

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

IN THE MATTER OF:) October 17th, 1994
Ceremony of Investiture)
of)
MICHAEL P. REYNOLDS,) Courtroom No. 301
As Commissioner of the) Daniel Herrmann Courthouse
Superior Court) Wilmington, Delaware
3:30 o'clock p.m.

PRESIDING: HON. HENRY duPONT RIDGELY, P.J.
SUPERIOR COURT, STATE OF DELAWARE

SITTING: HON. VINCENT A. BIFFERATO, RESIDENT JUDGE
SUPERIOR COURT, STATE OF DELAWARE

HON. CHARLES H. TOLIVER, ASSOCIATE JUDGE
SUPERIOR COURT, STATE OF DELAWARE

PRESENT: R. FRANKLIN BALOTTI, ESQUIRE
PRESIDENT OF THE D.S.B.A.

O. FRANCIS BIONDI, ESQUIRE
CHAIRMAN, DELAWARE COURTS 2000

ARLENE M. COPPADGE, COMMISSIONER
COURT OF COMMON PLEAS, STATE OF DELAWARE

JEFFREY S. GODDESS, ESQUIRE
SPEAKER

REVEREND JAMES B. SMITH, ASSOCIATE PASTOR
ST. ANN'S CHURCH

REVEREND ROBERT REVELLE, PASTOR
MOUNT ZION BAPTIST CHURCH

1 execute the laws with justice and mercy. May he seek
2 to restrain crime, vice and immorality. May he always
3 reflect the spirit of wisdom and understanding invoked
4 in the words of sacred scripture. May his work always
5 be guided by your spirit of counsel and strength, a
6 spirit of knowledge and fear of the Lord. All mighty
7 and eternal God, we likewise commend to your unbounded
8 mercy all officers of this Court and all citizens of
9 our State, that we may be blessed in the knowledge and
10 sanctified in the observance of your holy law. May we
11 be preserved in union and in that peace which the
12 world cannot give and after enjoying the blessings of
13 this life, be admitted to those which are eternal.

14 We pray to you, who are Lord and God, forever
15 and ever. Amen.

16 PRESIDENT JUDGE duPONT RIDGELY: Please be
17 seated.

18 Thank you, Reverend Smith.

19 I would like to begin by thanking Governor
20 Carper and the Delaware General Assembly for making
21 this the special occasion that it is. The Superior
22 Court also greatly appreciates the hard work of the
23 Commission On Delaware Courts 2000 co-chaired by O.

1 Francis Biondi, Esquire, who you will hear from later,
2 and Rod Ward, Esquire, for the commission's large role
3 in adding to this Court the important judicial offices
4 of commissioner of the Superior Court. This month
5 marks the first time in history that the Court has
6 commissioners to assist us with our heavy criminal and
7 civil case loads. There are many pretrial matters,
8 recommendations and other duties which commissioners
9 will handle which will permit the judges to devote
10 their time to deciding and trying cases.

11 In fact, there is so much that a commissioner
12 can do for the 13 judges in New Castle County, that I
13 have assigned Resident Judge Bifferato to protect our
14 new commissioner.

15 At this time the Court wishes to recognize
16 Mike Reynolds' family members and, in particular, his
17 wife, Shaun Reynolds, who is due any moment, his
18 mother, Mrs. Mary Reynolds, his daughters, Bridin
19 Clare, Megan Aisling, Mary Casey and Kathleen Marie.

20 Mike is the oldest of 11 brothers and
21 sisters. Many of them are here today, including
22 Margaret Schlatter and her husband, Karl, Laurence
23 Reynolds and his wife, Beth, Patricia Daley and her

1 husband, Daniel, John Reynolds and his wife, Clare,
2 Stephen Reynolds and his wife, Caroline, James
3 Reynolds and Daniel Reynolds.

4 To each of you, a very warm welcome.

5 The Court also welcomes members of the
6 judiciary, the Delaware Bar and friends of Mike
7 Reynolds all to this Special Session.

8 Today marks the beginning of Mike's judicial
9 career as a commissioner of the Superior Court. His
10 character and experience, including his service in the
11 City Solicitor's Office, have prepared him well for
12 this service. Others will describe Mike's qualities.
13 So I will defer to them.

14 We, the judges of Superior Court, including
15 Judge Bifferato, to my immediate right, and Judge
16 Toliver, to my immediate left, are confident in Mike's
17 abilities and know that he will work very well with
18 all of the judges of the Superior Court.

19 But before he can begin the duties of this
20 important office, he must be sworn in. It will be my
21 honor and pleasure to administer the oath of office.
22 Thereafter, the robing of Commissioner Reynolds will
23 be by Superior Court Judge Charles H. Toliver, IV and

1 Court of Common Pleas Commissioner Arlene M.
2 Coppadge.

3 Let me find the oath of office, and we will
4 begin.

5 Did I give it to you, Judge Bifferato?

6 JUDGE BIFFERATO: No, you didn't.

7 JUDGE TOLIVER: I don't have it either.

8 PRESIDENT JUDGE duPONT RIDGELY: Of the
9 lawyers present, who remembers the citation to the
10 oath of office?

11 Thank you.

12 Mike, if you'll come to the podium.

13 Please place your right hand on the Bible and
14 then repeat after me.

15 I, and then state your name.

16 MR. REYNOLDS: I, Michael Patrick Reynolds.

17 PRESIDENT JUDGE duPONT RIDGELY: Do proudly
18 swear.

19 MR. REYNOLDS: Do proudly swear.

20 PRESIDENT JUDGE duPONT RIDGELY: To carry out
21 the responsibilities.

22 MR. REYNOLDS: To carry out the
23 responsibilities.

1 PRESIDENT JUDGE duPONT RIDGELY: Of the
2 Office of Commissioner.

3 MR. REYNOLDS: Of the Office of Commissioner.

4 PRESIDENT JUDGE duPONT RIDGELY: Of the
5 Superior Court.

6 MR. REYNOLDS: Of the Superior Court.

7 PRESIDENT JUDGE duPONT RIDGELY: To the best
8 of my ability.

9 MR. REYNOLDS: To the best of my ability.

10 PRESIDENT JUDGE duPONT RIDGELY: Freely
11 acknowledging.

12 MR. REYNOLDS: Freely acknowledging.

13 PRESIDENT JUDGE duPONT RIDGELY: That the
14 powers of this office.

15 MR. REYNOLDS: That the powers of this
16 office.

17 PRESIDENT JUDGE duPONT RIDGELY: Flow from
18 the people.

19 MR. REYNOLDS: Flow from the people.

20 PRESIDENT JUDGE duPONT RIDGELY: I am
21 privileged to represent.

22 MR. REYNOLDS: I am privileged to represent.

23 PRESIDENT JUDGE duPONT RIDGELY: I further

1 swear.

2 MR. REYNOLDS: I further swear.

3 PRESIDENT JUDGE duPONT RIDGELY: Always to
4 place the public interest.

5 MR. REYNOLDS: Always to place the public
6 interest.

7 PRESIDENT JUDGE duPONT RIDGELY: Above any
8 special.

9 MR. REYNOLDS: Above any special.

10 PRESIDENT JUDGE duPONT RIDGELY: Or personal
11 interests.

12 MR. REYNOLDS: Or personal interests.

13 PRESIDENT JUDGE duPONT RIDGELY: And to
14 respect the right.

15 MR. REYNOLDS: And to respect the right.

16 PRESIDENT JUDGE duPONT RIDGELY: Of future
17 generations.

18 MR. REYNOLDS: Of future generations.

19 PRESIDENT JUDGE duPONT RIDGELY: To share the
20 rich historic.

21 MR. REYNOLDS: To share the rich historic.

22 PRESIDENT JUDGE duPONT RIDGELY: And natural
23 heritage.

1 MR. REYNOLDS: And natural heritage.

2 PRESIDENT JUDGE duPONT RIDGELY: Of Delaware.

3 MR. REYNOLDS: Of Delaware.

4 PRESIDENT JUDGE duPONT RIDGELY: In doing so.

5 MR. REYNOLDS: In doing so.

6 PRESIDENT JUDGE duPONT RIDGELY: I will
7 always uphold and defend.

8 MR. REYNOLDS: I will always uphold and
9 defend.

10 PRESIDENT JUDGE duPONT RIDGELY: The
11 Constitutions of my country.

12 MR. REYNOLDS: The Constitutions of my
13 country.

14 PRESIDENT JUDGE duPONT RIDGELY: And my
15 State.

16 MR. REYNOLDS: And my State.

17 PRESIDENT JUDGE duPONT RIDGELY: So help me
18 God.

19 MR. REYNOLDS: So help me God.

20 PRESIDENT JUDGE duPONT RIDGELY:
21 Congratulations.

22 MR. REYNOLDS: Thank you.

23 PRESIDENT JUDGE duPONT RIDGELY:

1 Congratulations, Mike, and welcome.

2 MR. REYNOLDS: Thank you, Judge.

3 PRESIDENT JUDGE duPONT RIDGELY: At this time
4 the Court recognizes O. Francis Biondi, Esquire, of
5 Morris, Nichols, Arsht and Tunnell for his remarks.
6 Among Mr. Biondi's many responsibilities is his
7 co-chairing of the Commission On Delaware Courts 2000,
8 which is still ongoing.

9 Mr. Biondi.

10 MR. BIONDI: As a member of the Bar, I'm
11 really not too used to speaking with a Bible at my
12 side.

13 President Judge Ridgely, Judge Bifferato,
14 Judge Toliver, other members of the judiciary,
15 Commissioner Reynolds, members of the clergy, family
16 and friends of Commissioner Reynolds -- I might say
17 growing family of Commissioner Reynolds -- it's a real
18 pleasure to be here today representing the Commission
19 On Delaware Courts 2000.

20 As you know, the commission, with the
21 cooperation and participation of the Superior Court,
22 conducted a very thorough analysis of the Superior
23 Court over the last year.

1 Based on this analysis, the commission made a
2 number of recommendations for the improvement of the
3 operations of the Superior Court. And I am pleased to
4 say that many of those recommendations have been
5 adopted. The recommendations were aimed primarily at
6 improving the efficiency of the court, the quality of
7 justice of the court, and they are aimed at
8 principally eliminating delay in the processing of
9 important cases in the court. Most of the
10 recommendations we made have already been legislated
11 and soon will be in effect.

12 They include the elimination of the JP
13 appeals directly to Superior Court for trial de novo,
14 elimination of the transfers and appeals jurisdiction
15 for trial de novo from the Court of Common Pleas, the
16 initiation of jury trials in the New Castle County
17 Court of Common Pleas, the increase in the civil
18 jurisdiction of the Court of Common Pleas, the
19 enactment of the first leg of a constitutional
20 amendment giving constitutional status to the Family
21 Court and the Court of Common Pleas, which would give
22 the Chief Justice increased flexibility in the
23 assignment of judges between constitutional courts,

1 and the institution of the one-day one-trial jury
2 system.

3 With respect to that recommendation, I would
4 remind all of us that we have a commitment to report
5 to the Senate about juror acceptance of the new
6 system. And we will have to do that in the next
7 session of the General Assembly. Senator Roth and
8 Senator McBride will not go away, I'm quite sure.

9 Some of the recommendations remain to be
10 addressed. The second leg of the constitutional
11 amendment I mentioned. And we all know that second
12 legs are more fun than first legs. Some must be
13 implemented by court rule. It is the province of the
14 Court to adopt the rule establishing limited forms of
15 individual civil and criminal case assignment, which
16 has been the subject of some debate in the past, time
17 constraints on a plea bargain, procedural changes in
18 civil case management, and a re-examination of the
19 Carpenter Committee recommendation of the five day a
20 week trial schedule, as well as the extension on some
21 form of court annexed ADR to every civil case.

22 Some of the recommendations will require
23 additional legislative action. It's obvious technical

1 and human resources, personnel resources are needed
2 for the court. And we still have to consider
3 full-time Public Defenders, the elimination of the
4 grand jury and perhaps, most importantly, the need for
5 new physical facilities, the need for a new judicial
6 center to serve all of the courts in this County.

7 All of these recommendations are important.
8 None is more important than the commission's support
9 for the effective use of commissioners and masters in
10 the Superior Court. This was recommended by the
11 Delaware Superior Court Study Committee in December of
12 1991, by the Delaware Court's Planning Committee, and
13 the Superior Court embraced its recommendation in its
14 Vision Statement to the commission.

15 I might say it's -- after years of being on
16 this Court's reform committees, it's great to live
17 long enough to see some recommendations actually be
18 implemented.

19 The use of the commissioners goes to the
20 heart of one of the factors which was identified in
21 the commission's report as causing delay.

22 In addition to the large number of criminal
23 and civil filings, which is the principal problem, the

1 judges have been involved unnecessarily in matters
2 that limit the time they have to manage and dispose of
3 the caseload.

4 President Judge Ridgely, in his Vision
5 Statement for the Superior Court, put it succinctly
6 when he indicated a recent study of Superior Court,
7 conducted by a nationally recognized expert on court
8 delay reduction, concluded that trial date certainty
9 must be established. In other words, there must be a
10 sufficient number of judges available for the cases
11 scheduled for trial each day. Increasing the use of
12 commissioners will free up more judges for trial duty
13 and thereby reduce delay and expense.

14 House Bill 477 -- which I must say was
15 adopted on the morning of July 1 sometime about 3:00
16 a.m. And I must confess that I lasted till about 2:00
17 a.m. and then left it in the good hands of Judge
18 Bifferato. House Bill 477 provided for the
19 appointment of commissioners in Superior Court, grants
20 the commissioners the necessary powers to be effective
21 in making more judicial time available for functions
22 that only judges can perform in the management of the
23 caseload.

1 It is not enough, however, to write reports,
2 enact legislation and make appointments. If the
3 commissioner is to be effective, the commissioners
4 must be persons to meet the highest standards required
5 of Superior Court judges. And Commissioner Reynolds
6 is such a person. He meets the standard for
7 appointment to the Superior Court. And the
8 commissioners must be allowed the full exercise of the
9 powers granted to them, and, perhaps most importantly,
10 they must have the respect, the respect of the
11 judiciary, the Bar and our citizenry as important
12 judicial officers. That's why I'm pleased to be here
13 today, to be a part of this swearing in ceremony, to
14 see so many members of the judiciary and Bar in
15 attendance.

16 One further note, a personal note. The work
17 of the Commission On Delaware Courts 2000 is not over
18 yet. And it wouldn't have been possible without the
19 assistance of many volunteers. Commissioner Reynolds
20 was one of the hardest working and most valuable of
21 our volunteers. He is our expert in issues dealing
22 with the Municipal Court of the City of Wilmington.
23 And I have been assured by Judge Bifferato that we

1 will continue to have his assistance. And I would
2 like that noted in the record. We do not want to lose
3 him in this effort.

4 I congratulate Commissioner Reynolds and the
5 Court on the occasion of this important new beginning
6 in the structure of the Superior Court. Thank you.

7 PRESIDENT JUDGE duPONT RIDGELY: Thank you,
8 Mr. Biondi.

9 The Court recognizes R. Franklin Balotti,
10 Esquire, of Richards, Layton and Finger. Mr. Balotti
11 is the president of the Delaware State Bar
12 Association.

13 Mr. Balotti.

14 MR. BALOTTI: President Judge Ridgely, Judge
15 Bifferato, Judge Toliver, Commissioner Reynolds,
16 members of the Bench, members of the Bar, family and
17 friends of Commissioner Reynolds.

18 It's a pleasure for me to be here today to
19 represent the Bar Association. And it is always a
20 pleasure for me to see so many of you here who I did
21 not expect to see.

22 For example, Judge Ridgely, it's a pleasure
23 to see you. I understand you were second choice for

1 this duty today. Lou Holtz was first, but Lou and his
2 band of bums out in South Bend are busy working on
3 three in a row. And he couldn't be here to celebrate
4 Commissioner Reynolds' investiture.

5 I am pleased, likewise, to see Commissioner
6 Reynolds here. When he called me Friday for the third
7 time to remind me of today's ceremony, he wasn't
8 nervous at all. He had just come back from the
9 hospital for the fourth time, said there existed a
10 very real possibility that he might not be here today,
11 but that we were free to go ahead without him.

12 It's also a pleasure to see his wife, Shaun,
13 here today. I'm not sure it's a pleasure for her, but
14 the rest of us are enjoying her being here today.

15 As I said, it is a pleasure for me to be here
16 today. This is the fifth time that I have spoken at
17 an investiture in my relatively brief experience as
18 president of the Bar Association. Like all the
19 others, this is special.

20 Before I mention why, I would like to follow
21 up on the comments of Judge Ridgely and thank both our
22 General Assembly and our governor for making this
23 possible by passing the legislation necessary to

1 create the position of commissioner.

2 This ceremony today is special for me because
3 it is the investiture of a new and extraordinarily
4 important office, that of commissioner of Superior
5 Court. As you heard from Mr. Biondi, this position
6 was created this summer. It was a position conceived
7 by the Superior Court, endorsed by the Court's
8 Planning Committee and endorsed by the Commission On
9 Delaware Courts 2000. It was conceived by the
10 Superior Court as part of its efforts, continuing
11 efforts I might add, and also efforts which have been
12 largely successful, to provide speedy and efficient
13 justice for the citizens of Delaware in this Court.
14 This Court may be the most important for our
15 citizens. It is where most of the major disputes of
16 the citizens of Delaware are resolved, and it is where
17 most of the criminal matters involving citizens of
18 Delaware are resolved. However, as our population and
19 the litigiousness of our society both continue to
20 rise, so does the work load of this Court. Let me
21 just give you an example.

22 In 1984 there were approximately 7500 filings
23 in this Court; in 1993 almost 14,000. It's projected

1 by 1998 there will be over 19,000 filings, both
2 criminal and civil, in the Superior Court. The
3 commissioners were conceived as a way to allow this
4 Court to meet the continuing demands on the court and
5 yet dispense quality justice to all of the citizens of
6 Delaware.

7 I am not going to comment too lengthy -- too
8 lengthy of comments on Judge Reynolds -- Commissioner
9 Reynolds' qualifications for this position. I just
10 want to note a couple of highlights in his career.

11 He is someone who has devoted all but two
12 years of his career to public service, which is
13 extraordinarily important. The business of the people
14 only gets done if there are qualified people like
15 Commissioner Reynolds to participate in taking care of
16 the people's business and the administration of
17 justice to all of our citizens. He always has been an
18 active member of our association, which makes the Bar
19 Association especially proud. He has served as the
20 chair of the labor and employment section of our
21 association, a very important section. I know that he
22 will be fair and honest in his job because he spent
23 the better part of a year in the seminary. We will

1 leave aside the reasons why he is not there, why he
2 became a lawyer. I know that he is an especially hard
3 worker.

4 Both Commissioner Reynolds and I had the
5 pleasure of working with Frank Biondi -- maybe you
6 better strike that and put had the opportunity to work
7 for Frank Biondi. Those of you who know him will
8 appreciate the difference -- on the Commission For
9 2000. And as Frank mentioned, Commissioner Reynolds
10 was one of the more active members, the one who
11 produced a tremendous amount of work, and it could not
12 have been done without him.

13 Commissioner Reynolds, it is a pleasure to be
14 here on behalf of the Bar Association and to welcome
15 you as a new member of the Bench and to wish you many,
16 many more years of happy and successful public
17 service.

18 Thank you.

19 PRESIDENT JUDGE duPONT RIDGELY: Thank you,
20 Mr. Balotti.

21 The Court now calls upon Jeffery S. Goddess,
22 Esquire, of Rosenthal, Monhair, Gross and Goddess for
23 his remarks. Mr. Goddess is a former City Solicitor

1 for the City of Wilmington.

2 Mr. Goddess.

3 MR. GODDESS: Thank you.

4 President Judge Ridgely, Judge Bifferato,
5 Judge Toliver, Commissioner Reynolds, the other
6 judges -- my eyesight is failing -- the other judges
7 seated over there and dignitaries and friends of Mike
8 Reynolds.

9 I guess I'm the only one speaking who knows
10 Mike on intimate terms. That's an awesome
11 responsibility in light of all the many friends he has
12 made over the years. And I have -- to hear Frank tell
13 it, I have about five minutes to summarize a lifetime
14 up to this point. And I hope I do a good job.

15 When Mike asked me to speak, I was --
16 instantly felt honored. And then I realized this is
17 going to be hard. I didn't have the foggiest notion
18 of what a commissioner does. But, of course, now that
19 you have heard the chairman of the Commission On 2000
20 and the president of the Delaware Bar, I'm sure you
21 all know precisely what it is Mike's going to be doing
22 tomorrow morning, precisely what his duties consist
23 of. And then calm was restored because I remembered

1 that I spoke at the farewell roast that the City Law
2 Department and the City of Wilmington gave to Mike
3 about two years ago. And that was fairly well
4 received. But Mike said he didn't want me to say any
5 of the remarks that I had said at that roast.

6 Actually, for those of you worried about his
7 judicial temperament, he spoke in the words of
8 Delaware Rule Of Evidence 403. He said although those
9 sorts of vignettes might be relevant, I want you to
10 exclude them inasmuch as their probative value is
11 substantially outweighed by the danger of unfair
12 prejudice, confusion of the issues and needless
13 presentation of cumulative evidence.

14 So I had to truncate my remarks. But being a
15 good lawyer, I said, well, I could honor the letter of
16 his ruling and sort of ignore the spirit. I can quote
17 Judy Pilnick. I can quote Al Carter. I can quote Pam
18 Scott. I can quote all of Mike's good friends at City
19 Law who obviously enjoyed and appreciably miss, deeply
20 miss, Mike working with them. So I was stuck. I
21 said, what am I going to do? I'm not used to going to
22 ceremonies like this, which either says a lot about me
23 or a lot about my friends and their relative successes

1 and failures. But then I had good fortune in the last
2 several weeks. Two of my dear friends have been
3 elevated to the Bench. I got to see Arlene Coppadge's
4 swearing in, and I got to see Vice Chancellor
5 Balick's -- I believe they call it an investiture.

6 Well, after Arlene's, I was really worried
7 about Kester Crosse, with whom I share a bathroom in
8 One Custom House Square. He just blew me away with
9 the eloquence of his remarks. I thought I really
10 better budget time to make some good remarks here.
11 That wasn't Kester off-the-cuff; was it?

12 My fear subsided when I was here for Bernie
13 Balick, and Al Stiftel came to the microphone. And I
14 realized that the benchmark -- the tide had gone down
15 a bit in terms of what is expected of a speaker at a
16 session like this. A couple good jokes and we'll be
17 done.

18 Well, I think I have addressed the nature and
19 stage of the proceedings. Let me go into some
20 statements of fact and then into some conclusions of
21 law.

22 Basic fact is Mike was born in 1947, which
23 makes him a member of the '60's generation, a '60's

1 guy. As you heard, he is the oldest of 11 children of
2 Bud and Mary Reynolds. He grew up in Elsmere, a child
3 of Elsmere, attended Corpus Christi and Salesianum and
4 began at a seminary.

5 Right there we have the makings of some very
6 basic themes in Mike's personality and personal
7 values. I guess I should view this as an introduction
8 of Mike to his new coworkers.

9 I think the abiding quality that Mike has
10 that distinguishes him from most anyone else of my age
11 and generation and outlook is his abiding interest and
12 love of his family. It comes into his speech. It
13 comes into his references. Of course, with 11 -- 10
14 brothers and sisters, that's a big frame of reference,
15 but it is constantly enveloping. You rarely see
16 professionals constantly referring to their family,
17 drawing allegories to their family and obviously such
18 a deep concern and abiding interest and care for their
19 family as well as, besides the family that he was born
20 into, the family he is creating with Bridin, with
21 Megan, with Casey and with his lovely wife, Shaun,
22 Kathleen, and who knows who else. We -- do we have a
23 name yet? I suppose we do. He takes his fathering

1 very seriously. It's a source of pride.

2 I don't quite know how the judicial
3 scheduling works, Your Honor, but his family is
4 foremost. And they will get the attention they
5 deserve if I know Mike Reynolds.

6 Another value that he holds very dear is his
7 religion and his spiritual roots. I know that he
8 turns to his Catholicism in times of crisis and in
9 stress and in strain. Given the separation of church
10 and state, this is not a place to talk about
11 comparative religions. And anyone who knows me well
12 would know that I'm hardly a person to speak on that
13 subject, but I know that it works for Michael. And he
14 holds it dear and it's meaningful to him and it seems
15 to work for him. And I think he would be a good
16 spiritual guide to anyone who is floundering in that
17 department.

18 Another theme that we have hit already is
19 service to others. That's been a recurrent theme in
20 Michael's life and it continues on and it will
21 continue on. And there is also a certain
22 unpredictability and freshness about Michael when he
23 approaches problems. And that is demonstrated by the

1 fact that upon leaving the seminary, he joined the
2 United States Marines. I won't say it's 180 degrees,
3 because I neither know of the seminary nor of the
4 Marines, since the Army Reserves were kind enough to
5 save me during the '60's, but I suggest it's a far cry
6 from the seminary to the Tet Offensive, a far cry from
7 the seminary to Vietnam. He took away from the
8 Marines a certain toughness that those who don't know
9 Mike might not be aware of. You know, that sort of
10 Marine, irrational, run-through-a-brick-wall kind of
11 toughness. He has a bit of that. He hides it. He
12 smiles.

13 I didn't even have to look over to know he
14 would be smiling during that. He kind of thinks of
15 himself as a tough guy, but he masks it pretty well.

16 I think the last Marine who made a mark in
17 Superior Court was Tommy Little. I don't think they
18 are cut from the same mold, but there is a teeny, tiny
19 streak of it in Mike.

20 I would suggest to litigants who don't know
21 him at all that there is a lot of flint and a lot of
22 strength underneath a very amicable and welcoming
23 exterior. Don't cross him. Argue with him, but don't

1 cross him. Don't insult his intelligence. Don't
2 presume on his good nature.

3 After doing good with the Marines, he went to
4 the University of Delaware. He went to the University
5 of Pennsylvania Law School and in 1977 became a member
6 of the Delaware Bar.

7 At that point I was smart enough to hire him
8 as an Assistant City Solicitor, but that really wasn't
9 much of a choice. First of all, he had been
10 preselected by Dave Swayze. And unless Dave has got
11 an awfully good public relations department, it seems
12 to me Dave's never make a mistake. He came highly
13 recommended by David.

14 Furthermore, I was starting work for a Mayor
15 named William T. McLaughlin, and a son of Mary named
16 Michael Patrick Reynolds came applying for a job. He
17 worked into the conversation that his father was a
18 good friend of Mayor McLaughlin's brother, a good
19 member of the plumber union. I mean, I really didn't
20 have to stretch my mind to realize that this was the
21 man to hire.

22 To touch on another theme, an abiding
23 interest of Mike's is his Irish ethnicity. I won't

1 say it's as important to him as his family or his
2 religion or the concept of public service, but it is
3 extremely important to him and it is absolutely
4 delightful. It is a positive sort of ethnicity. It
5 is a joyous sort of ethnicity. It's a point of pride
6 with him. I assume everyone who is Irish enjoys
7 Mike's behavior that way, just as a Jew is proud to be
8 Jewish, an Italian is proud to be an Italian and a
9 black proud to be a black. He revels in the ethnicity
10 of this country, the melting pot it was, the melting
11 pot it is, and the melting pot it will become, even
12 though white males have not been at the front of the
13 line for the last five or 10 years. On account of
14 that Mike bites his lip and soldiers on because he
15 knows it's important. He doesn't have to think back
16 too far to know how he was scuffling and his family
17 was scuffling. He is very proud of his ethnicity.

18 Before John Kelly's Logan House and O'Friels
19 establishment institutionalized it, the
20 Casey-Reynolds' St. Patrick Day parties were about the
21 best in town. I guess someone figured out a way to
22 make a buck out of it, and many have succeeded at this
23 point.

1 After being in the City Solicitor's office,
2 Mike left for private practice. I think he got two
3 things out of private practice in his short stay
4 there. One, he got an opportunity to work with Ernie
5 Wilson, the late and beloved Ernie Wilson, for a
6 couple of years. The other, he met Shaun. Beyond
7 that, I don't know what he got out of it, but it does
8 help round him out.

9 Those of us in the private Bar who are
10 practicing before the courts, it is nice to know the
11 person you're appearing in front of did at one point
12 have to fill out a time sheet, deal with a client,
13 whether you met your billing quota or not. He has
14 been on our side of the Bench at least for a little
15 bit.

16 And then he became -- well, I guess Mike was
17 in County government for a short time and then our
18 beloved late Mayor, Dan Frawley, had the presence of
19 mind to bring him aboard. Mike was actually the
20 longest running City Solicitor since the position was
21 made full time in 1972. Mike was there six years, but
22 he had a far more difficult job than I or Rob Goldberg
23 or Judge Balick or Dave Swayze because, unlike the

1 rest of us, he was City Solicitor for a mayor who was
2 a lawyer.

3 And not only that, those of you who remember
4 Dan remember that he kind of -- Dan thought he was
5 kind of a good lawyer. And, as we say, the deference
6 accorded to a City Solicitor had to be earned. It
7 didn't come with the position. As though to compound
8 the difficulty of the position Mike was in for six
9 years, the administrative assistant to the mayor, who
10 helped get Mike the position, a dear friend of his,
11 Tom Capano, was also lawyer. City Hall was going off
12 in some direction that perhaps didn't quite square
13 with what the law seems to say or the City Charter
14 seemed to say. Mike would have to cross the hall and
15 do battle with two lawyers about whether something was
16 legal or not or appropriate or not. I don't literally
17 know what went on behind those closed doors. He
18 always has a good tight lip, but I could see it. I
19 could see how it would weigh on him sometimes.

20 Those battles in City Hall say something
21 about Mike, too. He is quite a team player. He
22 leaves his disputes in the locker room. He goes out
23 and hits pretty hard on the field. And you would

1 think there is immediate unanimity because you see him
2 walking in lockstep with his client and those he
3 serves, but it's a pretty noisy locker room when Mike
4 Reynolds is there. He loves a good argument. In
5 fact, I think Mike forms his thoughts in an
6 argumentative session. No one was more born to the
7 adversarial process than Michael P. Reynolds. It
8 really helps him sharpen his thinking. And he gives
9 ground. He is not dogmatic. It's a delight to argue
10 with Mike.

11 As I was preparing these remarks Sunday
12 night, there is one expression that comes to mind.
13 Anyone who spends time with Mike will know it. This
14 is something that he has to change. When you say
15 something to Mike that he may be hearing for the first
16 time, his comment is -- his comment is, "Get out. Get
17 out." I got this word picture of Mike in my head. I
18 think I have the solution. Instead of saying that,
19 because you have to act judicial in temperament, you
20 should say, "Even though what you say sounds earnest
21 and intriguing, I tend to believe it is well beyond
22 what the facts will support."

23 I'm sure if you start talking that way long

1 enough, within the next three or four years some
2 governor -- my personal view, I hope it's Governor
3 Carper -- some governor will have the sense of mind to
4 make Mike a full judge with a 12 year term because no
5 one is deserving of a judgeship more. Michael has
6 been a judge for years, only now the State is going to
7 be smart enough to pay him for it.

8 It's been a very great honor of mine to speak
9 on behalf of Michael. I hope I have done justice.
10 Just looking at the faces out there, everybody could
11 do five minutes here, and we would be back into the
12 roast.

13 Thank you very much.

14 PRESIDENT JUDGE duPONT RIDGELY: Thank you,
15 Mr. Goddess. I am pleased now to call upon our new
16 commissioner for his greetings.

17 Mike.

18 COMMISSIONER REYNOLDS: Honorable Judge
19 Ridgely, Judge Bifferato, Judge Toliver, judges of the
20 Superior Court, Commissioner Coppadge, honored guests,
21 friends and family.

22 I would like to start off by thanking the
23 judges of the Superior Court Screening Committee, the

1 governor and his staff, the members of the State
2 Senate for elevating me to this position. I feel that
3 they have -- by doing so, they have expressed a great
4 deal of confidence in me. I hope to live up to that
5 confidence.

6 I also want to thank Judge Ridgely, Frank
7 Biondi, Frank Balotti, Jeff Goddess for their
8 remarks. And I want to thank Jeff for what he didn't
9 say. I would like to thank Commissioner Coppadge and
10 Judge Toliver for assisting me in robing. If it
11 wasn't for Arlene, I would be standing here with my
12 tie hanging out.

13 I would like to thank Father Smith and Pastor
14 Revelle for their invocation of God's blessing on this
15 proceeding. I humbly acknowledge any qualifications
16 that I may have that may make me suitable for this
17 position I have by the grace of my Creator. I ask for
18 God's continued blessings as I undertake my
19 responsibilities as Court Commissioner and ask for the
20 grace to balance my professional responsibilities with
21 my role as husband and father.

22 I thank you, Judge Ridgely, for introducing
23 my family. It was quite a task.

1 I would like to thank my mother. I was glad
2 she was able to be here. My mother has given me many
3 things that have gone into shaping me and that have
4 contributed to my being here today. The qualities she
5 has given me I think -- and I appreciate Jeff's very
6 kind words -- go towards making me a good lawyer, if I
7 am one, and a public servant. The most important
8 thing she has given me is that she has demonstrated
9 all my life a real feeling about fairness and
10 equality. If I bring nothing else to this position, I
11 hope that I bring my mother's passion for justice.

12 After, Judge -- after I gave you my list,
13 Judge Ridgely, I noticed my sister, Mary Frances, came
14 in. I didn't want to overlook her. That leaves two.
15 My brother, Terrence, is in the Air Force in Virginia
16 and my sister, Frances, is also in Virginia. She is
17 Sister Frances Catherine of The Little Sisters Of The
18 Poor. And her convent is in Richmond. And since she
19 took the vow of obedience, she had to stay there. She
20 wasn't able to make it.

21 I was glad all my daughters were able to make
22 it here. Bridin had to drive up from the University
23 of Maryland. And Megan flew in from Antioch College.

1 Casey got to cut half a day of school and Kathleen
2 from St. Ann's. I'm always glad to have them all
3 together. When they start going away to college, it's
4 very rare. And they certainly are the pride and joy
5 of my life.

6 And, obviously, there is my wife, Shaun.
7 It's difficult. I had a hard time. I wanted to say
8 something about my wife, but she is such a humble
9 woman, it's hard to think of something to say about
10 her that would not make her feel embarrassed. So I
11 just gave up. It's obvious that my wife is a woman of
12 great beauty and gentle grace, but she is also a
13 person of very strong character and spirituality. Her
14 faith and trust in God give her the gift of wisdom.
15 It is her wisdom and love that mean so much to me. I
16 thank God that she is my life partner.

17 There are several other people I wish were
18 here today. The first one is Dan Frawley. Dan gave
19 me the opportunity to be City Solicitor. And he also
20 gave me the opportunity to serve with a great bunch of
21 people who made up his administration. I certainly
22 miss Dan. And if it wasn't for him, I probably
23 wouldn't be standing here in front of you today. I'm

1 sure Dan is either here in spirit or up in heaven
2 telling St. Peter how to run the place.

3 I would have also liked to share this day
4 with my father, Bud Reynolds. Without him, I
5 definitely wouldn't be standing here. And I mean that
6 in more ways than one. I know that much of what I am
7 as a man I owe to my father.

8 Finally, I would like to have had Michael
9 Patrick Reynolds, Junior here to introduce to all of
10 you. And I know that's a sentiment that my dear wife
11 shares. He has been teasing us off and on for the
12 last few days, as recently as yesterday. I don't know
13 where he gets that orneriness. It must be from his
14 mother. He certainly doesn't get it from me.

15 Well, Michael Patrick appears to have his own
16 schedule. And God bless him. He will have enough
17 schedules to answer to once he is born. As long as he
18 doesn't put his mother into labor while we're sitting
19 here, he can come whenever he wants to.

20 As you all know, this position is a new
21 position. I, along with my colleagues in Kent and
22 Sussex counties, will be the first court commissioners
23 to hold this position. I appreciate very much the

1 introduction that the previous speakers and Judge
2 Ridgely have given to the members of the Bar and the
3 public who are here about the duties of the position.
4 In fact, they did such a good job, I'm going to have
5 to amend my remarks considerably.

6 However, I did want to mention, in explaining
7 that -- the duties of the Court Commissioner, that it
8 was one of the recommendations of the Superior Court.
9 That recommendation was made in a letter by Judge
10 Ridgely to the Commission On Delaware Courts 2000.
11 And in his letter Judge Ridgely took great pains to
12 put the Court's recommendations in the context of the
13 Trial Court Performance Standards of 1990, which were
14 a result of a project by the National Center For State
15 Courts and the Bureau Of Justice Assistance of the
16 U.S. Department Of Justice. The Trial Court
17 Performance Standards provide guidelines for optimum
18 trial court performance in five key areas.

19 Among those performance areas are, first,
20 access to justice. And included under this heading is
21 a guiding principle that judges and court personnel
22 should always be courteous and responsive to the
23 public.

1 The second standard is expedition and
2 timeliness. Judge Ridgely emphasized in his letter
3 that the quality of justice in any court is undermined
4 by unnecessary delay. Unnecessary delay causes
5 hardship to citizens. It erodes the deterrence of the
6 criminal law and it devalues the civil judgments.

7 Another standard mentioned in Judge Ridgely's
8 letter is equality, fairness and integrity.

9 Obviously, this standard includes considerations, such
10 as due process, equal treatment without regard to
11 status. As well as -- as much as the statute which
12 created this position is important, Judge Ridgely, I
13 think those standards that you and the other judges of
14 the Superior Court envisioned in your letter, those
15 standards tell me what I'm going to be doing here from
16 day-to-day from now on. It is those standards that
17 will give meaning to my service of this Court. And I
18 wanted to place my emphasis on those.

19 I'm not going to spend a lot of time
20 explaining what I'm going to be doing because that's
21 really going to be up to Judge Bifferato. As Jeff
22 Goddess mentioned, Judge, I'm a good Marine. I'll
23 follow orders.

1 In closing, I would like to mention the other
2 judges of the Superior Court because I really feel
3 that my function here is to assist the judges. One of
4 the judges mentioned to me -- and they all have been
5 very gracious in welcoming me. They have gone out of
6 their way to take time to sit down with me and explain
7 things. And, in particular, Judge Bifferato has just
8 been wonderful. He has been very generous with his
9 time and his advice. And I'm finding that to be very
10 valuable, but I really feel that my role here is to
11 assist the judges in being able to have more time for
12 court appearances. But also, as one of the judges
13 told me, one of the things that's lacking when you
14 have a docket with -- what is it? -- 14,000 cases is
15 the time to think. And what the judges, what all of
16 us do in this system, the time for thought and
17 deliberation is very important. That's my hope. I
18 hope I can give you that gift.

19 I would like to say in closing that I would
20 consider -- I would measure my success by the success
21 of the Superior Court and the ongoing efforts of the
22 Delaware Commission On Courts 2000 as we move towards
23 the 21st Century and serving the citizens of Delaware

1 in dispensing justice.

2 I thank everyone for being here. I
3 appreciate all the kind words. And I know that it's
4 difficult for people to make it here on Monday. I
5 appreciate the judges especially making the effort to
6 be here. It demonstrates again the support that I can
7 hope for.

8 Thank you very much.

9 PRESIDENT JUDGE duPONT RIDGELY: Thank you,
10 Mike. Congratulations. Again, a very warm welcome.
11 We look forward to working with you.

12 Reverend Robert Revelle, Pastor of the Mount
13 Zion Baptist Church, will now give the benediction.

14 Please stand.

15 Reverend Revelle.

16 REVEREND REVELLE: Let us bow our heads.

17 Eternal and Almighty God, our Father, we come
18 at this hour of departure; pray and follow God that
19 your grace and your countenance may shine upon
20 Commissioner Reynolds; pray that you will give him
21 wisdom and understanding as you go forth in this
22 service, that he may have passion and also
23 compassionate understanding that may reveal the true

1 character of those who are able to see beyond what
2 seemingly appears; pray that you will bless his
3 family, give them understanding, give them the time to
4 give him the support that he needs. And may his
5 colleagues see within him that there is a gem that has
6 just been waiting to come forth. Blessed is thy
7 people as we go into the vineyard. These prayers we
8 ask. Amen.

9 PRESIDENT JUDGE duPONT RIDGELY: Thank you,
10 Reverend Revelle. This concludes the Special Session
11 of the Superior Court. You are all welcome to stay
12 and greet our new commissioner at a reception which
13 will be held on the first floor lobby with
14 refreshments.

15 The Court is now adjourned.

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CERTIFICATE OF COURT REPORTER

I, Frances A. White, Official Court Reporter of the Superior Court, State of Delaware, do hereby certify that the foregoing is an accurate transcript of the proceedings had, as reported by me, in the Superior Court of the State of Delaware, in and for New Castle County, in the case herein stated, as the same remains of record in the Office of the Prothonotary at Wilmington, Delaware.

WITNESS my hand this _____ day of _____,
1999.

Frances A. White
Official Court Reporter