

In the Supreme Court of Pennsylvania

# Memorial Service

for

HONORABLE WILLIAM D. HUTCHINSON

Tuesday, April 30, 1996

1:00 P.M.

Supreme Court Room

Main Capitol Building

Harrisburg, Pennsylvania

**Before:**

HONORABLE JOHN P. FLAHERTY

HONORABLE STEPHEN A. ZAPPALA

HONORABLE RALPH J. CAPPY

HONORABLE RONALD B. CASTILLE

HONORABLE RUSSELL M. NIGRO

HONORABLE SANDRA SCHULTZ NEWMAN

# Proceedings

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COURT CRIER: The Honorable, the Justices of the Supreme Court of Pennsylvania.

(Court called to order.)

JUSTICE JOHN P. FLAHERTY: Louise, Andrew, members of the Hutchinson family and all of those who are here today, welcome. We are here not only to give recognition and remembrance, sad as it may be, but also perhaps to provide a little joy to our recollection. He was known here as Mr. Justice Hutchinson, and he was known in the federal context as Judge Hutchinson.

The Chief Justice has asked that I read his statement. He is unable to attend today. I understand that he has communicated personally with Louise. (Reading:)

“It is with deep regret that I am unable to be present at the memorial service of my late friend and former colleague, the Honorable William D. Hutchinson, due to my wife’s current hospitalization.

“I am confident that those in attendance today will remember, with great fondness, Bill’s special attributes. What made Bill one of Pennsylvania’s outstanding legal scholars was the fact that he embodied the principles of honor, integrity and virtue that our system mandates.

“Although many remember Bill today as a distinguished jurist, that position was but a caption of a long and dedicated life of public service.

“Bill began his public service career as an assistant district attorney, followed by two years as solicitor for Schuylkill County. From there, he was elected to the Pennsylvania House of Representatives and continued to serve in that capacity until 1981.

“During his tenure, Bill served on seven committees, most notably, the Judiciary and Ethics Committee. With respect

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to Bill's career in the legislature, Judge Anthony Scirica, who served with Bill as a fellow legislator and as a judge on the Third Circuit referred to Bill as having one of the finest legal minds in Harrisburg.

"In 1981, Bill was elected by the people of this Commonwealth to the Supreme Court of Pennsylvania. It was in this capacity that I had the honor of knowing this most talented jurist. Bill's judicial philosophy was not confined by a single unyielding ideological principle. Rather, his convictions were dynamic with the foremost goal being the evenhanded administration of justice.

"Bill also appreciated the unique nature of the position he held. He recognized that the integrity of our court system rises and falls with the public's perception of its judiciary. In that regard, Bill was a tireless defender of the Canon of the Judicial Ethics.

"Bill would never tolerate even the appearance of impropriety, and as he articulated in one of his opinions, 'Observance of the Canons of Ethics by judges is essential to public faith in the justice of our Commonwealth's judicial system.'

"Following his dedicated service to the people of this Commonwealth, Bill was selected by President Reagan to preside on the federal bench. Consistent with his prior record of achievements, Bill served the Third Circuit with grace and dignity until the day he was called upon by a higher authority.

"I share the grief of all those who have benefited from his wisdom and his passion throughout the years. Bill leaves a legacy of public service which I can only hope that future generations will strive to emulate.

"Most importantly, to my dear friend Louise, I am sure you know how much Bill meant to me. He was truly an inspiration and a friend that can never be replaced. My wife and I will deeply miss him. Robert N.C. Nix, Jr., Chief Justice."

The Court is in ceremonial session. I will add, I can not add to that which the Chief Justice has written, but will only say that having served with Bill Hutchinson, I came to know the

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depth of the intellectualism; I came to know what the word integrity means; and I, perhaps, from him, learned the joy of being a jurist. Bill Hutchinson, as most here know, was a dear and very close friend of mine.

We will commence with the program, calling upon the Speaker of the House, Matthew J. Ryan.

HONORABLE MATTHEW J. RYAN: Thank you, Mr. Justice, Justices of the Supreme Court, Louise and members of the Hutchinson family, Justices and Judges of the United States and Pennsylvania Appellate Courts, Judges, Legislators, other friends and colleagues of Justice William Hutchinson, Judge William Hutchinson, Representative William Hutchinson, friend William Hutchinson. He would answer to all of these prefaces and he was all of these things, and he did all of these things well.

I'm honored to join today in this special ceremony. It is not part of my remarks, prepared remarks, but I heard Justice Flaherty say that the Court was sitting in ceremonial session. I could not help but think to myself, as he said it, that indeed, it is fitting that this name be attached to a meeting such as this in this room, that it is a ceremonial session; because, indeed, it is a ceremony when we have an opportunity to get together and think about a man such as Bill Hutchinson who so many of us here in this room have known in his many capacities: that of member of the family, a friend, a judge on the Appellate Courts of the United States Court of Appeals, a fellow Justice, a member of the Pennsylvania House of Representatives or maybe a classmate or a neighbor from Schuylkill County.

As I look around this room—and many of you know of the deep interest I have had over the years in restoring this Capitol building. I look around this magnificent room, and I am struck by its beauty, as I know all of you are. The craftsmen who built this splendid courtroom with its leaded glass ceiling and Violet Oakley, the artist who created these murals that surround us, produce for us an environment that's truly inspiring.

And the Welshman, the Welshman from the coalfields in Minersville, named Bill Hutchinson, he loved this room. He

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truly loved this room, as I know Justice Flaherty loves this room. And it was Justice Flaherty, at an earlier occasion, that put me onto the fact of Bill Hutchinson's Celtic background. And I had occasion, Mr. Justice, to start reading up on the Celtic history since our last meeting, and I was thinking of Bill Hutchinson as I did it.

He loved this Court and he loved the work he did here, as he loved his work in the Pennsylvania House. I watched out over all of his years as a member of the House and respected everything he did there, as I am sure his work on the United States Court of Appeals was admired and respected; because he was one of those kind of people, the kind that did work, did work well and did the kind of work that we were a little bit jealous of, wishing that just a little bit more I could work like that, I could get results like that and people would think of me as I know people think of Bill Hutchinson.

This room is, in a sense, the embodiment of Bill Hutchinson. Its dignity, its strength, its orderliness—all are qualities for which he was known.

He led a life of great moral beauty, of great usefulness, of great dignity. He had a habit of order and industry. He was a crisp thinker, talker and writer.

I do not think it is necessary to repeat his history today. The biography in the program has it; and although not complete—it could go on forever—it does have it. Instead, I would like to just briefly present an analysis of the character of the brilliant, well-loved and admired man that I knew.

His judgment was remarkably sound, accurate and with inflexible honesty, which Justice Flaherty made reference to. It made him a fine public leader and, in private life, a trusted and confidential advisor and counselor.

Everyone who knew him, liked him. We knew him, and we always knew we could count on him for his directness, his integrity and his unswerving firmness. And while he was firm in adhering to his own views, he also was considerate of the opinions and feelings of others.

In cooperation or in opposition, he commanded respect. He was a commanding figure—tall and broad chested—yet his

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actions always favored peace, and everyone who knew him testifies to the gentleness and kindness of his manner.

In fact, I doubt he ever realized the power of his politeness and delicate regard of the sensitivities and sensibilities of those around him. His warm and generous spirit belies the liberal notion that conservatives do not have hearts. He surely did, and he was conservative, and his was bigger than the gallon of ice cream that he would consume each week with his late-night snacks; and he showed that, too.

In the hallowed circle of home, he was the central object of uncommon reverence and affection. His fondness for his wife and children seemed to increase with his years, and this fondness was well known in Harrisburg as I am sure it was well known in Philadelphia and the various courts in which he sat.

It showed itself both in the desire for their enjoyment and for their good. When he came to this Court, he extended his family to include many young lawyers, serving as a mentor to dozens of law clerks. As a mentor, he was so beloved, I understand, that three of his former law clerks, all graduates of Villanova Law School, established a scholarship in his name to help working law students. I think that is to be much admired.

There is an old Welch saying . . . “to be born Welch is to be born privileged, not with silver spoon in your mouth, but music in your blood and poetry in your soul.”

The Honorable William D. Hutchison was privileged. He played the clarinet with grace and beauty. He read and loved the classics. His life has been a selfless journey of service to people and to institutions. Lawyer, legislator, judge, husband, father and grandfather, friend—he was, in every way, a class act.

In America, there is no gentry, no arbitrary distinctions, no titles. Yet, there was about Bill Hutchison that particular style which made even strangers acclaim, “this is a gentleman.”

We all miss that gentleman very much. Thank you, Mr. Justice.

JUSTICE JOHN P. FLAHERTY: Thank you, Mr. Speaker.

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The Court now calls upon the Honorable Edward R. Becker.

HONORABLE EDWARD R. BECKER: Thank you, Justice. May it please the Court. We come together to remember a colleague and friend, who was suddenly and untimely taken from us. This act of remembrance has many uses. By honoring our friend's memory, we fulfill our duty to pay a tribute that he so richly earned during his lifetime. We also minister to our own souls by letting loose our feelings about him. As the Bard once wrote . . . "Praising what is lost makes the remembrance dear." And by this public remembrance, we comfort the bereaved members of his family and help them to come to a poignant, but necessary, closure.

Bill Hutchison was no ordinary colleague and friend; rather, he was a very special colleague and friend and human being. Why was Bill so special? Let us count the ways.

All of us who worked with Bill appreciated the power of his intellect. But what was special about Bill was less the power of his intellect than its quintessential purity and integrity. Bill Hutchinson's jurisprudence was characterized by his passion for justice and by his devotion to procedural fairness and the goal of clarity and consistency in the law. In Bill's universe, intellectual pyrotechnics, good as he was at them, were always subservient to principle.

There was another facet to Bill Hutchinson's jurisprudence that made him special: His compassion. Bill was a Republican, and essentially a conservative, but he was, as I have often said, a bleeding heart conservative. He really cared about the little guy.

As his colleague, I saw Bill's concern for the claimant in black lung and social security disability cases, for example, time and again. On this Court, he reflected similar empathy as demonstrated by his opinion in *Lang v. Department of Public Welfare*, at 515 Pa. Reports, where, writing for the Court, he held that the Commonwealth Court had erred in concluding that a discretionary trust is an "available resource" in determining liability of a mentally disabled beneficiary to reimburse the state for the costs of his care. Justice Hutchinson wrote:



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“A settlor should not be required to either bankrupt his family or run the risk of leaving a handicapped member destitute or in want because of vagaries in the requirements for public assistance or in the level of funding for such assistance.”

In short, Bill Hutchinson always went the extra mile to be absolutely certain that the little guy got a fair shake.

Bill was also an indefatigable worker. But what was special about his industry was that it focused less on turning out a great volume of work than on leaving no stone unturned to get the right result.

Those of us who spent time in conference with Bill after hearing argument were acutely aware of this quality. He loved conference, by the way, for he loved to argue legal doctrine. Candor compels the acknowledgment that Bill could be a bit of an itch. But when he thought he was right, he would press his point. And do you know what? Many a time, after extended dialogue, he won his point, for you had to admit that Bill had been right all along.

Bill's opinions were also special, not only because of the care he took in crafting them, but also because of the manner in which he expressed himself. Bill inherited his Welsh forebearers' love of words and poetry, and his opinions were a joy to read. They were liberally sprinkled with literary and historical allusions, recalled from the recesses of his extraordinary memory. These allusions brightened his text while bringing home his point.

Bill Hutchinson's opinions also provided considerable food for thought. Indeed, Bill was a legal scholar and philosopher. Consider, for example, his opinion for this Court in *Commonwealth v. Weinstein*, 499 Pa. 106, a 1982 opinion. The holding of the case was that psychiatric testimony as to the defendant's "irresistible impulse" was inadmissible and that only psychiatric testimony relative to cognitive functions of deliberation and premeditation is competent on the issue of specific intent to kill.

What is remarkable about the opinion was Bill's discussion of the issues, which took the form of a wonderful exegesis of

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the principles of free will and personal responsibility in the criminal law.

Bill was also an expert on jurisdiction. Among his 126 published opinions for this Court are the quartet of leading cases regarding the jurisdiction of the Commonwealth Court: *Pennsylvania Department of Aging v. Lindberg*, and *O'Brien, Express Truck Lines* and *Gossman* cases, all reported in Volume 503 of the Pennsylvania Reports.

After he traded the appellation “Justice” for that of “Judge,” Bill Hutchinson continued his tradition on the United States Court of Appeals for the Third Circuit. Many of his 225 published Third Circuit opinions were extremely scholarly and thoughtful. His discussions of the right of publicity in *McFarland v. Milter*; of the principles of federal preemption in *Pokorny v. Ford Motor Company*; of agency deference in *Air Courier v. U.S. Postal Service*; and of the role of public policy in the labor arbitration context in *Stroehman Bakeries v. Local 776, International Brotherhood of Teamsters*, are superb. I was on many of these panels with him, and I know how carefully crafted those opinions were.

Perhaps his most important opinion for our Court was *Ezold v. Wolf, Block, Schorr and Solis-Cohen*, the celebrated employment discrimination case brought by a woman who alleged that she was denied partnership in a law firm because of her gender. In his opinion for the Court, Bill Hutchison showed with great clarity how courts should evaluate personnel decisions based upon factors such as legal analytic ability, where subjective and objective judgments shade into each other.

The opinions that I have just mentioned dealt with federal statutory law. But Bill's favorite cases were those dealing with the common law, especially Pennsylvania law. Our most difficult job is deciding what Pennsylvania law is, and Bill relished predicting what you would do. That Bill was a common law lawyer at heart is demonstrated by his wonderful forward to the *Temple Law Quarterly*, Summer, 1986 edition entitled “A part of A System,” where, in dealing with per se rules, he wrote:

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"Such per se rules have their limits. Over time, they tend to degenerate into incantations of magic words; and in the meantime, their very precision deprives the system of the case-to-case nuances required if justice is to be done. As a counterbalance, the common law system of fact-specific development of legal principles within an adversary system places institutional constraints on courts in making law."

It is a scant six months since Bill Hutchinson died, and it is still hard for me to believe he is gone. That is because Bill was such a presence. He was a large man, and, in terms of personality, he was larger than life. His memory is very much with me and, I believe, with virtually everyone present today. I recall with pleasure his great personal qualities, especially his warmth, his kindness, his good nature and his humility. I also recall his love of politics, a love that I share. Bill and I enjoyed many postmortems of election results and discussions about the current political scene.

Above all, I appreciated Bill's capacity for friendship and his loyalty to his friends. Bill was someone whose judgment I trusted implicitly, and I consulted him on matters of high personal importance. I consider myself privileged to have been his friend; and, I add, Louise's as well.

One final quality bears mention. I know of no judge with a finer reputation than Bill Hutchinson for probity and decency. He brought an extraordinary moral integrity to his work and to his life. He was always conscious of the special role of both lawyer and judge in our society. He set standards that we all should live by.

By any measure, Bill Hutchinson was an outstanding judge, a great colleague and friend, and a very special human being. We shall not soon see the likes of him again. My hope is that, as time dissipates our grief and we go on with our lives, we will look back and celebrate the life of this splendid man, and take both heart and instruction from his magnificent legacy.

I thank you for the privilege of addressing the Court on this memorable occasion.

HONORABLE JOHN P. FLAHERTY: Thank you, Judge Becker.

The Court now recognizes Thomas J. Nickels.

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MR. THOMAS J. NICKELS, ESQ.: Madam Justice, Mr. Justices, family and friends of Judge Hutchinson. Ralph Waldo Emerson said, "A friend may well be reckoned the masterpiece of nature." The experience of being friends with the Judge is recalled with warmth, because he was multidimensional, as I am sure he was with others.

Many of us do not acknowledge the various facets of the personalities and character, the multitude of appearances we present in our daily lives. The Judge provided a study on some of these character traits.

Because I have been asked to speak as a friend of the Judge, I have approached this privilege as an examination of the myriad of appearances of this one man. This has brought to me the realization that being a friend of the Judge is one of the memorable experiences of my life simply because the Judge was loyal. When you have the good fortune to experience and appreciate the exhibition of that quality by another person, it is the basis for establishing and nourishing a friendship.

It was the Judge's deep-seated loyalty which distinguished him from other friends; loyalty which was accepting, which was particularly exhibited and applied to those he lived, worked, loved and grew with. It is the trait which epitomizes the acceptance of a person and forms the basis of a friendship.

The Judge's sense of loyalty was balanced. It benefited everyone he knew and each institution he believed in and supported. It had its genesis in his upbringing and education. The seed was planted and the roots took hold, never to be extracted and never to be dormant.

The judge was not a person to stare at his horizons. He walked forward, always keeping that horizon before him as he moved through his life, always expanding it through his family, friends, professional associates, clients, constituents, this Supreme Court and the Court of Appeals.

At each step, the parameters grew larger, but the Judge expanded the circle of his friends and extended—never diluted—his sense of loyalty toward those he already knew and the principles that were so important to him.

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Included in those principles, was the principle that "family" is the most important unit in our temporal life. He was loyal to an extended family; obviously, to his wife and children, and he has nurtured the same roots in Bill, Kathy, Louise and Andy. The recognition of that accomplishment is the grandest compliment we can give to a parent; and, having earned that compliment, is the grandest accomplishment of a parent.

If we can project the good things we have achieved in our lives through our children, we have met a responsibility as citizens to leave our world a better place. The Judge has done that, and Louise is carrying that on.

His family, however, did not stop at the sibling boundary. There were cousins, aunts, uncles and friends of that family that Bill has cared for. And they followed him. At his confirmation hearing, the senator from Vermont remarked that because of the number of us at the hearing, we must have had a bus to bring us all there.

And I distinctly remember Senator Strom Thurman, while speaking with an aide during the Judge's testimony, snapping to attention and never diverting it again when the Judge first referred to the writings of Homer or one of the ancient classical scribes.

The judge did it so naturally, and I am sure that is what caught the senator's attention. And when he left, the senator said to the judge and to-be Judge Scirica, "Judges, I wish you a good tenure." I always interpreted that remark as a precursor of confirmation.

Loyal is defined as faithful to any person to whom fidelity is owed, faithful in allegiance to the government of one's country. The strength of this trait as defined is clearly illustrated in its simplicity. This trait was Judge Hutchinson's strength. He was loyal.

As your mentor, he was loyal to the principles he espoused; as a Christian, loyal to God; as a father and husband, loyal to his family; as a legislator, loyal to his constituency; to some of the hard coal region, loyal to its community; and as a Justice and Judge, he was loyal to the rule of law.

That loyalty is proven by his labor and work. We must always look and remember a person's labor and achievements,

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not his spoils. They may provide him warm laugh, but his labor and achievements are our inspirations to carry on. The foils should pass without demoralization. Emerson also said, "His heart was as great as the world, but there was no room in it to hold the memory of wrong."

Some friends are able to give by simply living. With his intelligence, the Judge was able to do that with all the members of his profession. If you listen to his speech, it was not a difficult task to recognize the source producing the words was a finely tuned organ filled with thoughts and ideas which he applied to the problems discussed.

I believe he always gave in those discussions because that was the way he lived in his profession. Whether as a lawyer or, as I have heard and read, as a Justice and a Judge, there was a constant quality in these discussions. The Judge always knew his directions. Sometimes, the path might seem like an Indian trail where someone had lost their moccasins; and sometimes, a solution would come with sudden quickness. He might then reverse the process and talk back to that solution.

But whichever way it came, the solutions had always been at the source. That is the trait of the Judge in a professional relationship, which I recall now as being the core of his life in our profession. The giving, by always knowing he was moving toward a solution, an intellectual honesty that displayed itself in his consistent approach toward a problem. He told you what he was doing so you could learn, benefit and understand. But the entire process was directed toward the solution he envisioned.

You knew when you were in those discussions that the Judge had a conceptual idea of his solution and that he was processing the information he considered to reach that point. The Judge lived that way, thought that way, worked that way and gave to his colleagues in that manner.

Most of us live lives with a minimal amount of public exposure. Some, like the Judge, live in the public domain. But we all share common experiences in a smaller world of family and friends. It is in that sphere, based on the community of interest we share, that we can determine what a man has done as a friend.

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The Judge did much to be a friend to other friends and to family. He offered good counsel, he attempted to solve problems, and he did solve problems. He freely supported, based on affection and good will. This quality extended to all who had contact with him.

As others have stated, he did not look up to or down upon any person. He looked them in the eye and expected the same respect. He was a true friend because he was loyal.

Judge Hutchinson did not forget where he came from, which made him an ambassador for Schuylkill County. Nor did he forget those he worked with from the beginning of his career through the various steps he made to this Court and the Court of Appeals.

By being with such a person, we learn to appreciate this quality. Loyalty is an expression of appreciation for family, friends and principles. He exhibited it distinctively. It was not a robe worn on occasion, but a piece of his wardrobe that was inseparable from his presence.

That presence has past, but the memory of his friendship and loyalty remain. We do remember and appreciate it. Thank you, Bill.

HONORABLE JOHN P. FLAHERTY: Thank you very much, Mr. Nickels.

The Court now recognizes Jane Laffey.

MS. JANE A.M. LAFFEY, ESQ.: Thank you, Justices of this Court, for the opportunity to speak. I have, hopefully, a brief message; and that is, there is a memorandum prepared by Justice Hutchinson's former law clerk, Dean R. Phillips, which I should like to submit for the record.

(Memorandum dated April 30, 1996 attached hereto as an exhibit.)

I would like to add also, for all of the Justice's staff and clerks, that we admired him for his legal intellect and insights. We loved him for his great gifts of empathy and friendship, and we miss him so.

JUSTICE JOHN P. FLAHERTY: So do we.

The Court will now recognize Andrew F. Hutchinson.

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MR. ANDREW F. HUTCHINSON: Thank you, Mr. Justice. May it please the Court. This prayer was composed and offered up by my father for the Commonwealth Prayer Breakfast in May of 1995, only a few short months before he passed on. But I think his words are entirely fitting for this occasion, as we close this last chapter of his public life.

Let us pray: Oh Lord, our Governor, whose glory is in all the world, we commend this Commonwealth and this nation to Thy merciful care.

We call to our minds the vision of the man who first founded this Commonwealth. Let us remember how he invited all children of God here. Teach us in this troubled time about Thy love and put hatred from our hearts. Place in all our hearts the sure knowledge that our own interests and purposes weigh not against the interest and purpose God has for the Commonwealth and the nation. Give us wisdom to see that purpose and courage to pursue it.

Help us to see that government's only purpose is not the multiplication of things, but let us see to the needs of the hungry and the homeless, always remembering that man is not saved by bread alone.

Let us remember that the exercise of the power temporarily granted us will effect the values of those governed. And above all, let us remember that there is no public virtue without private rectitude.

Help us, with the grace that can come only from Thee, to avoid all occasions of sin, including those of public office places before us, to exude power, place or any other thing, so that when we are called to give our own accounting we may hear, "Well done, my good and faithful servant." Amen.

JUSTICE JOHN P. FLAHERTY: Thank you, Andrew.

Bill Hutchinson will long be remembered. He left his mark on the profession and on the law. Indeed, only this day, the members of this Court heard his opinion and opinions argued and cited in cases before us. That will continue. We miss him.

I will make mention, before closing, that a reception is sponsored by the Schuylkill County Bar Association

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immediately following this ceremony, and it will be in the House Majority Caucus Room, Room 140 in this building.

This Court will now stand in recess for ten minutes.

(At 1:42 p.m., the ceremony was concluded.)

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### IN THE SUPREME COURT OF PENNSYLVANIA

#### IN RE: LAW CLERKS' MEMORIAL TO JUSTICE WILLIAM D. HUTCHINSON

Justice Hutchinson was our teacher and our friend. He challenged us. He laughed with us. He sought our advice and counsel and he shared his experience, wisdom and wit. He rejoiced in our triumphs and shared in our sorrows.

Justice Hutchinson never let us forget that the job of the Supreme Court of Pennsylvania is to uphold the Constitutions of the Commonwealth of Pennsylvania and of the United States of America. We learned that the doctrines of "separation of powers", "federalism" and "judicial restraint" are not just abstract concepts. They are to be applied consistently in real cases.

Justice Hutchinson taught us to treat everyone with respect without regard to their station in life. He always had a kind word and a smile for all.

Justice Hutchinson loved God, his family and our country. He encouraged us to do the same.

Justice Hutchinson loved the law. He taught us to apply the law to help and protect individual citizens and our society's institutions. We learned to analyze issues and to defend our positions. He would talk to us for hours about his cases and we worked in the Socratic method every day.

Justice Hutchinson was compassionate and pragmatic. He worked hard as a lawyer, Justice of the Supreme Court of Pennsylvania and Judge of the United States Court of Appeals for the Third Circuit, yet he led a balanced life. He was, in many ways, a renaissance man.

Justice Hutchinson urged us to do our best. He expected nothing less. At the same time, he accepted us as individuals and saw the best qualities in each of us.

Justice Hutchinson had a profound sense of duty. Theodore Roosevelt once said "(t)he first requisite of a good citizen in this Republic of ours is that he shall be able and willing to pull his weight." Justice Hutchinson was always able and willing to pull his weight. He challenged us to do the same.

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We cannot replace Justice Hutchinson. We can, however, go forward in our lives and in our careers with a renewed dedication to honor his memory. As lawyers, fathers, mothers, sons, daughters, and citizens, we can aspire to follow his example in our careers and in our lives. In this small way, we shall honor him and shall keep his memory alive.

Respectfully submitted,

Dean R. Phillips, Esquire on  
behalf of Justice Hutchinson's  
Law Clerks

Dated: April 30, 1996

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