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

IN THE MATTER OF)
)
Ceremony of Investiture) Monday, October 30, 2000
)
of) Supreme Court
) State Office Building
) Wilmington, Delaware
HON. PEGGY L. ABLEMAN)
)
As an Associate Judge of)
)
the Superior Court)

PRESIDING: HON. E. NORMAN VEASEY, CHIEF JUSTICE
SUPREME COURT OF DELAWARE

SITTING: HON. RANDY J. HOLLAND, JUSTICE
SUPREME COURT OF DELAWARE

HON. JOSEPH T. WALSH, JUSTICE
SUPREME COURT OF DELAWARE

HON. CAROLYN BERGER, JUSTICE
SUPREME COURT OF DELAWARE

HON. MYRON T. STEELE, JUSTICE
SUPREME COURT OF DELAWARE

HON. HENRY DuPONT RIDGELY, PRESIDENT JUDGE
SUPERIOR COURT OF DELAWARE

1 APPEARANCES: (Cont'd)

2
3 PRESENT: RICHARD R. COOCH, RESIDENT JUDGE
4 SUPERIOR COURT OF DELAWARE

5 JOHN E. BABIARZ, ASSOCIATE JUDGE
6 SUPERIOR COURT OF DELAWARE

7 SUSAN C. DEL PESCO, ASSOCIATE JUDGE
8 SUPERIOR COURT OF DELAWARE

9 FRED S. SILVERMAN, ASSOCIATE JUDGE
10 SUPERIOR COURT OF DELAWARE

11 WILLIAM C. CARPENTER, JR., ASSOCIATE JUDGE
12 SUPERIOR COURT OF DELAWARE

13 LEO E. STRINE, VICE-CHANCELLOR
14 CHANCERY COURT OF DELAWARE

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23
And others.

1 Monday, October 30, 2000
2 Supreme Court Conference Room
3 4:01 p.m.

4 PRESENT:

5 As noted.

6 CHIEF JUSTICE VEASEY: Good afternoon,
7 everybody.

8 This is a joyous and extraordinary occasion
9 with the Supreme Court and the Superior Court sitting
10 together in joint session. And we are here for the
11 purpose of the investiture of the Honorable Peggy
12 Ableman as a judge of the Superior Court.

13 Justice Holland will now administer the
14 oath.

15 So everyone will please stand.

16 (Spectators comply.)

17 JUSTICE HOLLAND: Judge Ableman insists there
18 not be any speeches, so what I'm going to do is a
19 preamble.

20 When the Delaware Constitution was written in
21 1776, at the end it concludes by saying "... that the
22 independence of judges are essential to the
23 administration of justice and to the security of
people's rights and liberties."

1 I think that as Judge Ableman takes the Oath
2 of Office, or before she does, we should all give her
3 a round of applause for what she did to support the
4 independence of the judiciary.

5 I think that it's one thing to talk about the
6 independence of the judiciary, it's quite another
7 thing to be the object of that, and she certainly was
8 remarkable, and we all owe her a debt of gratitude for
9 supporting that part of our constitutional history.

10 (Applause.)

11 Are you ready to take the Oath of Office?

12 JUDGE ABLEMAN: Yes, I am.

13 JUSTICE HOLLAND: Say after me: I, state your
14 full name...

15 JUDGE ABLEMAN: I, Peggy Ableman...

16 JUSTICE HOLLAND: ... do proudly swear...

17 JUDGE ABLEMAN: ... do proudly swear...

18 JUSTICE HOLLAND: ... to carry out the
19 responsibilities...

20 JUDGE ABLEMAN: ... to carry out the
21 responsibilities...

22 JUSTICE HOLLAND: ... of the Office of
23 Associate Judge of the Superior Court...

1 JUDGE ABLEMAN: ... of the Office of Associate
2 Judge of the Superior Court...

3 JUSTICE HOLLAND: ... to the best of my
4 ability...

5 JUDGE ABLEMAN: ... to the best of my
6 ability...

7 JUSTICE HOLLAND: ... freely acknowledging...

8 JUDGE ABLEMAN: ... freely acknowledging...

9 JUSTICE HOLLAND: ... that the powers of this
10 office...

11 JUDGE ABLEMAN: ... that the powers of this
12 office...

13 JUSTICE HOLLAND: ... flow from the people...

14 JUDGE ABLEMAN: ... flow from the people...

15 JUSTICE HOLLAND: ... I am privileged to
16 represent...

17 JUDGE ABLEMAN: ... I am privileged to
18 represent...

19 JUSTICE HOLLAND: ... I further swear...

20 JUDGE ABLEMAN: ... I further swear...

21 JUSTICE HOLLAND: ... always to place the
22 public interest...

23 JUDGE ABLEMAN: ... always to place the public

1 interest...

2 JUSTICE HOLLAND: ... above any special or
3 personal interest...

4 JUDGE ABLEMAN: ... above any special or
5 personal interest...

6 JUSTICE HOLLAND: ... and to respect the right
7 of future generations...

8 JUDGE ABLEMAN: ... and to respect the right
9 of future generations...

10 JUSTICE HOLLAND: ... to share the rich
11 historic...

12 JUDGE ABLEMAN: ... to share the rich
13 historic...

14 JUSTICE HOLLAND: ... national heritage of
15 Delaware...

16 JUDGE ABLEMAN: ... national heritage of
17 Delaware...

18 JUSTICE HOLLAND: ... in doing so...

19 JUDGE ABLEMAN: ... in doing so...

20 JUSTICE HOLLAND: ... I will always uphold and
21 defend...

22 JUDGE ABLEMAN: ... I will always uphold and
23 defend...

1 JUSTICE HOLLAND: ... the Constitutions of my
2 country and my state...

3 JUDGE ABLEMAN: ... the Constitutions of my
4 country and my state...

5 JUSTICE HOLLAND: ... so help me God...

6 JUDGE ABLEMAN: ... so help me God...

7 JUSTICE HOLLAND: Congratulations.

8 JUDGE ABLEMAN: Thanks.

9 (Applause.)

10 CHIEF JUSTICE VEASEY: Put your robe on.

11 Looks like you have a lot of helpers there
12 ready to go.

13 (Thereupon, Judge Peggy L. Ableman by robed
14 by Justice Randy J. Holland and spectators.)

15 JUDGE ABLEMAN: I never got this kind of
16 service before.

17 Wait a minute.

18 (Pause.)

19 MR. ABLEMAN: You should be honored to wear
20 that robe.

21 CHIEF JUSTICE VEASEY: And the sash.

22 (Pause.)

23 JUDGE ABLEMAN: It's a little sloppy.

1 JUSTICE VEASEY: Congratulations.

2 Everybody be seated.

3 (Spectators comply.)

4 CHIEF JUSTICE VEASEY: I started to say
5 "Superior Court Judge Ableman."

6 JUDGE ABLEMAN: Go ahead.

7 CHIEF JUSTICE VEASEY: I just said it.

8 JUDGE ABLEMAN: I realize that I promised
9 there would be no speeches or testimonials at this
10 simple investiture ceremony, but I hope you will bear
11 with me for a minute.

12 I am deeply grateful to all who are here
13 because you worked so hard and tenaciously to support
14 my appointment and confirmation to the Superior
15 Court.

16 There were times during the past few months
17 when I felt overwhelmingly frustrated and unfairly
18 disparaged. But they were always tempered by learning
19 that a colleague, a friend, a lawyer, a fellow judge
20 had unsolicitedly made telephone calls or written
21 letters on my behalf.

22 I hope that your efforts were borne out of a
23 concern for preserving the excellence of our judiciary

1 rather than as personal favors to me. That would be
2 the greatest tribute to my seventeen years on the
3 Family Court Bench. But, deep down, I also know that
4 if wealth is measured in terms of quality of one's
5 friends and family, I am rich beyond measure.

6 As you know -- in fact, the whole world
7 probably knows by now -- the confirmation process did
8 not go as smoothly or as swiftly as I would have
9 desired. Yet, in the end, I gained renewed faith and
10 trust that the way our state selects its judges is
11 still the best; and that courage, even in the face of
12 scathing criticism, will ultimately be rewarded.

13 I confess that I have come to this
14 realization after months of skepticism, but I feel
15 stronger and more resilient for it.

16 As much as I wanted to avoid any lengthy
17 expressions of appreciation, there are some
18 acknowledgments that I feel compelled to make
19 publicly.

20 A special thank you to the Delaware Supreme
21 Court and Court of Chancery for all the calls and
22 visits that you made on my behalf. Those meant more
23 to me than you can imagine.

1 I would like to believe that your efforts
2 were given far greater weight than the comments from
3 some of my former litigants.

4 From my perspective, I could not have had a
5 more lofty, respected or prominent group of
6 supporters.

7 My father and stepmother Rosalie have been so
8 incredibly kind to me, especially during the past few
9 months.

10 This confirmation for my parents was
11 affectionately referred to by them as "The Peggy
12 Thing". Not only did they work tirelessly to convince
13 others of their daughter's worth, but they were
14 literally consigned to take care of me last summer
15 during my husband's absence in the Philippines.

16 During those months, I had a host of medical
17 problems, including a 103-degree fever for a week and
18 a broken foot.

19 My father, Rosalie brought me juice and
20 ginger ale, tried to feed me -- after all, Rosalie is
21 a Jewish mother -- and even came to walk my puppy
22 several times a day.

23 Between numerous trips to the doctors'

1 offices, labs and to Happy Harry's, my father still
2 found time to call a senator or two and remind them of
3 the number of generations in our family who were
4 Delaware Democrats. I should qualify that by noting
5 that that's what he said to the Democratic senators.

6 After last summer, you will never be able to
7 convince my father that stress does not lower one's
8 resistance.

9 Thanks, Dad and Rosalie.

10 Of course, my special gratitude to my husband
11 Joseph, in absentia. Joseph's timing is always
12 questionable. Maybe it's perfect from his
13 perspective, not so from my Dad's. Joseph may not
14 always be physically present, but even from afar he's
15 been my rock and strength, and I needed him more for
16 that than I have ever needed anyone or anything.
17 Joseph will be returning from Southeast Asia tomorrow,
18 and he'll be happy to learn that I am sleeping again.
19 No longer will he have to inquire every morning,
20 "Darling, I don't understand why there's so much
21 activity in our house in the middle of the night."

22 I can't give up this soapbox opportunity
23 without mention of my deep attachment to Family Court,

1 which has been my occupational -- sorry, give me a
2 minute.

3 CHIEF JUSTICE VEASEY: Take your time.

4 (Pause.)

5 JUDGE ABLEMAN: It's been my occupational
6 home for the past seventeen years. I have been there
7 longer than I have ever lived or worked in any other
8 place. And it is bittersweet to say farewell to my
9 colleagues, administrators and staff, all of whom are
10 my friends. I will even miss my somewhat cluttered
11 little office space.

12 The court may not be as tidy or well
13 furnished as my other homes, which is an
14 understatement, but it has been comfortable to me and
15 the memories are meaningful and lasting.

16 My loyalties and respect for that Court are
17 deep and profound. And I will forever be a zealous
18 advocate for decent, hard-working, dedicated judges
19 and commissioners who, day after day, are expected to
20 fashion miracle solutions to the fraying lives of
21 angry litigants.

22 And, finally, I want to use this rare
23 opportunity, before this captive audience, to offer a

1 critical perspective from a departing Family Court
2 jurist.

3 During my tenure on the Court, the lives and
4 well-being of children have been at stake in virtually
5 all of my cases, especially during the last four years
6 when I served as Lead Judge of our Children-at-Risk
7 Division. I have developed a deep passion for our
8 children, particularly those who have been abused and
9 neglected.

10 Although I will no longer be hearing and
11 deciding these cases, I will never forsake my
12 commitment to the children in this state, nor will I
13 ever abandon my resolve to assist in improving our
14 child-welfare system.

15 After all, we often give high praise to our
16 judiciary, particularly our Court of Chancery and its
17 brilliant jurists. That makes sense, because our
18 reputation in the area of corporate litigation is
19 second to none, providing Delaware with substantial
20 revenue and contributing tremendously to our state's
21 fiscal stability.

22 But, in the future, it will not matter how
23 wealthy we are or how much money is in our treasury or

1 how scholarly are our corporate opinions if the vast
2 majority of our children grow up to be emotionally
3 scarred by virtue of years of physical or mental
4 abuse; incapable of giving or accepting love; armed
5 with handguns in our schools; or hopelessly condemned
6 to a life of drug addiction.

7 From my perspective, as a veteran of the
8 Family Court, that prognosis may sound dismal, but it
9 is very real.

10 Until all the participants in our legal
11 system give preference to the best interests of our
12 children, rather than to the rights of their
13 birthparents; and unless we view the rights of
14 children and their fundamental need for permanent,
15 secure and loving homes as immediate and paramount,
16 then we are facing a crisis that we have mutually
17 created and that no amount of money will ever be able
18 to overcome.

19 In that regard, our Family Court, and the
20 judges who make these agonizing decisions, must be
21 afforded at least as much respect, dignity, and status
22 as those who preside over lured criminal cases or
23 big-ticket lawsuits because the impact they have can

1 be more profound and far-reaching. Our citizens, and
2 especially our children, deserve no less.

3 I look forward to my new responsibilities
4 with excitement and with enthusiasm. I will bring
5 those qualities to the Superior Court, along with a
6 strong work ethic and an abundance of courage.

7 A big part of my heart and soul will still be
8 with the Family Court and the children for whom I hope
9 I made a small difference.

10 My friends on that Court should know that I
11 will always be available for advice and guidance, just
12 as I will look to my new colleagues on the Superior
13 Court for direction and wisdom of their experience.

14 When all is said and done, I hope that your
15 efforts on my behalf will prove to have been
16 worthwhile and that I will make you proud.

17 (Applause.)

18 CHIEF JUSTICE VEASEY: Judge Ableman, that's
19 lovely.

20 President Judge Ridgely, would you like to
21 make some comments?

22 PRESIDENT JUDGE RIDGELY: Peggy, on behalf of
23 all the Superior Court judges, we're very delighted

1 that you're joining us. You've joined us today. All
2 of us are looking forward to working with you very
3 much. I know that you're going to fit in very well
4 and enjoy it. We are going to enjoy being with you.
5 We look forward to that.

6 JUDGE ABLEMAN: Thank you.

7 CHIEF JUSTICE VEASEY: Thanks to everybody
8 for being here on this joyous occasion.

9 Again, congratulations to Judge Ableman.

10 This joint session is now adjourned.

11 (Applause.)

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13 (Thereupon, the Investiture Proceedings were
14 concluded at 4:24 p.m.)

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