

Pennsylvania Supreme Court

Induction Ceremony

HONORABLE

CYNTHIA A. BALDWIN

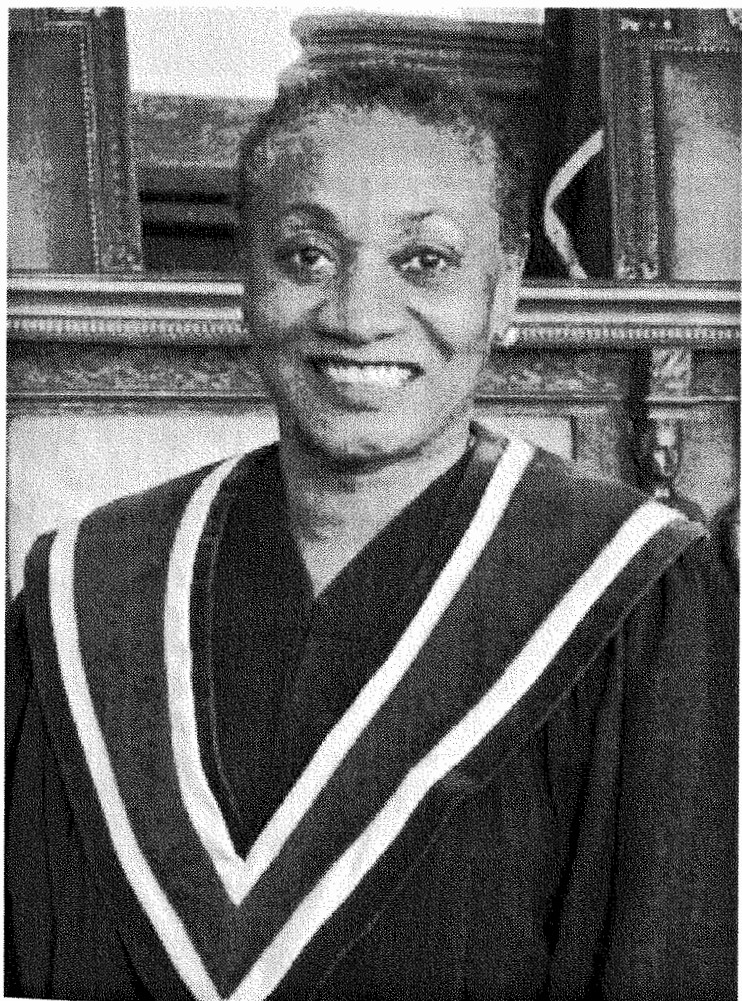
Friday, March 24, 2006

11:00 a.m.

Supreme Court Courtroom, 8th Floor

City-County Building

Pittsburgh, Pennsylvania



HONORABLE CYNTHIA A. BALDWIN

Proceedings

CHIEF JUSTICE CAPPY: Good morning, ladies and gentlemen. On behalf of the Supreme Court of Pennsylvania, I would like to welcome you to the ceremonial function where we are delighted about publicly accepting into our fold the elevation of Cynthia Baldwin as a justice of Supreme Court.

This is a wonderful morning. We welcome Cynthia as we have welcomed you privately, and this gives us an opportunity now to publicly acknowledge our new colleague.

I would first ask that Reverend Earlene Coleman give us the invocation.

REVEREND COLEMAN: Almighty God, we come, first of all, to thank you for who you are. Next, we thank you for this occasion that we are all gathered here. We thank you, oh God, for your hand that has been upon this woman. We thank you for this celebration that's being done today. We thank you for the ceremony.

We just ask that you continue to guide, that you continue to lead in the direction that you would have her and the rest to go. We just ask that you be in the midst of all that is done today, and we give you honor and we give you glory and we do all of this in Jesus' name. Amen.

CHIEF JUSTICE CAPPY: As happens at these kinds of ceremonial functions, we have many, many dignitaries with us. Cynthia would want you all to know, everyone in this room, that all of you are dignitaries in her mind. All of you are important people in her life and should all be recognized individually, but the tradition of this Court is to, of course, acknowledge dignitaries who serve in the branches of government and serve us as state and local officials, so I will endeavor that very risky task of trying to identify for the

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record at least those people whose names have been given to me.

My eyesight isn't good enough to look into the audience and necessarily catch everybody, but over the course of this function, I will do the best I can to acknowledge those of you who should be acknowledged in a special manner.

First, I begin with former colleagues of the Supreme Court on my right. I see retired Justice Nicholas Papadakos and former Justice William Lamb. I welcome both of you.

Cynthia, you should know that I received phone calls from Chief Justice Emeritus Flaherty and Zappala asking me to convey their personal congratulations to you on your elevation to the Court. Unfortunately, Justice Emeritus Zappala is out of state, and Justice Emeritus Flaherty has a conflicting commitment, but they wanted to make sure that I mentioned that.

I would also like to recognize a few of our federal colleagues who have taken time from their busy, busy schedules to attend this function. I do not see them right now in the audience, but I'm sure they're here.

I would recognize The Honorable Terrence F. McVerry who served as a Court of Common Pleas Court judge before his appointment to the federal bench, and also Senior Judge Gus Diamond. I welcome both of you. Federal magistrate judges: The Honorable Amy Reynolds Hay; The Honorable Lisa Pupo Lenihan; and The Honorable Senior Federal Magistrate, Ila Jean Sensinich. Thank you all for coming and welcome.

As I go through this ceremony, we will endeavor to identify others, but at present, I would like to introduce a person who needs no introduction in this room and certainly needs no introduction in the four corners of Pennsylvania. He is a man who, thank goodness, is an ardent supporter of the judiciary, and we are very much appreciative of his support and his respect for a key equal system of government.

I present to you The Honorable Edward G. Rendell, governor of Pennsylvania.

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Mr. Rendell?

GOVERNOR RENDELL: Thank you, Chief Justice, and, if it please the Court, it's an honor to be here today. I have had the distinct pleasure of appointing Cynthia Baldwin twice, first to be the chair of the board of trustees for Penn State University, and now to be an associate justice of the Supreme Court of Pennsylvania, and it is a great honor to have done both of these appointments.

I got to know Cynthia Baldwin most in her role as leader of the Penn State board of trustees where she does, and continues to do, I'm happy to say, a wonderful job, but I learned about her reputation as a judge here in Allegheny County. And, also, more importantly, because I've always believed that the best judges are the best people, learned about her reputation as a person, as a member of this community, and as a family member, a wife, a mother, and never heard anything but the very best about Justice Baldwin, as a person, as a lawyer, as a judge, as a trustee at Penn State.

I think excellence is synonymous with the name Cynthia Baldwin. I was impressed with all of her credentials, but as I delved into her credentials as we were studying the appointment, I was enormously impressed with the fact that she has given her time to teach judges all over the world, including China. She was sent by the state department to China to teach judges.

It's an extraordinary thing, to be that highly regarded, that the United States government would send you abroad to teach judges and teach them about American jurisprudence. So it's been a great honor for me to appoint Cynthia to the Court, and although her tenure will be short, those of you who know Cynthia Baldwin will know that even in a relatively short tenure, she will leave an impact that is anything but short or small.

Her intelligence, her wisdom, her great heart will make her a great justice and will have this very fine Court become an even better Court.

CHIEF JUSTICE CAPPY: Thank you, Governor. I would like to call upon Robert Racunas, Esquire, president of

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Allegheny County Bar Association, who will offer a local welcome to all of you.

MR. RACUNAS: Justice Baldwin, Chief Justice Cappy, justices, judges, Governor Rendell, Mayor O'Connor, Chief Executive Onorato, public officials, and distinguished guests: May it please the Court, good morning. My name is Bob Racunas.

I stand before you wearing three hats. First: It is my honor and privilege as president of the Allegheny County Bar Association and its nearly 7,000 members to welcome you. Justice Baldwin has recognized the benefits to both the bar and the bench in actively participating in our bar association sections, divisions, committees, and commissions.

Her contributions have made Allegheny County a better place to practice law, and for that I thank her. One of the most important functions of our bar association is to rate candidates for the bench and inform the voting public. It is certainly no surprise that Justice Baldwin received our top rating of highly recommended.

Let me tell you what that rating requires. The judicial candidate exhibits preeminence in the law by way of outstanding legal ability and a wide range of experience and has a reputation in the legal community as standing at the top of the profession; possesses the highest reputation for integrity and temperament; exhibits outstanding citizenship by way of community and professional contributions; and is an exceptional individual who has enhanced the competence, dignity, and perception of the bench. Those are the qualities Justice Baldwin brings to the Supreme Court.

I stand before you also as a former colleague of Justice Baldwin. We worked together at the Neighborhood Legal Services Association and on the faculty of the Duquesne University school of law.

As part of president Lyndon Johnson's war on poverty in the 60's, the Reggie Smith fellowship program was created. For 20 years the program selected bright young lawyers from across the country and assigned these to civil legal aid programs to help the poor.

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Reggies went on to become prominent attorneys, law professors, deans; two served as governors; one is an ambassador and another a Cabinet member. Some, like Justice Baldwin, became judges. The competition was very stiff, and only the brightest attorneys were chosen.

Justice Baldwin was selected as a Reggie attorney and assigned to the NLSA McKeesport office. She represented clients who were poor, who were abused, and who were elderly. She gave advice, negotiated, and went to court often. Justice Baldwin truly made a difference in the lives of many.

She fought to make the legal system more accessible, fair, and just. She worked in the front line for the commission of equal justice under law, and I finally stand before you in my proudest capacity, as a personal friend of Justice Baldwin for more than 25 years. I value that friendship, and I thank her for all of her acts of kindness.

I remember helping on her successful campaign for the Court of Common Pleas. I recall how great it sounded to call her Judge Baldwin. Well, Justice Baldwin sounds even better.

Justice Baldwin, congratulations from all the members of the Allegheny County Bar Association. I respectfully thank the Court for the opportunity to address them.

Thank you.

CHIEF JUSTICE CAPPY: Thank you.

Let me take a moment to recognize members of the Superior Court who have interrupted their busy schedules to attend this morning.

You will hear from President Judge Kate Ford Elliott shortly, as you will from Senior Judge Justin Johnson, but the record should reflect that the following judges from the Superior Court, in alphabetical order, are also present: Honorable Robert E. Colville; Maureen Lally-Green; Joseph Hudock; Joan Orie Melvin; Michael Joyce; Deborah Todd; Senior Judge Patrick Tamilia; and Senior Retired Judge Honorable John G. Brosky.

Cynthia, you should know Joe DelSole also called this morning with his apologies for not being here. He's out of

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state and wishes you, of course, very well and congratulations on your elevation to the Court.

We will now hear from the president of the Pennsylvania Bar Association, Mr. William Carlucci.

MR. CARLUCCI: Mr. Chief Justice, Justice Baldwin, may it please the Court: My name is Bill Carlucci. I have the privilege of serving the 28,000 women and men who are the Pennsylvania Bar Association as their president.

One of my goals during my year as president was to reach out to each and every county bar association. I attended one of those visits just about two weeks ago and listened to the successes and challenges facing one particular county bar.

When I was asked to make remarks, I respectfully suggested to the president that I believed this county bar association might have a little more success if they were able to work a little on their relationship with the county bench. When I said that, he and the other officers who were present seemed almost shocked by this suggestion, and they asked me if it were true that some bar associations actually had a working relationship with the bench.

I appear this morning with the Pennsylvania Bar Association's executive director, Barry Simpson; deputy director Fran O'Rourke; past president Michael Reed; and our president-elect, Ken Horoho, and the five of us are here this morning to celebrate the career of a judge who has been very active, indeed, with bar associations.

Now, there are other speakers who are more qualified than I to celebrate Judge Baldwin's career as a member of the bench and bar in Allegheny County, and for that reason, I will limit my remarks to her service to the Pennsylvania Bar Association.

In May of 1988, then Judge Baldwin began her service to the Pennsylvania Bar Association as a member of our house of delegates. She served there faithfully for nine years.

In May of 1997, then again Judge Baldwin accepted an appointment to serve a three-year term as a member at large on the Pennsylvania Bar Association Board of Governors.

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Now, the particular position that she accepted was the position of minority governor at large.

Zone governors are appointed or elected from two geographic zones and then two governors at large, one woman governor at large and one minority governor at large. What I found really remarkable about then Judge Baldwin's career on our board of governors is that she faithfully attended each meeting of the board of governors, but when she spoke, she did not speak solely from the perspective of a woman. She did not speak solely from the perspective of a minority. She simply spoke the truth.

She came to each meeting well prepared to participate in the discussion. To my recollection, her comments were never the first comments on any issue, but her comments were often the last comments on any issue, and her comments were often the last comments on any issue because after she spoke, no further discussion was necessary.

Judge Baldwin participated faithfully on our board of governors, and, in doing so, performed a great service to her colleagues. I'm equally certain that Justice Baldwin will serve faithfully and, in doing so, will perform a great service to her new colleagues.

Justice Baldwin, on behalf of the 28,000 women and men who are our association, we celebrate with you today, and this is a great honor to speak with you.

Thank you.

CHIEF JUSTICE CAPPY: Thank you, Mr. Carlucci.

I'd like to take a moment to recognize our colleague from the Commonwealth Court of Pennsylvania, The Honorable Rochelle Friedman. We know her as Shelly Friedman. Welcome, Shelly, and I also recognize the president of the Pennsylvania conference of state trial judges, The Honorable Stephanie Domitrovich, who is seated back there on the right. We appreciate your being here, Judge. Stephanie is a judge in Erie, Pennsylvania.

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I would also like to take a moment to acknowledge the judges who have traveled here from Philadelphia. I'll find that list.

I see President Judge Darnell Jones seated on the left over there. Thank you, and I appreciate your being here, The Honorable Kathryn Streeter Lewis, a former administrative judge in that system; The Honorable George Overton; as well as Lillian Harris Ransom, Judge Ransom; and The Honorable Clyde Waite. Thank you for traveling across the state to join us here this morning.

I now call upon a very venerable member of the state-wide judiciary of Pennsylvania, recognized as one of the finest appellate judges we have ever had, The Honorable Justin Johnson.

THE HONORABLE JUSTIN JOHNSON: Mr. Chief Justice Cappy and members of this Honorable Court: May it please your Court, 15 years ago, Judge A. Leon Higginbotham, Jr. felt it worthwhile to send an open letter to Justice Clarence Thomas as the latter was beginning his service on the United States Supreme Court.

In that open letter, Judge Higginbotham observed that the tragedy with the infamous 1896 case of Plessy v. Ferguson was not that the distinguished justice of that decision had the wrong education or had attended the wrong law schools. The sad fact, in Judge Higginbotham's view, was that the majority justices in Plessy, which ruled that the principle of separate but equal was constitutionally valid, had the wrong values, and those values poisoned this society for decades.

In my 25 years as an intermediate appellate court judge, I can say with confidence that Justice Baldwin requires no open letter in order to perform ably and conscientiously on your court. She has demonstrated her passion for freedom and commitment to liberty, not only through her decisions on the Court of Common Pleas, but also through her widespread involvement in the everyday life of the communities in which she lives and serves.

Those here today will recall that at the investiture of Robert N.C. Nix Junior as Chief Justice of this Court in 1986,

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Bishop Nicholas gave the keynote address, taking his text from the 118th Psalm where the prophecy is first written, The stone which the builders rejected has become the chief cornerstone.

The Bishop's allusion, of course, was that the many obstacles that Justice Nix faced throughout his career were based solely upon his color. Justice Nix overcame those obstacles, as has Justice Baldwin.

My role models, both as a lawyer and as a judge, have always included Justice Nix and Judge Juanita Kidd Stout. Both counseled me and through their advice and example made me a better person than I might otherwise be.

Like Justice Stout, Justice Baldwin will have something less than two years to demonstrate, as did Justice Stout, that she will unswervingly do justice, love, mercy, and walk humbly with her God. Even though in a hierarchal sense Judge Baldwin is moving from below the court on which I sit to our highest state court, it has always been true that the qualities that Cynthia displays are those which I have always admired and valued.

I count myself fortunate to have been a student of hers, to have been exposed to a life and character exemplifying a completed jurist. With her attention to your court, Pittsburgh and Allegheny County can justly be proud, and the Commonwealth will surely be better for all of our citizens.

Justice Baldwin is a friend and colleague to all who cherish justice. We need not wait till the end of her term on the Supreme Court to acknowledge that this is one distinguished daughter of Pennsylvania in whom we are well pleased.

I thank you for this opportunity to join with others in commending to you a servant of the law who will strengthen your pursuit of justice and equality for all.

CHIEF JUSTICE CAPPY: I would like to acknowledge, for the record, the presence of a myriad of Common Pleas judges from Allegheny County.

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I would like to name specifically the president judge, Joe James, administrative judge of the Civil Division; Stanton Wettick, who is here; as well as Judge Strassburger, the calendar control judge of that division. You will hear from Kim Berkeley Clark, the administrative judge of the Family Division; donna Jo McDaniel is the administrative judge of the Criminal Division; and Frank Lucchino, the administrative judge of the Orphans' Court.

I would like all of the Common Pleas Court judges, if you would be kind enough, to please stand for recognition, and I will give your names to the reporter so they are actually recorded in the docket.

Please stand.

Thank you so much.

We will now hear from the recently installed president judge of the Superior Court of Pennsylvania, The Honorable Kate Ford Elliott.

THE HONORABLE KATE FORD ELLIOTT: Good morning. May it please the Supreme Court of Pennsylvania, Governor Rendell, colleagues in the judiciary, honored guests, and friends and family of Cynthia and Art: It is my great privilege today to offer remarks about Madame Justice Baldwin.

Cynthia and I have been friends for a very long time, ever since we both campaigned together and both put on our judicial robes in the same week back in 1989. We have served together on the Duquesne board of directors, Duquesne University board of directors, and we are both Carlow College women of spirit and we are both celebrating the pinnacle of our judicial careers this month as she becomes a justice on the Supreme Court and I've been installed as the president judge of Superior Court.

In fact, we have shared so many wonderful experiences together that I was somewhat surprised when she leap-frogged over me on to the Supreme Court. But I'm getting over it.

Now, as an appellate judge, I have had the opportunity, not very frequently, but had the opportunity over the last several years to review Justice Baldwin's thoughtful, well-reasoned, and well-written trial court opinions, and that's why, when she was confirmed for the Supreme Court, I immediately had my chief clerk check my affirmance rate of those decisions so that she will now be reviewing my thoughtful, well-presented, and well-written Superior Court decisions.

But on a much more serious note, I am very pleased to have Justice Baldwin assume her position today, and for several reasons. I am pleased for Art, Crystal, and James that they can all feel the pride and the honor today which accompanies a wife and a mother's selection by the Governor with the overwhelming confirmation of the Senate to serve on our state's highest court.

I am pleased for the Court because in you, Madame Justice, they will have a colleague whose integrity, ethic, and work ethic is beyond reproach, but, most of all, I am pleased for all the people of Pennsylvania that their very, very important problems and concerns occurring during some of the most fragile and critical times of their lives will be handled with great courage, confidence, care, and concern by you, Cynthia Baldwin.

It is a fragile covenant of trust that we judges have with the citizens of our Commonwealth, and I am completely confident that you will protect and preserve that government throughout your service on the Pennsylvania Supreme Court.

I thank you for the honor to be here today. Thank you.

CHIEF JUSTICE CAPPY: Thank you, Judge Ford Elliott, for those nice remarks.

This list is long now, but I'm going to try to acknowledge our fine friends from other branches of government.

I omitted recognition of District Magistrate Oscar J. Petite. I thank you for coming, Oscar. From the state level, you have, of course, heard from the Governor of Pennsylvania. I want to recognize and thank all of these other people for coming: Lieutenant Governor Catherine Baker Knoll; Attor-

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ney General Tom Corbett; Senator Jay Costa; Senator Jim Ferlo; Senator Jane Claire Orie; Representative Marc Gergley; Representative Joe Preston; Representative Jake Wheatley, Jr.; Colleen Kopp, deputy secretary for legislative affairs; Sonya Toler, executive director of the governor's advisory commission for African-American affairs; Peter Speaks, deputy secretary at the Department of General services; first elected Attorney General LeRoy S. Zimmerman; and Cathryn Irvis, widow of former speaker of the house K. Leroy Irvis.

Mrs. Irvis, on behalf of the Supreme Court, although we may not have been able to individually express our sincere condolences and sympathies for the passing of Speaker Irvis, I had the pleasure of knowing him not only in his official capacity as speaker, but also as an ardent supporter of the University of Pittsburgh, a proud alumnus of that university, and a member of the board of trustees, and our heart goes out to you and the family. Thank you for being here this morning.

While I'm still on the state level, Jean Milko, vice president of the Pennsylvania Democratic party; I see in the audience, on a local level, Mayor Bob O'Connor on my left. Thank you for being here, Mayor, and chief executive officer of Allegheny County, Dan Onorato, here on my right.

The list tells me that Stephen A. Zappala, Jr., Esquire, the district attorney of Allegheny County, is here; as is The Honorable Valerie McDonald Roberts, Recorder of Deeds; and The Honorable Brenda Frazier, County Council. Additionally, The Honorable Twanda Carlisle, city councilwoman.

From the administrative office, I see Zygmunt Pines, the court administrator of Pennsylvania, as well as Bunny Baum, director of judicial services. You have met William Carlucci, president of the Pennsylvania Bar Association; Ken Horoho is present; Barry Simpson, executive director; as well as Francis O'Rourke, deputy director; and I understand the chancellor of the Philadelphia Bar Association, Alan Feldman, is present. An organization near and dear to the heart of our new colleague, the Homer S. Braun Law Association is represented by Mr. Paul Ellis, Esquire, its president.

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There are other distinguished guests which I will mention in a moment, but first, let's hear from the administrative judge of the Family Division of the Allegheny County Court of Common Pleas, The Honorable Kim Berkeley Clark.

THE HONORABLE KIM BERKELEY CLARK: Mr. Chief Justice, Justices of the Supreme Court, Madame Justice Baldwin, ladies and gentlemen: Good morning. I'm not here in my official capacity as a judge or administrative judge of the Family Division, I'm here as Cynthia's friend, and when she asked me to speak on behalf of the community and her friends, quite frankly, I was thrilled, and because I intend to speak to her as a friend, please do not be offended, any of you, if I neglect at times to refer to her as Justice Baldwin, because she is my friend, and it is with great pleasure and pride that I make these remarks on behalf of my friend Cynthia.

March is women's history month, and we're all here to witness Madame Justice Cynthia A. Baldwin's formal installation as a justice of the Pennsylvania Supreme Court. She will be the third African American to sit as a justice on this Court and the second African American female to sit as a justice on this court, so she is making history and we are here to witness that moment in history.

There is a poem by Khalil Gibran entitled, *On Friendship*, and in this poem there is a line that says, or reads: Your friend is your needs answered, and, Cynthia, many times, you have been that answer to many of our needs, and with your appointment to the Supreme Court of Pennsylvania, you are the answer to the needs of many of the citizens of this Commonwealth.

I first met Cynthia in 1979 when I was just starting Duquesne Law School. It was Cynthia's last year, and Cynthia quickly became a mentor and a role model for me and many of the other new law students. She was always there to answer questions. She helped tutor us, and she gave us the inspiration and confidence that we really needed to believe that we would make it through that first year of law school, and we did.

Somewhere along the line, she became more than my mentor and role model, she became my friend. And when I ran

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for judge, Cynthia shared her experiences with me and graciously shared her dear husband, Art, with me during my campaign.

Everybody's mentioned Cynthia's outstanding legal abilities and commitment to the community. We all know she serves as chairman of the board of trustees of Penn State University, and I, along with several of her other girlfriends, had the privilege of being present for her election and installation.

We were all so proud, and, as girlfriends, we had so much fun. Cynthia has been an inspiration to all. She is a daughter, and a distinguished daughter, of Pennsylvania. She is a loving wife and a loving mother. She is a teacher, a lawyer, a judge. Some of you may not know this, but she is also a gourmet cook.

She is truly a trailblazer in the field of law. She is a woman of integrity, a phenomenal woman, and a woman of spirit. She has been the woman of the year many times for many people. She is my sister in Christ, she is my sword, and she is my girlfriend.

Yes, Cynthia, you are quite a girl, and I am so proud to have you and say that you are my friend. Madame Justice Baldwin—and I really love saying that—on behalf of your friends and the community, I congratulate you today on all of your accomplishments and for becoming a justice of the Supreme Court of Pennsylvania. We are all so very, very proud of you, and we know that you will continue to pave the way for others.

Because you are our friend, I'd like to close with an excerpt from the poem *On Friendship* by Khalil Gibran:

And a youth said, Speak to us of friendship, and he answered, saying, Your friend is your needs answered.

He is your field in which you sow love and reap with thanksgiving, and he is your board and your fireside. For you to come to him with your hunger and you seek him for peace.

When your friend speaks his mind, fear not the nay in your own mind, nor do you withhold the ay.

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In the sweetness of friendship, let there be laughter and sharing of pleasures, for in the dew of little things, the heart finds its morning and is refreshed.

Cynthia, you are our friend. You are our needs answered. We love you. Congratulations, and may God continue to bless you.

CHIEF JUSTICE CAPPY: Thank you.

I am delighted to offer special recognition to Dr. Graham Spanier, the president of Pennsylvania State University. Welcome, Dr. Spanier, and thank you for coming.

I should mention to you, and I assume all of you know, that Justice Baldwin is the chairperson of the board of trustees at the Penn State University and I am the chair of the board here at Pitt, so we have discussed the possibility, Dr. Spanier, of my coming to Penn State and chairing one of her meetings and her going out to Pitt and chairing one of my meetings. I indicated to Cynthia during this discussion that I was certain that after I chaired the meeting at Penn State we would have that 12th football game back here.

With all due respect, Cynthia, in her inimitable way, looked me in the eye and said, Ralph, understand this: I chair that meeting out at Pitt, I'll come home with the national basketball championship.

So as you can imagine, although it is a friendly relationship, there is tension there.

Dr. Spanier, welcome and thank you for being here. I would like to also recognize the chief academic officer at Penn State University, a very, very important person in any university set-up, the executive vice-president and provost, Mr. Rodney A. Erickson. Thank you for being here.

Other distinguished guests who are present here in the audience would include, with a warm welcome, Dr. Esther Barazzone, president of Chatham College, a wonderful local college here in Pittsburgh; Dr. Doreen Boyce, CEO of the Buhl Foundation. I am told that Franco Harris is among us. Go Steelers. If you are here, Franco, thank you, and auto-

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graphs—oh, there he is. Autographs over there, and it's a pleasure seeing you.

Ralph Papa, president of Citizens Bank of Pennsylvania; Brandon Short, linebacker with the Carolina Panthers; Dr. William Trueheart, CEO of the Pittsburgh Foundation and a member of the board of trustees of the University of Pittsburgh; and a warm welcome to Dean Donald Guter of the Duquesne law school. I see him seated in the middle.

Now, as I say, I always have great trepidation when I try to recognize people, and I am certain that I have missed people that I cannot see in the audience who deserve individual recognition. For example, I see Tom Boldman, the chair of our CLE board, but, more importantly, a recent nominee by President Bush to the federal bench, and I wish you luck.

There are many others. I learned something from President Judge Emeritus DelSole the other day when we were swearing in Kate, and I think I will steal a page from his book by saying I apologize to any of you whom I may have missed. On the other hand, if any of you feel you are important enough to be individually recognized, please stand up.

I invite you at the end of the ceremony to be nice enough to come forward and give your names to the reporter so that your name is recorded in the official document for this.

At this time, we'll have the presentation of the commission by James A. Baldwin, Esquire, now an attorney in the Washington, DC area.

Jim?

MR. BALDWIN: So everyone can see it.

May it please the Court, ladies and gentlemen: It is with great pleasure and high honor that I'm able to present my mother, Cynthia A. Baldwin, with the gubernatorial commission to the Supreme Court of Pennsylvania.

Some of you may be surprised that she chose a path by becoming a public servant and eventually entered the judiciary instead of remaining an attorney in the private sector or taking some other private sector position. Her family, howev-

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er, particularly my sister and I, always knew she would follow this path from day one.

She was always a wise arbiter of family disputes between Crystal and me, rendering logical decisions based upon the Baldwin family code. This is always contrasted with my father's more engineer-like, Because I said so.

Both methods were equally directive and effective, but my mother would also render an opinion, sometimes written, on why she had ruled a certain way, which bore certain proof of the future direction she would take. You haven't truly read legal philosophy until you have seen her opinion on why pulling your sister's pigtails is, indeed, a tort.

But I digress.

On behalf of my family, who are all very, very proud of their daughter, wife, mother, aunt, and cousin, it is my distinct privilege to present this commission. God bless you, Mom. May you truly love the law and discharge the obligations of your office with wisdom, fairness, and grace.

Congratulations, Mom.

CHIEF JUSTICE CAPPY: Thank you, Jim.

I have not introduced the family members, because I will leave that to Cynthia in a moment. I will administer the oath, but I am able to see a few rows into the audience, and I do want to give special recognition to two people who share the wonderful relationship and attention to which I've referred just a moment ago.

I see Suzie Broadhurst, a vice chair of the board of trustees at Pitt who ably assists me in that endeavor, and I see her husband, Jim Broadhurst, who is the vice president, as I understand it, of the board of trustees of Penn State University. Now, if you can imagine that wonderful tension that exists between Cynthia and I, you can take that home with Jim and Suzie every night.

Cynthia, if you would come forward, and, Art, if you would be nice enough to accompany her, I will administer the oath.

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Will you all please rise.

(Whereupon, the oath of office was administered to Madame Justice Baldwin by Chief Justice Cappy.)

MADAME JUSTICE BALDWIN: Thank you so very, very much.

I am looking out there, and I am just so overcome with all the people who are here and for those of you who took time from your schedule to share this very special day. I have to tell you that I was sitting in that seat between the Governor and my husband, and I turned to my husband, and I said, Honey, pinch me, because I think these are eulogies.

There are no words to truly describe my feelings at this time, and trying to find the words would only make the ceremony longer. In fact, Franklin Delano Roosevelt probably gave some of the best advice about speech making when he said, Be sincere, be brief, and be seated.

I will try to do just that. But there are many people to thank for this moment, and I'm sorry if this starts to sound like a bad Academy Award speech, but here we go.

Thank you, Governor, for choosing me to nominate to this position. And, for the record, the Governor did not ask me not to run. I told him I wouldn't run. Bob and Bill and Justin and Kate, Kim, you all made this day truly special with your participation. Thank you so very much for your kind remarks.

A special thanks for the people who believe that I would be a good Supreme Court justice, and I have to say this: Like Lieutenant Governor Catherine Baker Knoll who got on my bandwagon before I even knew I had a bandwagon, and Representative Joe Preston and my senator, Sean Logan, and my representative, Marc Gergley, who introduced me before the judiciary committee; Senators Costa and Greanleaf, chairs of the judiciary committee, and members of the committee who were both welcoming and professional; my gratitude to all of the members of the Senate who stood to speak on my behalf during the confirmation, regardless of geography and party, including Senators Costa, Jubelirer, Hughes, Madigan, and Williams, Conti, and Orie, and my many thanks to the many

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people that called just to wish me well and put in a kind word for me. You know who you are.

I can't forget the secretary of legislative affairs, Steve Crawford, who tried to change his calendar to be here. I know Colleen Kopp is here. Wave someplace, Colleen. I know Colleen is here and all of the rest of this wonderful staff who saw me through the Harrisburg process.

I was elected to the Allegheny County Court of Common Pleas in 1989 and spent 16 wonderful years on the trial bench in the adult Family, Juvenile, and Civil Divisions. I am so proud to have so many of my colleagues from all over the state to be here today. Thank you so very, very much.

A special thank you goes to my helpful, welcoming, and hardworking colleagues on the Supreme Court. I appreciate all of the helpful tips, and I have to tell you that I have a wonderful clerical staff and law clerk staff, and you probably met them when you entered. Those were the people who told you where you could sit or not sit or that you couldn't get into the room, but they're wonderful people. I'm saying this for the people who are on the seventh floor. They're all wonderful people.

In addition, there are many people to thank for their assistance in the journey that led to this moment. I am going to attempt to name a few of you who made some special efforts on my behalf. If I somehow omit someone, please rest assured that it was a mistake of the head and not of the heart.

Everyone who knows me knows that I have a strong and abiding faith in God, and I thank God first. Next, I thank my loving and supportive family that keeps me both strong and, as you can tell from my son's remarks, humble. My family is such an integral part of my life that very few people who know me don't know them or of them.

My husband of almost 39 years is the president of my fan club, and I am the president of his. Art, thank you so much. I love you. My children, James and Crystal, now rank among my closest friends. I am so proud of you both. I wish that my parents were alive to see this, but I have a feeling they are here in spirit.

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Many of my relatives traveled from as far as California, Arizona, and Maryland to be with me today. Would all of my relatives please stand. If you're in this room and you're a relative, please stand up.

Not bad for an only child, right?

My church family from Bethlehem Baptist Church in McKeesport loaded into the church vans to be with me today. Now, you've already seen my pastor, Earlene Coleman, but I can always count on my church family. Some of them are in this room, and many of them are downstairs on the seventh floor. If you're in this room, please stand.

My Penn State family is also present, including president Graham Spanier; Provost Rod Erickson; Paula Ammerman, who is director of the board of trustees' office and keeps me on track; Steve McCarthy, who is a vice president and also keeps me on track. Steve and I talk every Tuesday morning, and he still hasn't given up on me. Thank you, Steve.

You've already met the vice chair of the board, Jim Broadhurst, so I want to thank all of my friends and colleagues on the board and from Penn State for being here, and thank you so much for your support.

Now, you know I attended Duquesne University School of Law, and I taught there for quite a few years. The dean of the law school, Don Guter, is present. Will you please wave? Okay. Thank you, as well as several members of the law faculty, and I also believe Linda Graco, who is general counsel representing the administration, is present. I am a trustee on Duquesne's board, so thank you for being here.

I look out and I see so many representatives of charities and community activities with which I serve, and I want to thank you for your selfless work and to keep up the good work because you will make this a better place to live.

I also see many of the people who worked so tirelessly on my Common Pleas campaign, like Franco Harris who is my campaign chair, and—is Dana here? I'm sorry, she couldn't be here, but I have to tell you that when I asked Franco to be my

campaign chair, I asked him to be my honorary campaign chair, and he said no. And I was really kind of upset.

He said, I will not be your honorary campaign chair, I will be your campaign chair, and I have to tell you that he put up with many bingos and many parades and many kisses. It's a wonder his cheeks weren't chapped from all the kissing. So I want to thank you for your dedication and commitment.

And to the many people of Allegheny County who worked for my election and voted to put me on the bench in 1989 and retain me in 1999, thank you. I truly enjoyed serving on the Court of Common Pleas.

I do want to mention, I see some new friends in the room, and we just made these new friends this past Thanksgiving. They were displaced when Hurricane Katrina struck New Orleans, but the parents and their two children are showing great spunk in spite of all the hardships. We invited them to have Thanksgiving dinner with us, and they have become new friends. Will you please stand so people can see you.

The Pennsylvania Law Weekly of February 27 had a subtitle to the article on me that read, Pennsylvania's newest justice worn in, instead of sworn in. And I truly don't mind, unless there's an article at the end of my tenure with the headline, Pennsylvania's newest justice worn out.

On a serious note, I truly enjoyed sitting at the oldest Supreme Court in the nation for the Pittsburgh session during the first week of March. We in Pennsylvania have quite a history on the role of law and judicial independence, a fundamental cornerstone of our justice system, and, in fact, of our federal and state governments as an independent and responsible judiciary, the concept that judges decide the cases before them, faithful to the law, without fear or favor, and free from political or external pressures.

Many of my summers have been spent teaching the rule of law and the meaning of judicial independence in so-called developing nations, including Zimbabwe, Malawi, Tanzania, Uganda, and mainland China. A few of those societies have already learned that it is a treasure to be guarded. People,

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including judges, have died for the rule of law and judicial independence. We must not take it for granted at home.

That is why the opportunity to serve as a member of our Commonwealth's highest court is not one that I take lightly, and I am thankful for the privilege. My parents taught me that freedom is a two-sided coin, with privilege on one side, and responsibility on the other. It's a lesson not to be forgotten.

I will conclude with a quote that I often use in my speeches, but today it has special significance. Dale Carnegie once said, success is getting what you want and happiness is wanting what you get. I feel successful and happy today.

Thank you all, and God bless.

CHIEF JUSTICE CAPPY: Thank you, Justice Baldwin.

Governor, let me say, if you have any more of these out there, we can use them. As evidenced by that fact, I asked Cynthia to try to time this ceremony for no more than one hour, and we're at the 56-minute mark, which is incredible, as these things go.

I was prepared, in the event we weren't here, to give you an explanation of all these fine portraits of the former Chief Justices of Pennsylvania Supreme Court, and we'll forgo that for another time.

We do have one short tradition on this Court before we close the ceremonies, and that is to publicly welcome our colleague—although we have done this privately, of course—to publicly welcome our colleague individually, and now we will begin in order of reverse seniority, with Justice Max Baer.

JUSTICE BAER: On behalf of all of us, I would be remiss if I didn't say this is bittersweet for us. The bitterness is that last November, we lost a fine colleague in Russ Nigro, who was a trusted friend and a wonderful justice, and we miss him.

The sweetness is that we have a wonderful new colleague, and one that we're proud of and joyful to have among us. With due respect to the nonsports fan, we have a system here. When you get elected, or appointed, you become the rookie.

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The difficulty is you're a rookie until somebody else comes along.

Now, the good news for that, Cynthia, is I can't get cut. But I've been the rookie for the last two years and several months, and, well, it's not that big a deal. This is the last time I do this first. Last time I held the bellows when we came in, and I did remember to come from the right and not from the left, so welcome, Rookie.

A winner is somebody who achieves excellence, but a champion is somebody who achieves excellence on a continual and sustained basis. I'm very proud. I've known you since we ran together in '89. It was interesting you mentioned Franco. It was not to run against you, let alone him. I remember it very distinctly.

You truly meet that definition of being a great champion of sustained excellence in every aspect of your life, from the very beginning and through to today, and it's apt that you're here, and I could not be happier to welcome you.

CHIEF JUSTICE CAPPY: Thank you.

Justice Michael Eakin.

JUSTICE EAKIN: Everyone looks askance when they give me the mike because I have written in rhyme, and you never know what is going to come out of my mouth.

I have not written a rhyme for you today, but Cynthia and I share a love of the blues, and at this summer's trial judges convention, Overton and I could put something together that rhymes and welcome you at that point.

I welcome you also as someone who makes me now a thorn between roses, as we sit up here. Justice Baldwin has been on the court for our March session. Justice Newman uses a laptop; I use a laptop; Justice Baldwin uses a laptop. The technologically challenged member of the Court does not. I know I use it because my handwriting is terrible. I'm sure that my colleagues use it for other reasons.

You probably think with all the kind words that have been expressed here today that this is all about you. What is in it

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for the rest of us? Well, I'll tell you what is in it for the rest of us.

As Justice Baldwin noted, the faith of the people in what we do is vital, and in this day and age, when people have taken it on themselves to attack the integrity of the Court spuriously, it is important for us to maintain the respect of the people. So what is in it for us is the intelligence you bring, and you demonstrated that, as if we didn't know it ahead of time, during the March session.

The integrity you bring, remarked on by, I think, everyone, the temperament that you bring and have demonstrated before, the collegiality you have shown us, all of that equals a greater collective respect for the Court through the addition of you. And I say that from the heart, as does everyone else, and I welcome you and thank you for serving with us.

CHIEF JUSTICE CAPPY: Justice Thomas Saylor.

JUSTICE SAYLOR: Thank you, Chief. I'm pleased to add my personal welcome to that of our colleagues. Cynthia and I had the opportunity to work together over 20 years ago in the office of Attorney General under the tutelage our first elected Attorney General, Roy Zimmerman, who is with us today, and we've remained friends through the ensuing years. Therefore, I know from firsthand experience that you will serve with integrity and distinction on this Court. Welcome.

CHIEF JUSTICE CAPPY: Justice Sandra Newman.

MADAME JUSTICE NEWMAN: Well, first of all, needless to say, Sister Cynthia, it is just wonderful to have another woman on the Supreme Court, and everybody has talked differently. I want to give you some advice.

First of all, when I was elected, we had a call to our office, and they wanted to know if I wanted a ladies' room. And I said absolutely not, because my sisters and I, and at that time it was Shelly Friedman and Doris Smith-Ribner, when we had a Court en banc, we used the regular bathroom, and besides that, in Ally McBeal, it was the in-thing after that.

Everybody seems to remember when they became friendly with you. I really don't remember. Although we are very

dear friends, I don't remember. Now you're never going to get to go to a luncheon because they're always during our May session. I haven't been to a luncheon in six years.

I also wanted to tell you to be very certain that when people send you correspondence, and this was from Justice Castille to me, who sent me this information the week I took my seat, and that was make sure that everyone spells madame with an E. Without an E, you're a woman of the night, or an 80-year-old woman of French royalty, and I remember, one of my first great experiences with my dear friend Chief Justice Cappy, he sent me something without the E, and I wrote back, From the smallest little whorehouse in Montgomery County.

But anyhow, on a more serious note, it's wonderful to have you. I'm sure we'll be good friends. The men have their ties and shirts. We don't. Cynthia and I have been talking about the fact that I wear some kind of a scarf. We're going to have to come up with something for us girls on the Court. It can't be lace, Cynthia. It can't be lace.

But on a sincere note, thank you for joining us. It will be my joy and my pleasure to have you sit with me and with the others, and I know all the other justices share in my pleasure, and your words were truly important, and it really means a lot to us in all these troubled times.

Thank you.

CHIEF JUSTICE CAPPY: Senior Mr. Justice Ronald Castille.

JUSTICE CASTILLE: Congratulations, Cynthia, and welcome to this Court. Congratulations to your family on this wonderful day, to Art and Crystal and James. It's got to be the greatest day in your life, and I'm sure there are going to be many more after they see what you're going to do to this Court.

You will learn on this Court, Cynthia, and you have learned, probably by now, that there is a steep learning curve on the Supreme Court of Pennsylvania. The amount of work that we do is vast, and the amount of work that we do is important. Our work vitally affects the life, the liberty, and the

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well-being of each and every citizen of the state of Pennsylvania.

You arrive at critical times in this Court and at critical times in the judicial system itself, and with your background and your respect for judicial independence, we are sure on this Court that you will help us contain the serious assault on judicial independence, and we welcome you for that.

With your background as a Common Pleas Court judge and the Allegheny County Court of Common Pleas, a Court that is well respected in the unified judiciary system, we know you will be assured of success.

I am confident you will uphold the integrity and independence of the Supreme Court of Pennsylvania and that you will enhance the excellent reputation of this Court.

We don't control the power of the purse, we command only by the force of moral authority, and I'm sure that you will be an important part of that moral authority and you will help assure the independence and continuing good reputation of this Court.

Welcome aboard.

CHIEF JUSTICE CAPPY: As you can see by doing things by order of reverse seniority, about everything that can be said has been said. I have welcomed Cynthia privately, of course, and, publicly, I concur with everything that my colleagues have said.

I just want to emphasize one thing that I think is truly important and shouldn't be missed here this morning: Among all of these other attributes that you bring to the Court, you bring a perspective. Judge Johnson touched upon it, a perspective that is always welcomed by the multi-person Court. You bring the perspective of a woman, which is so terribly important; you bring the perspective of a minority; you bring the perspective of a seasoned judicial veteran; a teacher; all those perspectives are needed, and our discussions on how to decide the very important issues with which we deal for the people of Pennsylvania.

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So we are truly delighted to have you as a member of this Court, with a recognized record of excellence, and we welcome the opportunity to work with you over these next two years.

Thank you for being with us.

Ladies and gentlemen: We will now have the benediction from Reverend Coleman.

REVEREND COLEMAN: Chief Justice, Honorable Governor, and all those that are assembled: May I take one second, Justice Baldwin? May I say that the excellence that you have all spoken of here, that she does within the legal system and within her position and the position that she will bring to this Court, let me say that she serves God with that same excellence, and she serves her church with that same excellence.

She is a wonderful woman who loves and gives love without reservation. We have young people in our church that she has taken on mission trips and been with them, so I need to say that as the pastor of the Bethlehem Baptist Church, your pastor and your church are proud of you today. God bless you.

May we all stand for the benediction.

Almighty God, we thank you. Thank you for all that has been done today. Thank you for your guidance in this moment of history. Thank you for leading this woman to this place. Thank you for a governor who saw the good and nominated. Thank you, and we will give you all honor.

We will give you all praise and all glory. We thank you that as you said, you will never leave us, nor forsake us, so as we leave, thank you, that you shall still reside in Jesus' name. Amen.

CHIEF JUSTICE CAPPY: With that, ladies and gentlemen, the ceremonial celebration is brought to a close.

I would like to thank the Governor for taking the time to be here this morning. We deeply appreciate that. I would like to congratulate, on behalf of the Court, Arthur, Crystal, and Jim, family members. I also offer sincere condolences because

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you're going to lose her for a couple years. There's a lot of work here.

Thank you all for coming. This Court now stands adjourned.

(Whereupon, these proceedings were concluded.)

