are Army guys. We have a saying in the  
3 Navy on occasions like this when someone is ready to  
4 sail off into the sun rise as you are, and that is the  
5 saying is fair winds and a following sea, my friend.  
6 God bless you.

7 (Applause.)

8 CHIEF JUSTICE STEELE: The Court now  
9 recognizes the Honorable Michael N. Castle, United  
10 States Representative for Delaware.

11 HON. MICHAEL N. CASTLE: Thank you very much,  
12 Chief Justice, and President Judge Vaughn, Judge  
13 Gebelein, to the other judges here. This would be a  
14 heck of a jury, is all I can say, to our other elected  
15 officials who are here joining us, all guests who are  
16 here, and, obviously, particularly, to Jerri and  
17 Zachary, and the whole Gebelein family. I am pleased  
18 to be here. I am here more of a friend, and  
19 acquaintance than I am in any real capacity of  
20 recognizing what Rich has done. I went back and did a  
21 little work on this, and like a lot of other things I  
22 discovered is he never really could hold a job in his  
23 life, as far as I could ascertain. He has been

1 literally everything.

2 Tom Carper and I get a little confused. Our  
3 names are somewhat alike. We have held the same jobs.  
4 People call me Tom, call me Governor, Senator, call him  
5 all kinds of things, to me. We go back and forth.  
6 Rich is sort of like a one man you don't know who he is  
7 or what he is doing at this time show.

8 He has basically done everything you can do in  
9 this State, as far as can I ascertain. He has been a  
10 Deputy Attorney General, as well as Attorney General  
11 for the State of Delaware. Think of the titles he has  
12 had; General, for example. He has been the Chief  
13 Deputy Public Defender, Public Defender is another  
14 title. Obviously he has been a judge, been in the  
15 National Guard. I suppose he has been probably  
16 Lieutenant, Captain, Major, Colonel depending on what  
17 time you knew him you had a different title for him.  
18 He's been chairman of the Delaware Sentencing  
19 Accountability Commission, SENTAC; if you knew him in  
20 that capacity you probably called him Chairman. He has  
21 been a professor at Widener, you knew him as Professor  
22 there. He has probably in Afghanistan and Bosnia been  
23 an American. People referred to him in that capacity,

1 as the great American. He has literally done  
2 everything, done enough so you think he is 100 years  
3 old. He looks a heck of a lot younger than I am and he  
4 is retiring, and I am not planning on retiring anytime  
5 soon.

6 I will tell you that Rich and Jerri are two  
7 good people. They are individuals who I have had some  
8 political involvement with and Rich was no different as  
9 a candidate, or as Attorney General then he is now as a  
10 judge. He was always fair. He has always approached  
11 people in a very straightforward way. He has  
12 tremendous support from Jerri and a whole variety of  
13 capacities throughout his life. That has given him the  
14 ability and the freedom, frankly, to represent our  
15 country, and all of our states outside the United  
16 States through the work that he has done overseas. I  
17 would guess as much as anybody in the State of  
18 Delaware, perhaps with the exception of your father,  
19 Bo, with the exception of that, he is probably known  
20 outside of the State in terms of what has he done and  
21 for that, it is a blessing for each and every one of  
22 us.

23 I would just like to thank you, Rich. I did

1 not coin this expression, but you are truly "a judge  
2 for all seasons." You have done so very, very much  
3 over all these years, and the span of your career that  
4 you are probably going to be able to look back and have  
5 more memories and enjoyable moments of recognition, of  
6 great value you brought to the various jobs that you  
7 held in terms of helping other people as anybody  
8 possibly could. For that I thank you. I congratulate  
9 you. May God bless you and your family.

10 (Applause.)

11 CHIEF JUSTICE STEELE: The Court now  
12 recognizes Joseph Schoell, Esquire, representing  
13 Governor Ruth Ann Minner.

14 MR. SCHOELL: Good afternoon, Chief Justice  
15 Steele, Chief Judge Vaughn, Judge Gebelein, members of  
16 Your Honor's family, other distinguished guests.  
17 Governor Minner very much regrets she was not able to  
18 be here today. She had a number of commitments in the  
19 southern part of our State, but I am fortunate that  
20 gives me the honor, and the privilege to be here on her  
21 behalf to present a tribute on behalf of Governor  
22 Minner and Lt. Governor John Carney, Junior.

23 Be it hereby known to all that Ruth Ann

1 Minner, Governor of the State of Delaware, and John C.  
2 Carney, Junior, Lt. Governor, extend sincere  
3 congratulations to the Honorable Richard S. Gebelein  
4 for his prestigious appointment to be the State Court  
5 of Bosnia Herzegovina Special Chambers for War Crimes  
6 and Organized Crime. Governor Minner and Lt. Governor  
7 Carney congratulate Judge Gebelein for his appointment  
8 through the United States Department of State.  
9 Delawareans have been fortunate to have such a  
10 brilliant talent working within our legal and judicial  
11 system and this legacy will surely include his  
12 dedication in sentencing reform, sentencing  
13 accountability, and the implementation of many vital  
14 correction and treatment programs.

15 Judge Gebelein has offered several integral  
16 pieces of legislation in Delaware, including the Truth  
17 in Sentencing Act, and his presence and wisdom will  
18 surely be missed by all his colleagues, friends, and  
19 associates across the First State. Best of luck in  
20 your future endeavors. Signed Ruth Ann Minner,  
21 Governor and John C. Carney, Junior, Lt. Governor on  
22 this 10th day of August 2005.

23 Your Honor, as I am -- as you know I worked

1 with you myself, and it is truly a privilege. You have  
2 made us all very, very proud in this State. We wish  
3 you the very best of luck. Good luck to you.

4 (Applause.)

5 PRESIDENT JUDGE VAUGHN: The Court now  
6 recognizes the Honorable M. Jane Brady, Attorney  
7 General for the State of Delaware.

8 HON. M. JANE BRADY: Good afternoon, Chief  
9 Justice, Judge Vaughn, Judge Gebelein, members of the  
10 judiciary, other distinguished guests and all of your  
11 friends and relatives that are in the room. I am  
12 pleased and honored be here as a representative of a  
13 small part of the Delaware Bar, that is the family of  
14 the Department of Justice. Rich, a lot of people have  
15 spoken about the time that they worked with you. I  
16 worked for you as a Deputy Attorney General, and on  
17 behalf of all of those who served with you in the  
18 Department, congratulations, God's speed.

19 I have to tell you that as we spoke within the  
20 Department about the change that you are making in your  
21 choice of public service. The constant discussion,  
22 subject of discussion was the fact that you have always  
23 chosen public service, that you have many talents, many

1 capabilities and you have chosen to give them in a way  
2 that did not find the greatest financial remuneration.  
3 It did not give you the greatest amount of time away  
4 from the office. You relishly accepted the  
5 responsibility of that public service with dignity and  
6 enthusiasm.

7 We also discussed the fact that there have  
8 been times when you have been on the bench that  
9 although you used to be the boss in the Attorney  
10 General's Office, you still were telling us what to do,  
11 and with your judicial authority, of course, you have  
12 the full privilege to do that. Some of those in my  
13 office accepted the decisions better than others, but  
14 we all respected them.

15 You always had a global perspective of the  
16 justice system and brought innovation and change in a  
17 way that wasn't just tinkering with the way that we did  
18 things, but was changing perspectives, changing  
19 approaches, and changing the success, frankly, of the  
20 way that the justice system worked. We respect and  
21 honor that today, as well. You were a thought leader  
22 and the bench will miss your presence because of that.

23 We also think that it is important to

1 recognize that in the times since you have been on the  
2 Bench, that you have shown great regard and respect for  
3 work that the prosecutors in my office do. We work  
4 very hard. In fact, I was joking with someone; I  
5 remember the day you were sworn in as Attorney General,  
6 quite vividly. I had to leave your reception twice. I  
7 had three juries out and had to take two verdicts. The  
8 third one came in the next day. So when everyone  
9 complains about -- I wouldn't remember that except it  
10 was the day you were sworn in -- everyone complains  
11 about how busy they are, I can tell them that story of  
12 how busy we were then. You have always been respectful  
13 of the demands because you know the demands that people  
14 in our office face.

15 Finally, on a personal note, having worked for  
16 you, and with you, I have the highest regard for you.  
17 Thank you for the good counsel that have you given me  
18 in the time that I have served as Attorney General, for  
19 the respect and honor that you have shown to the office  
20 that we both love dearly. I hope, in some small part,  
21 that the way that I have approached the job of Attorney  
22 General, trying to take on issues globally, to respect  
23 the competence and capability of the people that work

1 for and with me has been a reflection of the model that  
2 you presented. Thank you.

3 (Applause.)

4 PRESIDENT JUDGE VAUGHN: Richard, the Judges  
5 of the Superior Court would like to present you with a  
6 gift, which I hope you will find to be a suitable  
7 memento or symbol of your time on the Court. It is  
8 given with great appreciation for your service on the  
9 Court. I do want you to open it now. I think it might  
10 be easier if we stood up. It is a gavel. The box is  
11 inscribed "To Richard S. Gebelein, Judge, Superior  
12 Court of Delaware 1984 to 2005 from the Judges of the  
13 Superior Court" and the gavel is inscribed with your  
14 name and years of service.

15 (Applause.)

16 PRESIDENT JUDGE VAUGHN: At this time it is my  
17 pleasure to recognize the Honorable Richard S.  
18 Gebelein.

19 HON. RICHARD S. GEBELEIN: Mr. Chief Justice,  
20 President Judge Vaughn, Senator Carper, Representative  
21 Castle, Attorney General Brady. What I should say is  
22 Tom, Mike, Jane, Myron, Jim. That is one of the  
23 beauties of Delaware. It has been a great honor and

1 privilege to be able to serve the people of Delaware  
2 for over 20 years as a Superior Court judge.

3 I want to thank Governor duPont for initially  
4 appointing me, then Governor Carper, now Senator Carper  
5 for re-appointing me, and for the Delaware General  
6 Assembly for confirming me. The first time wasn't so  
7 unanimous, but it did work out, and for allowing me  
8 that privilege.

9 Mike, I think you usually get blamed for me  
10 because it was, like, in Governor duPont's last year.  
11 Whenever ever I do something bad, they blame Mike. I  
12 initially brought a speech that I was going to read,  
13 but after listening to the Chief Justice about football  
14 season, I think I better can that.

15 I do want to say a few things, though. I want  
16 to recognize the inspiration that I have had as a  
17 judge. 35 years ago I had the opportunity to come here  
18 and clerk in the Court of Chancery, as Judge Bifferato  
19 mentioned. In fact, in those days we did not have  
20 clerks for every judge. So I clerked for Chancellor  
21 Duffy and Vice Chancellor Marvel and Vice Chancellor  
22 Short when he was in Wilmington. I was able to spend a  
23 month in Superior Court because we used to let the

1 clerks exchange to get a little feel in the different  
2 courts. And there I worked for Judges Quillen and  
3 Bifferato. They were all very different judges, but  
4 all of them shared one belief, that belief was that  
5 this position was to serve the people, to give each  
6 litigant respect, to give each lawyer respect, and to  
7 reach a fair result in each case; and I have always  
8 felt if I could approach that standard, that I would  
9 have been a good judge.

10 On a little personal note, as a young Deputy  
11 Attorney General under Laird Stabler, I was asked to  
12 fill in for our deputy in Dover while he was away on  
13 military duty. Then Deputy Attorney General Steele, I  
14 found, was responsible for covering three courts, being  
15 responsible for indicting all of the cases, giving  
16 advice to all the police agencies, and many other  
17 responsibilities in that office. After a week of  
18 attempting to fill his shoes, I realized what an  
19 extraordinary person he is. He became a model of what  
20 a good lawyer could accomplish under adverse conditions  
21 by working collaboratively with the courts. I hope I  
22 never forgot that lesson.

23 In 1984, I joined the Bench in Superior Court.

1 I was in awe then of joining a Bench with people that I  
2 admired and respected; Judge Bifferato, then Judge  
3 Walsh, and a little bit later Judge Quillen. I was  
4 also in awe of the responsibility of that office and I  
5 still am. Taking away someone's freedom should never  
6 be routine. As privileged at that time to serve,  
7 again, with Judge Bifferato and Judge Quillen, this  
8 time as a colleague. Actually Judge Bifferato became  
9 my closest friend on the Court and yes, Biff, they did  
10 refer to us as the "Odd Couple."

11 I was blessed during my judicial career to  
12 have President Judges who allowed me a lot of freedom  
13 to try different approaches; for example, it's been  
14 mentioned the drug courts. In the early 1990s,  
15 President Judge Ridgely let Judge Goldstein and myself  
16 experiment with the drug court. It became one of the  
17 first in the nation and one of the most successful. My  
18 colleagues in Superior Court have supported that  
19 program. It's expanded to all three counties. Judge  
20 Vaughn runs it in Kent County. I thank all of my  
21 colleagues for that.

22 I have been, again, extremely blessed to have  
23 secretaries, I use the old fashion expression

1 secretary. I know there is some new term, but at my  
2 age it is hard to learn these things, because they are  
3 the people who made me look good. Pattie Wheeler,  
4 Patti Olesky, Debbie Wilson, Karin DuVall. All of  
5 these people had to juggle a million things and keep me  
6 on track so that I knew what I was doing. I really  
7 appreciate that.

8 My family, also, has supported me. During my  
9 career I made a lot of choices, and believe it or not,  
10 through the years Judges and Attorneys General and  
11 Deputy Attorneys General really haven't always been  
12 paid very well. Right now I can't complain, but back  
13 in the days when some of these decisions were made it  
14 was a financial hardship; and they have been there to  
15 support me. Last year they were there to support me  
16 when I went away for a little while. I appreciate  
17 that.

18 The Bar in Delaware has been a pleasure to  
19 work with. Rightly, it has always received national  
20 recognition for its professionalism, its civility and  
21 integrity. I have been in places where that is not the  
22 norm and I can assure you it is much better here,  
23 better for the citizens, it's better for the litigants,

1 certainly better for the Court.

2           Finally, I want to thank the staff, the staff  
3 of Superior Court, every single one of you. Every time  
4 you have said, Judge Gebelein, there is another VOP  
5 sentence; or, Judge Gebelein, the number on this charge  
6 is wrong, that has prevented me from making mistakes.  
7 I really, sincerely appreciate it. I appreciate the  
8 court reporters who make me sound almost coherent when  
9 they prepare the transcripts. I thank the bailiffs who  
10 maintain the order and protect the order in the court.  
11 I cannot ever in my mind forget watching a lady charge  
12 across the courtroom, hook the bailiff and carry Evette  
13 halfway across the courtroom when she was trying to  
14 attack a defendant. These people are all not well  
15 paid. They are not in this business here because they  
16 get well paid.

17           They all have important jobs to do, and I have  
18 to say they do them well. So, again, I want to say  
19 thank you to you. You do the work day in and day out.  
20 We are the people up here in the funny dresses that get  
21 all the credit for it.

22           As to the future, I am looking forward to the  
23 new assignment with the Bosnia Herzegovina Special

1 Chambers. I met some of these judges a few years ago  
2 when I was doing some training. In that country they  
3 have adopted an adversary system, and we went over,  
4 some of the us went over and were doing training with  
5 Bosnian judges. So they knew what that meant to have  
6 adversaries in the courtroom. It was probably as a  
7 result of some of that work that I was invited to join  
8 this Court. I look forward to doing it.

9 I want to just basically say that the thing  
10 that I am going to miss most is the people in Superior  
11 Court; the staff, the judges, lawyers, and the  
12 interaction that has always come easy. I mentioned in  
13 Delaware you can say Tom and Mike and get away with it  
14 sometimes, but the fact is that in this State one  
15 person can make a big difference, all they have to be  
16 is a little bit persistent at it.

17 I want to thank you all for coming. This is  
18 August, I would have expected you not to be here and  
19 Governor Wolf, I did not mean to forget you. I worked  
20 with you. I appreciate the help that you have been  
21 over the years, too. So thank you. And Senator  
22 McBride is here. I want to say thank you for getting  
23 the pension bill through so I can retire, and all the

1 members of the General Assembly that did that. I know  
2 that was a little bit controversial, but if that had  
3 not happened, I would not have been able to take this  
4 assignment. So thank you very much, I appreciate it.

5 (Applause.)

6 PRESIDENT JUDGE VAUGHN: Ladies and gentlemen,  
7 that does conclude the ceremony. You are all welcome  
8 to greet Judge Gebelein at a reception which, I  
9 believe, is right out in the hallway. So this ceremony  
10 is adjourned.

11 (Whereupon the ceremony was concluded.)

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23