

1

October 18, 1993
3:00 o'clock p.m.
Courtroom No. 301

2

3 PRESENT:

4

As noted.

5

PRESIDENT JUDGE RIDGELY: Welcome to this
6 special session of the Superior Court of the State of
7 Delaware convened for the investiture of William C.
8 Carpenter, Jr. as a Judge of this Court. I am going
9 to ask you to stand for the invocation by the very
10 Reverend Allan H. Hohlt of the Cathedral Church of
11 St. John.

12

Reverend Hohlt.

13

REVEREND HOHLT: May the Almighty God
14 direct us in our lives;

15

May He guide us in our decisions;

16

May He give us strength and courage to do
17 what we must do;

18

May His blessings and peace be with us and
19 all His people, this day and all days to come, in His
20 holy name we pray.

21

PRESIDENT JUDGE RIDGELY: Thank you,
22 Reverend Hohlt. Patrolman Anthony Johnson of the
23 Wilmington Police Department will sing our National

1 Anthem. Patrolman Johnson, in addition to his
2 regular duties as a Wilmington Police officer, serves
3 as the lead singer for the First State Force, the
4 police anti-drug band, which was organized by U.S.
5 Attorney Bill Carpenter, with participation from
6 eleven different police departments and Superior
7 Court's Presentence Office.

8 Patrolman Johnson.

9 (Patrolman Anthony Johnson sang the
10 National Anthem.)

11 PRESIDENT JUDGE RIDGELY: Thank you very
12 much, Patrolman Johnson. Please be seated.

13 First I would like to thank Governor Carper
14 and the Delaware General Assembly for making this
15 happy occasion possible. We sincerely appreciate the
16 help you have provided to the Court by the addition
17 of two new additional Judges and support staff this
18 year. Today for the first time in state history
19 there will be 17 Judges on the Superior Court. With
20 10,000 filings per year in New Castle County alone,
21 there will be no shortage of challenging assignments
22 for our next Judge.

23 I would like to introduce at this time

1 those who are seated with me on the Bench today. To
2 my immediate right is the Honorable E. Norman Veasey,
3 Chief Justice of Delaware. To my left is the
4 Honorable Randy J. Holland, Justice of the Supreme
5 Court. To the immediate right of Chief Justice
6 Veasey is the Honorable Vincent A. Bifferato,
7 Resident Judge for the Superior Court for New Castle
8 County. The chair to Justice Holland's left is a
9 reserved seat for our next Superior Court Judge.

10 At this time the Court wishes to recognize
11 Bill Carpenter's family members who are here today,
12 and in particular, Bill's wife, Marilyn Carpenter;
13 his daughter, Allison Carpenter; Bill's parents, Mr.
14 and Mrs. Cecil Carpenter; his mother-in-law, Mrs.
15 Ruby Fannon of Cincinnati, Ohio; Bill's sister, Jerry
16 Ann McLamb; Bill's son Richard, who lives and works
17 in Miami, Florida, and unfortunately, who could not
18 be here today. To each of you, the Court extends a
19 very warm and special welcome.

20 With pleasure, the Court also welcomes
21 Governor Carper, members of the General Assembly, the
22 federal and Delaware judiciary, members of the
23 Delaware Bar, and all friends of Bill Carpenter.

1 Today marks the beginning of Bill's
2 judicial career on the Superior Court. He comes to
3 the Court well prepared for what lies ahead of him.
4 I know that Justice Holland and Judge Latchum will
5 agree that being born in Milford was a great start.

6 I have known Bill Carpenter beginning with
7 the days when he practiced law in Dover before he
8 joined the U.S. Attorney's Office. I have seen his
9 drive, dedication and commitment as a federal
10 prosecutor, as the United States Attorney for the
11 District of Delaware, and most recently, as the
12 master of ceremonies who explains the message of the
13 First State Force, and then warms up their young
14 audiences, and my youngest son was among those
15 audiences one day, and I witnessed it, with a
16 refrain, are you ready to rock and roll, he says
17 louder and louder until the proper fervor is reached.

18 Bill Carpenter brings his good common
19 sense, his sharp legal intellect, his strong
20 commitment to the law and public service, his
21 compassion for others, and his even temperament to
22 the Court. His strength will serve him and
23 Delawareans as well. He's already met with the

1 Judges and begun his orientation, and we are
2 confident that he will be an able and distinguished
3 Judge of this Court.

4 It is now my privilege to ask Chief Justice
5 E. Norman Veasey to speak to you.

6 Justice Veasey.

7 CHIEF JUSTICE VEASEY: Thank you, President
8 Judge Ridgely. Governor Carper, President Judge
9 Ridgely, Resident Judge Bifferato, Bar President Dick
10 Kirk, Kent Jordan, Esquire, distinguished and present
11 and former members of the state and federal
12 judiciary, distinguished members of the General
13 Assembly, members of Bill Carpenter's family,
14 distinguished citizens of the State, and thank you,
15 Reverend Hohlt, for that lovely prayer which was
16 reminiscent of a prayer that you offered at my
17 investiture 18 months ago. And also, thank you,
18 Officer Johnson, for that spine-tingling rendition of
19 our National Anthem.

20 I am honored to be part of this occasion
21 and to bring greetings from the Supreme Court. This
22 is a very important event for the Carpenter family
23 and it is likewise an important event for the

1 Delaware judiciary. Bill Carpenter is about to join
2 this overworked court of general trial jurisdiction,
3 and the significance of the work of this court cannot
4 be overstated, both in human terms and in terms of
5 national importance of the work of our courts.

6 Bill Carpenter's investiture is symbolic in
7 at least three ways. First, this investiture
8 represents one of four recent investitures of
9 outstanding persons appointed by Governor Carper and
10 wisely confirmed by the members of the Senate: Judge
11 Alex Smalls, the first Afro-American on the Court of
12 Common Pleas; Judge Patricia Griffin, the new Chief
13 Magistrate, who is the first woman presiding Judge in
14 Delaware; Judge Fred Silverman, who was sworn in last
15 Tuesday. And I guess, Judge Carpenter, that makes
16 you the junior Judge on this Court. And that doesn't
17 mean that you get the first parking place, but that
18 you have to keep the minutes of all the meetings and
19 you have to take out the trash. At least that will
20 keep you from taking yourself too seriously.

21 Finally, and on a serious note, Judge
22 Carpenter's appointment and Judge Silverman's
23 appointment are a result of an enlargement of the

1 Superior Court, accomplished last year by action of
2 the General Assembly and the Governor, with the full
3 support, indeed the urging of the judicial branch of
4 government, and with our deepest gratitude to the
5 Governor and General Assembly, which has stepped up
6 to the recognition of the absolute necessity to
7 strengthen the Superior Court.

8 These investitures represent something
9 which is of overriding importance to the entire State
10 of Delaware, namely, our nationally recognized fine
11 judiciary. That recognition has not come about by
12 accident. The widespread respect and trust for our
13 judiciary arises not only because of repeated
14 demonstrations of competence and honesty, but also
15 because of Delaware's continuing judicial selection
16 process, which is a model for the nation. Our
17 judicial selections are the result of recommendations
18 of the bipartisan Judicial Nominating Commission,
19 gubernatorial appointment and Senate confirmation,
20 and in addition, we have a constitutional provision
21 which mandates the bipartisan and equal *** nature of
22 our judiciary.

23 Article 4, Section 3 of the Constitution

1 specifically prescribes the political balance for the
2 constitutional courts, the Supreme Court, the Court
3 of Chancery and Superior Court. It requires that
4 three of the five Justices shall be of one major
5 political party, the other two Justices of the
6 Supreme Court of the other major political party;
7 that not more than a bare majority of the members of
8 the Superior Court shall be of the same major
9 political party, and the remaining members shall be
10 of the other major political party; and third, when
11 the number of all the judicial offices in the Supreme
12 Court, the Superior Court and the Court of Chancery
13 are told, there shall not be more than a bare
14 majority of one major political party over the other
15 major political party.

16 This selection process and resulting
17 bipartisan composition of our courts supplies the
18 truly independent backbone and strength of Delaware's
19 judiciary. In fact, Bill Carpenter exemplifies
20 bipartisanship. That any republican United States
21 attorney could be appointed originally by a
22 republican president and then retained after
23 expiration of his term by a democratic president at

1 the request of a democratic senator deserves our
2 respect and admiration for skill and survivorship,
3 and Senator Biden deserves great praise for his
4 statesmanship in that regard.

5 Bill Carpenter is an outstanding product of
6 that judicial selection process. He joins the
7 judicial officers of this state who carry full
8 responsibility of maintaining the shining national
9 image of our courts. And like all Delaware citizens,
10 I am very secure and confident in the expectation
11 that those persons, like Bill Carpenter, who come out
12 of that system are the highest caliber and will carry
13 out their judicial responsibilities independently and
14 with integrity, competence, hard work, and compassion
15 and efficiency.

16 It is with great pleasure that I welcome on
17 behalf of the judicial conference of the State of
18 Delaware Bill Carpenter to be a member of that
19 conference.

20 PRESIDENT JUDGE RIDGELY: Thank you, Chief
21 Justice. The Court is pleased to call upon the
22 Honorable Thomas Carper, Governor of Delaware, for
23 his remarks. Governor Carper has been in court a lot

1 lately, but under pleasant circumstances.

2 Governor Carper.

3 GOVERNOR CARPER: Thank you very much,
4 President Judge Ridgely. Chief Justice Veasey,
5 Justice Holland, Resident Judge Bifferato, other
6 members of the Bench and Bar. To soon-to-be Judge
7 Bill Carpenter, to wife Marilyn, daughter Allison,
8 mom and dad and other members of your family who are
9 here, to Reverend Hohlt, to colleagues joining me
10 here at the front seat, and just about everybody that
11 is in this room, those of you who work in the U.S.
12 Attorney's Office, those of you who know Bill and
13 maybe grew up with him, those of you who played
14 hockey with his daughter there in school -- where do
15 you go to school?

16 ALLISON CARPENTER: Ursuline.

17 GOVERNOR CARPER: Do you play hockey?

18 ALLISON CARPENTER: Yes.

19 GOVERNOR CARPER: Anybody here from your
20 team?

21 ALLISON CARPENTER: All of them.

22 GOVERNOR CARPER: The one that's sitting
23 all the way in the far corner there, sort of in the

1 black and white check, I asked what grade she was in.
2 She replied that she was the coach. We're glad that
3 you are here. A friend of mine who is 42 years old
4 was asked for his ID when served liquor, and we know
5 how he felt.

6 Let me say a special thanks to people who
7 are not here. Those people who are not here,
8 although there may be one or two members of our
9 Judicial Nominating Commission who aren't here -- I
10 don't believe I see Jim ***, the chairman, nor do I
11 see Rod Ward and others who served -- I just want to
12 say as a follow-up to what the Chief Justice was
13 saying earlier, we have a wonderful tradition in this
14 state for selecting bipartisanly men and women of the
15 highest caliber to serve on our judiciary, and this
16 is an important tradition for us.

17 Those of us who joined together Friday
18 evening for a wonderful evening to salute former
19 Governor Carvel may recall him saying to us, what an
20 investment, what an important investment and
21 responsibility we have in the quality of our
22 judiciary. Fully one fifth of our state's revenues
23 -- actually, one quarter are exported to people in

1 other states. And when you look at the fact that we
2 have so many incorporations that are here, two
3 hundred thousand plus, they incorporate in Delaware
4 in part because of our lawyers and in part because of
5 our legislature, not so much because of the governor,
6 but very much in part because of the quality of our
7 judiciary. We have a judiciary in this state that we
8 believe, I believe is second to none. I am pleased
9 with the nomination and confirmation of Bill
10 Carpenter and Fred Silverman and Alex Smalls and Pat
11 Griffin, that we are maintaining that high caliber
12 and quality, and we really have a lot at stake in our
13 doing that. I want to say a special thank you to the
14 members of our state Senate, who voted to confirm
15 each of these nominees, including Bill, and to do so
16 by wide margins, and I think in this case by an
17 absolutely unanimous margin. That's a tribute to you
18 and the qualities that you bring to the bench.

19 In my years as a congressman, 10 in all,
20 there are a number of things as I look back on that
21 experience, Bill, that I don't miss. I don't miss
22 getting up at five o'clock in the morning to catch
23 the night owl, to ride the train down to Washington.

1 I don't miss that. I don't miss staying up all night
2 on all-night sessions and not getting to come home to
3 my family. I don't miss the gridlock that
4 characterized too much of what we did during the time
5 that I spent in Washington. I do miss the
6 opportunity to work on the fifth floor of the Federal
7 Building here in Wilmington, and the U.S. Attorney's
8 Office shared with the congressional office that
9 space, that quarters, and we were neighbors for much
10 of my 10 years, and one of the real joys and
11 pleasures of serving as a congressman was having near
12 me our U.S. Attorney, Bill Carpenter.

13 I want to reflect back to a period when I
14 was serving in the Congress, and Bill was then I
15 think Assistant U.S. Attorney, when his name was
16 submitted to the Delaware General Assembly and the
17 State Senate on an earlier occasion for confirmation
18 for the position of Family Court Judge, and at that
19 time, for one reason or another, the nomination was
20 not acted on. And you know how I'm one of those
21 people who always believe that things are going to
22 work out for the best, and I think in this case,
23 things have worked out for the best because he had

1 the opportunity to go on and serve not just as the
2 Assistant U.S. Attorney, but to serve with
3 distinction as a U.S. Attorney, and now to be
4 nominated to serve and soon be sworn in to serve as a
5 Judge on the Superior Court.

6 As Chief Justice Veasey already said, our
7 Senator Joe Biden, our junior Senator Joe Biden, who
8 is not with us here today, does deserve a salute from
9 me and from all of us for having set aside partisan
10 politics and to have said to our president, Bill
11 Clinton, that this is a man that we would like to
12 continue to see serve us as our U.S. Attorney, one of
13 I think a handful, maybe two or three in the entire
14 country that had that kind of tribute laid at their
15 feet and bestowed upon them.

16 Some of you heard the term weed and seed.
17 This man right here is one of the architects of the
18 Weed And Seed program in our state designed to weed
19 out the corruption of drug and alcohol abuse and to
20 plant seeds for strong community growth and values
21 that you and I cherish in this country.

22 The First State Force has been alluded to
23 during the singing of the National Anthem, and that

1 was, as always, just an inspiring rendition of our
2 National Anthem, to have sat in the audience and
3 watched the maestro here introduce the First State
4 Force. When I was growing up, in school, I think
5 what I really wanted to be, if I couldn't be third
6 baseman for the Detroit Tigers, I wanted to be a rock
7 concert promoter, and I used to promote when I was
8 State Treasurer. I used to promote concerts at the
9 Grand Opera House, some pretty good people, Harry
10 Chapin and others, and I think if I could have really
11 had what I wanted, it would have been the First State
12 Force, to take them around the State and to excite
13 young people, not just 10 or 20 or 30 young people,
14 in our state in the fight against drugs, to literally
15 incite and inspire thousands of young men and women
16 from very early ages, from first grade all the way up
17 to high school, in their habits and to pull it off
18 nicely.

19 And for a state it's so important that we
20 have absolute trust and confidence in the honesty of
21 our public employees, our public servants, those who
22 are elected by the people of the State of Delaware,
23 and to ferret out political corruption where it

1 exists. It helps to restore trust that's vital in a
2 system of democracy such as ours.

3 Let me simply close by saying to Marilyn
4 and Allison, we thank you for your willingness to
5 share your husband and your father with the people of
6 our state in the enforcement of the laws of our
7 country this last decade or so. To your mom and dad,
8 Mrs. and Mrs. Carpenter, thank you for raising this
9 son of yours down in Milford in a way that I know
10 makes you and your family proud as you sit here today
11 for his installation.

12 And President Judge Ridgely, you mentioned
13 Milford. Maybe there's something in the water down
14 there in Milford, but whatever it is that they're
15 eating or drinking or the values by which they're
16 being raised, some good things are clearly happening
17 there. I believe that Bill will be a real credit to
18 your family as he serves as the new Judge in the
19 Superior Court of our state. I know he will be a
20 credit to the people of Delaware. So I'm pleased to
21 be here to witness this. Congratulations.

22 PRESIDENT JUDGE RIDGELY: Thank you,
23 Governor Carper. Our next speaker is Richard D.

1 Kirk, Esquire, the President of the Delaware State
2 Bar Association. Mr. Kirk.

3 MR. KIRK: Thank you, President Judge
4 Ridgely, and Chief Justice Veasey, Justice Holland,
5 Resident Judge Bifferato, Governor Carper and other
6 elected officials, members of the judiciary,
7 colleagues and friends.

8 Presidents of the Delaware State Bar
9 Association serve only one-year terms, but frankly,
10 it's beginning to seem like it's longer than that to
11 me. It's creeping up on me. We're customarily asked
12 to make remarks at swear-ins of Judges just like
13 this, and it's one of the happiest of the burdens
14 that we carry by reason of holding office, but it's a
15 hit or miss proposition. Any given president is not
16 certain to be entitled to speak at one of these, let
17 alone two, and it's my great privilege to have had
18 the chance to speak at two within the space of a
19 week. But I have to apologize, Chief Justice Veasey,
20 because I wore my white shirt last week, and so I'm
21 stuck with the striped shirt this week. You will
22 have to excuse me.

23 Although I have been lucky, some of you

1 have heard the first part of these remarks before, so
2 I hope you will bear with me.

3 The Delaware State Bar Association is very
4 pleased that Governor Carper has continued by
5 executive order the work of the Judicial Nominating
6 Commission, and is also especially pleased that the
7 Commission is working with our associations, the
8 Judicial Appointment Committee, so that the organized
9 Bar has some meaningful input into the selection and
10 evaluation process. I think that the events of the
11 last month have really borne out the wisdom of doing
12 that, and we're very grateful for that opportunity.

13 The Superior Court ceremonies, Judge
14 Silverman's and Judge Carpenter's, have special
15 significance for the organization I'm privileged to
16 lead, both for the role the Bar Association played in
17 the Court's expansion and for the great importance of
18 our state's major trial court to the practicing Bar.

19 When I was admitted to practice in Delaware
20 in 1978, there were only 11 Superior Court Judges.
21 Two more were added in 1985, and again, two more in
22 1988. But even that growth didn't come close to
23 keeping the Court on pace with its growing case load.

1 So in 1991, the Superior Court Study Committee of the
2 Supreme Court's Long-range Courts Planning Committee
3 could clearly document the need for two additional
4 Judges. That committee's recommendation became the
5 Chief Justice's top priority in the 1993 legislative
6 session. The Delaware State Bar Association, under
7 the leadership of my predecessor, Jack Schmutz,
8 worked long and hard for the bill authorizing the two
9 new Judges and the all important companion bill for
10 finding the source of funds for the expansion. The
11 General Assembly, as it almost always does,
12 recognized the clearly demonstrated need for
13 additional judicial resources and met it. We're very
14 pleased to have played a role in the passage of that
15 legislation.

16 Crime and especially drug related crime is
17 having a staggering impact on our Superior Court, and
18 as a natural consequence, on every phase of our legal
19 system. In Bill Carpenter, Governor Carper has
20 nominated and the Senate has confirmed an attorney
21 who probably knows as much about the crime problem
22 and especially drug-related crime as anybody
23 practicing in the state. As the United States

1 Attorney for the District of Delaware for the past
2 eight years, and as an Assistant United States
3 Attorney for eight years before that, soon-to-be
4 Judge Carpenter has watched the drug crisis grow and
5 has grappled with it daily himself. Solutions to the
6 problem must and will come from many sources, but our
7 criminal courts will certainly be one of them, and
8 Judge Carpenter is extremely well equipped to step in
9 and make a difference in this area of the Superior
10 Court's important work from the outset. For that
11 reason alone, his nomination and confirmation should
12 be applauded.

13 But that would shortchange Judge
14 Carpenter's varied background. His 16 years in the
15 Federal Building have also included major civil
16 litigation and civil justice reform. The cases he
17 has handled or supervised have included those with
18 all the complexity that federal statutory practice
19 can entail and all the simplicity that a slip and
20 fall in the Post Office can entail. He is well
21 prepared to step into any aspect of the Superior
22 Court's varied civil jurisdiction. But 16 years'
23 experience in the United States Attorney's Office

1 isn't all there is to Judge Carpenter. That's the
2 hard statistical side, like a GPA or an SAT score for
3 a college application or an on-base percentage or
4 homer frequency for a ballplayer. There's also the
5 intangible side.

6 Anyone who has dealt with Bill Carpenter
7 professionally, anyone who has worked with him will
8 tell you the true measure of Judge Carpenter lies in
9 the intangibles, his even temperament, his sense of
10 humor, his broad grasp of the big picture, his strong
11 moral sense, his fairness, his integrity as a lawyer,
12 an officer of the Court, and a public official. His
13 dedication and loyalty and many other subjective
14 qualities are what undoubtedly caught Governor
15 Carper's eye and will make Judge Carpenter such a
16 valuable addition to the Superior Court Bench.

17 We all got a sense of these qualities
18 recently, as has been mentioned, with the change of
19 federal administration after 12 years. United States
20 Attorneys were replaced wholesale around the country.
21 But on the recommendation of Senator Biden, the
22 President retained United States Attorney Carpenter,
23 and not only that, but he was also included in

1 Attorney General Reno's Advisory Committee, which is
2 comprised of just a few trusted United States
3 Attorneys from around the country. Quite an honor
4 indeed.

5 One of the wonderful things about Superior
6 Court is the strong personal bond among the Judges.
7 From my earliest days as a lawyer, I remember seeing
8 the Judges of the court, between one and two, in the
9 Grille in the basement of the Hotel DuPont, a quick
10 respite from court, but one taken in large part to
11 get ***. This collegiality has helped the Judges of
12 this court in meeting their often lonely and always
13 challenging assignments. As the court grows, the
14 intangible contributions of people like Judge
15 Carpenter will be more and more important to preserve
16 the bond that holds the parts of the whole together.

17 Our association is especially proud of
18 Judge Carpenter because he, like Judge Silverman, has
19 been active in the work of the organized Bar within
20 the limits set by their public offices. Among other
21 things, Judge Carpenter has chaired the Criminal Law
22 Section and has served on the Continuing Legal
23 Education Committee, the Professional Ethics

1 Committee and the Judicial Appointments Committee.

2 On behalf of the practicing lawyers of this
3 state, I extend to Judge Carpenter and to his family
4 the most heartfelt congratulations on his nomination
5 and confirmation and his investiture today as an
6 Associate Judge of the Superior Court. We have
7 enjoyed the last 16 years of dealing with you in the
8 United States Attorney's Office, and we look forward
9 to many more years of working together with you for
10 the citizens of Delaware. Thank you.

11 PRESIDENT JUDGE RIDGELY: Thank you, Mr.
12 Kirk. The Court next recognizes Kent A. Jordan,
13 Esquire, for his remarks. Mr. Jordan is presently an
14 associate with Morris, James, Hitchens & Williams and
15 a former Assistant U.S. Attorney. Mr. Jordan.

16 MR. JORDAN: Thank you, President Judge
17 Ridgely. Chief Justice Veasey, Governor Carper,
18 distinguished members of the Bench, friends and
19 family.

20 It's really an honor, a great privilege to
21 be asked to speak at this investiture. I have spoken
22 in court many times, and I have spoken over the
23 pulpit at my local church, and my wife will tell you

1 I seldom stop speaking in my home. And despite the
2 fact that I feel sometimes like I love too much the
3 sound of my own voice, I know I will have some
4 difficulty speaking to you today. If I didn't like
5 this man, it would be easy, I guess. I someday hope
6 to speak at the investiture of someone I care nothing
7 about. But given my feelings for Bill Carpenter, my
8 deep respect for him as a great friend and mentor, I
9 fear that these remarks may be emotional. For those
10 without the stomach for it, I apologize. I guarantee
11 I will do my best to get through this quickly and
12 with the least degree of pain for you and me.

13 I have tried to think about witty stories,
14 funny things I could share with you about Bill, but
15 the sad truth is, Bill, you're not a funny man. I
16 implored many people for stories, anecdotes, anything
17 that would save me from talking from the heart. And
18 there are one or two peccadilloes that are hardly
19 worth mentioning, so I guess I'll just have to tell,
20 and I think I will speak not simply for myself but
21 for all the people who have worked with you, when I
22 tell the people here why we believe you will be a
23 superb Judge. There are four qualities that come to

1 mind: Your humility, your patience, your great
2 carefulness, and your fairness.

3 Bill's humility is a wonderful thing. It
4 is, in this age of self-promotion and arrogance, like
5 cool water in the desert. He never lets his ego get
6 in the way. The Lord knows he's been in many
7 disputes, and I have seen him in action, in which the
8 temptation to strike back is strong, and I believe
9 that there will be no judicial muscle flexing once he
10 wears a robe. He has the remarkable capacity to
11 detach himself from the passions of the moment, to
12 step back, to step back and wisely assess what should
13 be done. People have worried for generations who
14 will stand guard to the guards themselves, and I know
15 that Bill, with his humility, will stand adequate
16 guard on his own ego.

17 Next, Bill's remarkable patience, great
18 patience. As a matter of fact, I know he's squirming
19 right now wishing he hadn't asked me to talk. He's
20 being patient, as is his way. He is, as many of the
21 assistants who worked with him will attest, a most
22 accessible man which, as a manager of people, as I'm
23 sure many of you will recognize, is not an easy

1 thing. He would listen in our staff meetings,
2 Thursday morning staff meetings, with all of his
3 assistants gathered around, 10 or 11 of us in the
4 room, besides himself, and he would say, okay, let's
5 hear about your problems, and if people would with
6 that invitation come forth sometimes with problems
7 that others in the room thought were trivial, Bill,
8 unlike the impulse that many of us felt, would never
9 belittle or disparage a person's concerns, but listen
10 carefully all the way through to the end, and then
11 take the time to handle the problem, if not there, to
12 make arrangements to meet with them later. His door
13 was always open. And if he was reading something or
14 working on something else, he would set it down and
15 he would look you in the eye and he would listen.
16 What a gift, to listen. So I think that litigants
17 who come here will be fortunate indeed to know that
18 they will have a person who will listen all the way
19 through to the end of their story.

20 In line with that, related to it is Bill's
21 carefulness, meticulousness, in fact. It's evident
22 in his personal appearance, which is always just so.
23 Bob Prettyman, I asked Bob, the criminal chief in the

1 U. S. Attorney's Office, how do you describe Bill,
2 and he said, "He's a man, a man with a mustache," a
3 well-trimmed mustache. Sometimes when you talk to
4 Bill, he will be talking to you and he'll start
5 thinking, he'll bend down, and you will wonder --
6 he's gone below the desk -- what is he doing. Then
7 you'll see him rear up a little bit and he will be
8 polishing his shoes, polishing his shoe up and down.

9 If I can share this one story. Some of you
10 already heard this. There was a very important, very
11 important undercover operation in which a meeting was
12 to be held with undercover federal agents, and Bill
13 took two of the most senior assistants in the office
14 with him to meet with the agents in a hotel room
15 which had been specially arranged for this occasion,
16 sort of a secret meeting. This will give you an idea
17 of his ability to be calm and careful, despite the
18 heat of the moment. This was an outcome
19 determinative kind of meeting, where important
20 strategic decisions were going to be made that might
21 result in the -- well, the whole case could indeed
22 turn on it. And while others argued and were full of
23 passion and concerns, Bill was calm, cool and

1 collected, so much so that he spent a good deal of
2 the time admiring the electric shoe buffer in the
3 room, but as always, participating and wisely making
4 the right decision.

5 So it's good to know that there will be a
6 Judge in the courtroom who is so meticulous, who will
7 cross the T's, dot the I's, do everything else that
8 needs to be done to make sure that the right, the
9 fair decision is reached.

10 And he is fair. As a matter of fact, in
11 talking with his friends and those of us who have
12 worked with him, the single most uttered word was
13 fairness. This is a fairness informed by
14 intelligence and compassion. And by intelligence in
15 this context, I do not mean a flashy intellect. He
16 is not glib, and I don't think I'm telling a tale out
17 of school to say that occasionally a malapropism will
18 escape his lips, and we will join in laughter
19 together. He has a great gift and ability to laugh
20 at the situations that come up. But none of us that
21 ever worked with him doubt for an instant the deep
22 intelligence of this man, who has a higher order of
23 insight, the ability to see through a thicket to the

1 heart of the problem, assess its dimensions, and make
2 a sound decision about what is the right thing to do,
3 the fair thing to do.

4 Now, in lesser hands, a gift like that
5 might actually be a detriment to a Judge. It might
6 be a temptation for a Judge with a gift like that to
7 see what is right and fair and to make his decision
8 based on gut instincts, and then rationalize after
9 the fact the decision, and we do not want that of
10 Judges. As a society, I think most folks would
11 agree, what we want is Judges who will reason from
12 neutral principles to a just outcome. Again, I know
13 we will be well served because Bill's humility and
14 his respect for the law will not allow him to become
15 a Judge unto himself. Nonetheless, when legal
16 reasoning permits more than one outcome, his great
17 sense of fairness will provide unerring guidance to
18 the best outcome, the fair outcome.

19 His fairness is informed by compassion.
20 Bill, I know, knows that when we see life only
21 through the prism of our own experiences, our views
22 are distorted. He has worked harder than almost
23 anyone I know to understand the experiences of

1 others. The Weed And Seed program that the Governor
2 mentioned is a tribute to Bill because he did not
3 simply send assistants out to do the work. He went
4 himself into the community, met with people at great
5 length, and succeeded in making people know and
6 believe that he cared about deeply the root causes of
7 criminal behavior, and that he was there to
8 understand and make things better. So he will have
9 compassion.

10 Those who may be concerned that a career
11 prosecutor will not have the necessary balance for
12 the Bench should know this, that he is the most
13 balanced man I know. But he will never let
14 compassion for a criminal, I know, stand in the way
15 of justice for society or compassion for victims of
16 crime. He's a brave man. I have seen him face down
17 on more than one occasion bureaucratic and personal
18 pressures to engage in prosecutorial excess. I know
19 he will have the wisdom to do as the scripture says,
20 to execute true judgment and show mercy and
21 compassion.

22 So in sum, those of us who know him and
23 love him are grateful for the Governor's selection

1 and the Senate's ratification, and we trust that the
2 people of this state, members of the Superior Court
3 Bench and staff and litigants who come here, will
4 very soon come to realize, as we have, that he's an
5 exceptional man and will say, as we have said for
6 years, thank God for this good man. Congratulations.

7 PRESIDENT JUDGE RIDGELY: Thank you very
8 much, Mr. Jordan. The oath of office will be
9 administered by Justice Randy J. Holland of the
10 Supreme Court of Delaware. And Mrs. Marilyn W.
11 Carpenter will hold the family Bible for the
12 administration of the oath, accompanied by Allison
13 Carpenter. Thereafter, the robing will be by
14 Resident Judge Vincent A. Bifferato.

15 Justice Holland.

16 JUSTICE HOLLAND: Chief Justice Veasey,
17 Governor Carper, it's an honor for me to be here
18 today to administer the oath of office to my good
19 friend of many years. We have heard President Judge
20 Ridgely talk about tradition and history, and the
21 oath of office that you will hear is part of that
22 tradition and history. The oath begins with an
23 acknowledgement that the power flows from the people

1 and it concludes with the promise to uphold the
2 Constitution.

3 As part of his duties as a Superior Court
4 Judge, Bill will be enforcing the laws of the State
5 of Delaware. They're found in more than 31 bound
6 volumes, but on page 1, Volume 1, we find the Magna
7 Charta, and we find the origin of this tradition and
8 we find the origin of this history. In 1215 at the
9 battle of Runnymede, when King John was defeated, the
10 people got an agreement from King John that in the
11 future, they would be judged by independent people,
12 independent judges, who would be learned in the law
13 and who would swear to uphold it. So today, more
14 than 700 years later, we have men like Bill
15 Carpenter, recognized for their integrity and their
16 independence, who come forward to take the oath.

17 Bill, are you prepared to take the oath of
18 office.

19 JUDGE CARPENTER: I am.

20 JUSTICE HOLLAND: Please put your right
21 hand on the Bible. Repeat after me. I, William C.
22 Carpenter, Jr. --

23 JUDGE CARPENTER: I, William C. Carpenter,

1 Jr. --

2 JUSTICE HOLLAND: -- do proudly swear --

3 JUDGE CARPENTER: -- do proudly swear --

4 JUSTICE HOLLAND: -- to carry out the

5 responsibilities --

6 JUDGE CARPENTER: -- to carry out the

7 responsibilities --

8 JUSTICE HOLLAND: -- of the office of Judge

9 of the Superior Court --

10 JUDGE CARPENTER: -- of the office of Judge

11 of the Superior Court --

12 JUSTICE HOLLAND: -- to the best of my

13 ability --

14 JUDGE CARPENTER: -- to the best of my

15 ability --

16 JUSTICE HOLLAND: -- freely acknowledging

17 --

18 JUDGE CARPENTER: -- freely acknowledging

19 --

20 JUSTICE HOLLAND: -- that the powers of

21 this office --

22 JUDGE CARPENTER: -- that the powers of

23 this office --

1 JUSTICE HOLLAND: -- flow from the people

2 --

3 JUDGE CARPENTER: -- flow from the people

4 --

5 JUSTICE HOLLAND: -- I am privileged to

6 represent.

7 JUDGE CARPENTER: -- I am privileged to

8 represent.

9 JUSTICE HOLLAND: I further swear --

10 JUDGE CARPENTER: I further swear --

11 JUSTICE HOLLAND: -- always to place the

12 public interest --

13 JUDGE CARPENTER: -- always to place the

14 public interest --

15 JUSTICE HOLLAND: -- above any special --

16 JUDGE CARPENTER: -- above any special --

17 JUSTICE HOLLAND: -- or personal interests

18 --

19 JUDGE CARPENTER: -- or personal interests

20 --

21 JUSTICE HOLLAND: -- and to respect the

22 right --

23 JUDGE CARPENTER: -- and to respect the

1 right --

2 JUSTICE HOLLAND: -- of future generations

3 --

4 JUDGE CARPENTER: -- of future generations

5 --

6 JUSTICE HOLLAND: -- to share the rich

7 historic --

8 JUDGE CARPENTER: -- to share the rich

9 historic --

10 JUSTICE HOLLAND: -- and natural heritage

11 of Delaware.

12 JUDGE CARPENTER: -- and natural heritage

13 of Delaware.

14 JUSTICE HOLLAND: In so doing --

15 JUDGE CARPENTER: In so doing --

16 JUSTICE HOLLAND: -- I will always uphold

17 and defend --

18 JUDGE CARPENTER: -- I will always uphold

19 and defend --

20 JUSTICE HOLLAND: -- the Constitutions of

21 my country --

22 JUDGE CARPENTER: -- the Constitutions of

23 my country --

1 JUSTICE HOLLAND: -- and my state --

2 JUDGE CARPENTER: -- and my state --

3 JUSTICE HOLLAND: -- so help me God.

4 JUDGE CARPENTER: -- so help me God.

5 JUSTICE HOLLAND: Congratulations.

6 PRESIDENT JUDGE RIDGELY: Bill, we welcome
7 you to the Superior Court of Delaware. Please take
8 this opportunity to greet your many friends and
9 family who are here to wish you well today. Judge
10 Carpenter.

11 JUDGE CARPENTER: Chief Justice Veasey,
12 President Judge Ridgely, Justice Holland, Judge
13 Bifferato, Governor Carper, President Kirk, Dean
14 Hohlt, and my good friend Kent, friends and
15 colleagues.

16 Kent, we have made this easy because I
17 didn't know if I was going to make it through this
18 speech either.

19 I want to thank each of you for sharing
20 this moment with my family. There are very few
21 higher honors in this profession than to have the
22 confidence of your colleagues that you will decide
23 matters that they bring before you fairly and with

1 compassion and justice and understanding. I pledge
2 to you today, Governor, and to my fellow lawyers,
3 that I will do my very best to fulfill the confidence
4 shown in me by this appointment. You have allowed me
5 to realize a dream I have had for many years, and I
6 look forward to the challenges and responsibilities
7 that lie ahead.

8 While I celebrate the arrival of this day,
9 I do so with mixed emotions. I have had the honor of
10 serving the people of Delaware through the U.S.
11 Attorney's Office for the past 16 years, and since
12 1985, as your U.S. Attorney. It has been rewarding,
13 challenging, and extremely gratifying. It has
14 provided me the opportunity to meet thousands of
15 people throughout the state and the nation who have
16 dedicated their lives to making it a better place for
17 us and for our children to live. From teachers to
18 police officers, from community leaders to school
19 principals, parents to lawyers, from political
20 leaders to our most cherished resource, our children,
21 they have given me strength and encouragement,
22 advice, support, to try to make those new decisions,
23 the courage to make the difficult ones, and the

1 wisdom and common sense to do what is right. You
2 have taught me well, and you will be forever with me
3 as I judge the matters of this court. I promise you
4 that I will be fair and just in all matters that are
5 presented to me and will not forget the rights of the
6 victims of crime, nor the rights of our communities
7 to live free from violence and fear.

8 As I look back over the past 42 years, I
9 realize that I have indeed been fortunate and
10 blessed. While the road to this day has had many
11 curves, the stops along the way have been extremely
12 rewarding. As most of you know, I'm a farm boy from
13 Sussex County with roots to this great state that are
14 nearly as long as Judge Cooch's. I grew up in a
15 small town, with dedicated parents, grandparents and
16 teachers and friends who instilled in me the values
17 of honesty, trust, loyalty, hard work, and the
18 importance of church and family. They taught me to
19 be kind and patient, understanding, and to respect
20 others. They have provided me the base upon which I
21 have grown.

22 I too was part of the seventies college
23 generation, with long hair, bell bottoms, and

1 platform shoes, but the values I have learned have
2 not let me rebel too far. It was about this time
3 that the guidance from a lawyer by the name of Claud
4 Tease sparked my interest in law. With his support
5 and the friendship of his young associate by the name
6 of Randy Holland, the dream of becoming a lawyer
7 began to take shape. As most of you know, Claud
8 Tease became a Judge of this court, and Randy became
9 Justice Holland. It is a great honor for me to now
10 follow in their paths.

11 While the dream of becoming a lawyer was
12 there, the road would again be curved, for my only
13 option was a struggling law school who was willing to
14 take a chance on me. However, good fortune struck
15 again, and Delaware Law School won its accreditation,
16 and I a ticket to the Bar.

17 Since that time I have been blessed to work
18 for wonderful people who have allowed me to grow,
19 mature, make mistakes, and who were always there to
20 support me when I needed them, from Laird Stabler,
21 who offered me a job soon after my legal career
22 began, to Jim Garvin, who had the confidence to allow
23 me to stay and grow during his tenure as U.S.

1 Attorney, to the support and guidance of Joe Farnan.
2 I will always be grateful to them and to Senator Roth
3 for having the confidence in me to place my name in
4 the nomination for U.S. Attorney and to Senator Biden
5 for the trust and support he has given me.

6 While it is difficult to leave the
7 department to which I have dedicated the majority of
8 my legal career, it is now time to move on. Governor
9 Carper and members of the Delaware Senate, you have
10 bestowed a great honor on me, and I and my family are
11 extremely grateful. I will take these values and
12 experiences to the Bench, and will give my all in
13 service to the people of this great state.

14 While I have had the honor of sitting here
15 today, it would have been impossible without the
16 support and love of many people. My accomplishments
17 are my parents' accomplishments, and I have a
18 wonderful wife who has blessed me with two beautiful
19 children and great parents who have unconditionally
20 supported me during my career. I love each of you,
21 and I hope I have made you proud.

22 To my new colleagues on the Bench, I look
23 forward to working with you and to enjoy the great

1 collegiality that I know fills this Court. Your new
2 partner will work hard to gain your respect, and as
3 the new junior member on the Bench, I can only beg
4 you to be kind. The next century holds great promise
5 as well as great demands for this Court. We have the
6 opportunity to uphold the integrity of an institution
7 created by the Judges that have previously served,
8 while at the same time allowing ourselves to be
9 innovative and creative to meet these new demands.
10 It is clear the next few years will be critical to
11 our future, and I look forward to participating with
12 you in crafting the role of this Court in our
13 judicial system.

14 To my present and former staff at the U.S.
15 Attorney's Office, I'll miss you the most. You have
16 lived up to the highest standards of our profession,
17 and have always abided by the number one rule, always
18 make the boss look good. To you I owe special
19 gratitude and thanks. You will always be my special
20 friends. While leaving you is not easy, it has been
21 softened somewhat by knowing the responsibility of
22 the office is in good hands and you will carry on in
23 a professional and just manner. I hope I have been

1 able to leave a little piece of me with each of you,
2 and I thank you for all you have done.

3 To the many friends who have come today, I
4 thank you for being here. Your support and
5 friendship is cherished by Marilyn and I, and we are
6 honored by your presence. Even though I am told that
7 being a Judge can be very isolated, we realize that
8 having wonderful friends like you will make this
9 experience even more meaningful.

10 As I conclude my remarks, I want to
11 specifically recognize the friends of my daughter
12 from Ursuline Academy who have come today and who I
13 have had the privilege over the past two years of
14 coaching in field hockey. As your coach, I ask you
15 to continue to work hard. I am confident that
16 someday during your high school career you will be
17 honored as state champions. Even though you don't
18 realize it yet, you are that good. As your Judge
19 coach, as they like to call me, please never be
20 afraid to live for your dreams, for some day, they
21 may come true. They have for me.

22 Thank you all for sharing this with me.

23 PRESIDENT JUDGE RIDGELY: Thank you, Bill.

1 Speaking for the entire Court, we congratulate you
2 and look forward very much to working with you.

3 Reverend Hohlt will now give the
4 benediction. Please remain standing.

5 REVEREND HOHLT: Lord our God, in whom we
6 live, move, and have our being, make us aware of your
7 presence ever about us. With boldness we ask your
8 blessing upon William and upon his colleagues of the
9 Superior Court. In harkening to the call to serve
10 your people, give to him the spirit of wisdom to save
11 him from all false choices. Guide him to be resolute
12 and constant in the pursuit of that which is right
13 and just. Bestow upon him the spirit of diligent and
14 honest inquiry in the quest for truth, then to
15 recognize it and welcome it under whatever outward
16 form it may be offered. Endow him with fairness and
17 courage in his dealings with others and in the
18 fulfillment of his tasks and responsibilities.
19 Finally, we pray that in the administration of the
20 law, Bill may always hold himself before You. These
21 things we ask in the name of Him who is the most
22 righteous judge, Jesus Christ.

23 JUDGE RIDGELY: Thank you, Reverend Hohlt.

1 This concludes this special session of the Superior
2 Court of the State Delaware. You are welcome to stay
3 and greet our new Judge. There will be a reception
4 on the first floor lobby.

5 The Court is now adjourned.

6 (Whereupon the investiture proceedings were
7 concluded.)

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1 STATE OF DELAWARE:

2 NEW CASTLE COUNTY:

3 I, JOHN H. WHITE, JR., Official Court
4 Reporter of the Superior Court, State of Delaware, do
5 hereby certify that the foregoing is an accurate
6 transcript of the investiture proceedings in the
7 matter of Hon. William C. Carpenter, Jr. as a Judge
8 of the Superior Court of the State of Delaware, held
9 on October 18, 1993, in the Daniel L. Herrmann
10 Courthouse, Wilmington, Delaware.

11

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14

15 WITNESS my hand this day of

16 1994.

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Official Court Reporter

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