

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR NEW CASTLE COUNTY

IN THE MATTER OF the Induction )  
of JOSEPH J. LONGOBARDI as Judge)  
of the Superior Court. )

SPECIAL SESSION

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PRESENT:

HON. ALBERT J. STIFTEL, President Judge,  
Superior Court, Presiding.

HON. ANDREW D. CHRISTIE,  
Associate Judge, Superior Court.

HON. ROBERT C. O'HARA,  
Associate Judge, Superior Court.

HON. VINCENT A. BIFFERATO,  
Associate Judge, Superior Court.

HON. CLARENCE W. TAYLOR,  
Associate Judge, Superior Court.

HON. JOSEPH T. WALSH,  
Associate Judge, Superior Court.

HON. BERNARD BALICK,  
Associate Judge, Superior Court.

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TRANSCRIPT OF PROCEEDINGS

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Courtroom No. 1  
November 13, 1974  
1:30 o'clock p.m.

PRESENT:

As noted.

JUDGE STIFTEL: I welcome everyone to this special session of the Superior Court of the State of Delaware.

In a few minutes Joseph J. Longobardi will take the oath of office as a new Judge of the Superior Court of the State of Delaware. He comes to a Court that is substantially different from the one Judge Andrew Christie and I joined some seventeen years ago. At that time we had five judges. Now we have eleven. We had three court reporters; that's in the entire State. Now we have fourteen. We had two courtrooms in New Castle County; now seven. Then we had court seasons; none now. There were no jury trials from June until the middle of September. Now we go right through the summer. There were sixteen weeks of criminal trials a year, a half dozen Deputy Attorneys General, two of whom tried the cases. Now criminal trials run fifty weeks a year. There are more than two and a half dozen deputies, all full time. These indefatigable deputies alone can

keep our eleven Judges occupied full time. Also, we now have hard working Public Defenders, which we did not have then.

But, in addition to this gigantic increase in criminal work, our civil case load has also increased substantially. We used to have the divorces once a month, 15 to 20 cases at most in New Castle County, no permanent alimony, little property division. Now we have more than 60 divorces a week. Now we have separate hearings for support and property division. There's little time to cogitate. We must work like automatons. We need additional help and we need it badly.

Welcome to the Superior Court, Joseph J. Longobardi. You are a fine addition.

Now, I will administer the oath of office to Joseph J. Longobardi, then I will call upon William Prickett, Esq., president of the Delaware Bar Association, who will speak for the lawyers. I will then call on Converse Murdoch, Esq., one of Joe's closest friends and associates, to say a few words, and, finally, Judge Robert C. O'Hara will speak before Judge Longobardi at the close.

Mr. Longobardi, will you please stand? And I

respectfully request that all the audience stand.

All right, repeat after me, please.

I --

MR. LONGOBARDI: I --

JUDGE STIFTEL: Joseph J. Longobardi --

MR. LONGOBARDI: -- Joseph J. Longobardi --

JUDGE STIFTEL: -- do solemnly swear --

MR. LONGOBARDI: -- do solemnly swear --

JUDGE STIFTEL: -- that I will support the  
Constitution of the United States --

MR. LONGOBARDI: -- that I will support the  
Constitution of the United States --

JUDGE STIFTEL: -- and the Constitution of the  
State of Delaware --

MR. LONGOBARDI: -- and the Constitution of the  
State of Delaware --

JUDGE STIFTEL: -- and that I will faithfully  
discharge --

MR. LONGOBARDI: -- and that I will faithfully  
discharge --

JUDGE STIFTEL: -- the duties of the office of --

MR. LONGOBARDI: -- the duties --

JUDGE STIFTEL: -- of the office of --

MR. LONGOBARDI: -- of the office of --

JUDGE STIFTEL: -- Associate Judge --

MR. LONGOBARDI: -- the Associate Judge --

JUDGE STIFTEL: -- of the Superior Court of the  
State of Delaware --

MR. LONGOBARDI: -- of the Superior Court of the  
State of Delaware --

JUDGE STIFTEL: -- according to the best of my  
ability.

MR. LONGOBARDI: -- according to the best of my  
ability.

JUDGE STIFTEL: Congratulations.

JUDGE LONGOBARDI: Thank you.

(At this point Judge Longobardi was robed by  
Judge Bifferato.)

JUDGE STIFTEL: All right, we can be seated.

William Prickett, president of the Delaware Bar  
Association, will now say a few words to us. Mr. Prickett.

MR. PRICKETT: Members of the Superior Court and  
Judge Longobardi, a moment ago if I had met you in the  
corridor or on the street, I would have addressed you as  
Joe, for all of us who are members of the association are  
a small fraternity of lawyers, and we address each other

by our first name characteristically. You have now crossed the bar so to speak and you have joined that select group of lawyers who have been elevated from the ranks of the members of the bar to judges. In assuming that responsibility you have undertaken a job that, at this point, has become far more serious, far more trying and far more difficult than any job you have ever taken on before.

We members of the association are proud of the fact that from our ranks, that is, from members of the bar, are selected the judges who conduct the judicial affairs of the State. We are proud that you have been selected and that you have elected to take the difficult role of assuming judicial responsibility. As Judge Stifftel has indicated, in years gone by, the load was not nearly so heavy, nearly so trying, nearly so difficult as the job that you have now undertaken today by undertaking the oath. However, we have great confidence, as you leave our ranks and assume the rank of the Judiciary, that by training, by temperament and by devotion you will prove yourself an equal to those who sit beside you on the bench today. So as you assume these responsibilities, you go with our fond admiration as a fellow member of the bar, and you now assume and will have from henceforth the respect and the

courtesy which the bar and the public owes to those who have assumed the honorable and difficult post of judges in this day and age.

We wish you well in your new career. We hope that you will assist your fellow Judges for many years to come and lighten the burden which they have carried over the years before you assumed this post.

Thank you, your Honors.

JUDGE STIFTEL: Thank you kindly for your comments, Mr. Prickett.

I now call on Converse Murdoch, Esquire.

MR. MURDOCH: If it please the Court, I am appearing here with mixed emotions today. Speaking on behalf of Judge Longobardi's colleagues of the bar and particularly his colleagues in our firm, we are saddened to lose Judge Longobardi as a lawyer in our office. On the other hand, we are happy to see him in this hour when he is elevated to the bench, and he has our best wishes in that.

As many in the room may know, our firm has been hard hit in the last few months by appointments to the bench.

And Peter Walsh, unfortunately, leaves his tax returns lying around his desk when he's not there, and I

had occasion to look at his Federal and Delaware tax return the other day, and in the line where you're supposed to put down the amount of tax due, Peter had written, "We gave at the office."

It won't be long before the members of the Court, I'm sure, as we did, recognize Joe's outstanding abilities in the law and will make full use of all of those abilities.

I do think I owe it to the Court to tell you that Joe has many other attributes which I'm sure will be valuable to the Court. It wasn't generally known, it isn't in Martindale Hubbell even, that Joe is the personnel director in our office, and I can commend him to the Court in that position. It wasn't until he had left the office that we got access to his files in the personnel department, and I thought the Court might be interested in one form I found in there, which was a Department of Labor form which had to do with the labor force survey and asked a lot of questions about our people, and Joe had very faithfully filled it out as requested. Now, I noticed about halfway down the first page there was a line that said number of employees broken down by sex, and at that point Joe had written, "Actually, drinking is more of a problem in our firm."

Somewhat more seriously, I do commend to the Court the use of Judge Longobardi as both a good friend and as a very valued counselor. We are certainly going to miss Joe in his role in counseling our clients, but we are also going to miss him in his role in counseling us. I should point out to the Court that if you drop into his office to ask his counsel, you may be delayed a few minutes before he answers your question while he tells you about the beauty and accomplishments of his family, and, as you can see at my right here, that's a job that takes a little time, but it's well worth hearing that to get the benefit of Joe's counsel.

Again, Judge Longobardi, I congratulate you in your elevation, and I wish you well.

JUDGE STIFTEL: Thank you, Mr. Murdoch.

Judge O'Hara, please.

JUDGE O'HARA: As usual, I need help.

One of the nicest things about what's going on here today is that it means the beginning of something else that hasn't been mentioned. Those of us who know Maud Longobardi are looking forward to it and for the fact that we will be closer to her as well. Those of us who do not know her are in for a treat. So we're glad that he has come

aboard for that reason alone.

Joe Longobardi Mr. Prickett mentioned by name, and that's how I think most of us know him. But when I was asked to say a few words on his behalf, I began to think back over some of the things that I know about him, and one of the things that stood out was the fact that Joe, over the years, has handled, been close to, a number of very wonderful dogs. I recall the very deep thought expressed by a philosopher years ago that any man who loves dogs cannot be all bad.

I saw him when he was being robed a moment ago. He put his robe on over his clothes. I assure you, Judge Longobardi, that's the last time you will do that. You take your coat off when you go to work.

But enough of my feeble attempts at humor. Let me talk about, seriously, our new associate. This business of being a judge in a court like Superior Court is a serious matter, and we are about the serious business today of swearing in a new member. I say it's serious because from now on, Judge Longobardi, every working day, which will go on, I hope, for years and years, you will be making decisions directly affecting the lives and the property of other human beings. Some of his friends who

know him for his ready smile, his humorous quips, his genuine friendship, will wonder if Joe has the seriousness to meet that challenge, but those of us who know him professionally have no doubt about it.

He comes to us today, as speakers before me have mentioned, with a fine record as a highly respected member of the bar. It's my judgment that it won't be many years until he is referred to as a distinguished jurist, and the reasons I think this will happen go beyond the fact that I know he's a hard worker, and that's one of the things we need. Judge Longobardi has some personality attributes which I think are necessary to the making of a distinguished jurist. He comes to us an intelligent man, and I mean, in the vernacular of the day, he's got smarts. He knows what's going on. He comes to us with a humane spirit. No one has ever said anything about Joe Longobardi gouging anybody. He's got a feel for people and we all know how necessary that is. He has his feet on the ground, as it were. I think he has one other, he has many other attributes, but one other that I would refer to, again, other than his good humor, which we welcome, -- Judge Stiftel is the only humorist among us -- but Judge Longobardi comes to us with a high degree of courage, guts, if you will. And, believe me,

Judge Longobardi, the winds don't always blow favorably at judges and you have to make decisions frequently in the middle of a hailstorm or whatever. But I know him and I know that he's the kind of man that can face this sort of thing and do -- what's the word? -- call the shots as he sees them, and this is what we need.

And so on behalf of my fellow Judges, I would like to thank Governor Tribitt for the great good sense that he showed in choosing him and the Senate for their wholehearted endorsement of you, and on behalf of all of us, again, I would like to welcome you aboard, you and Maud..

JUDGE STIFTEL: Thank you very much, Judge O'Har  
Now Judge Longobardi will respond.

JUDGE LONGOBARDI: President Judge Stiftel,  
Senator Roth, Mrs. Tribitt, I thank you for coming today.

Fellow Judges, and all my friends, the transition period preceding this ceremony has been rather remarkable for me in many ways. It has been an occasion of happiness and one of sorrow. Happiness for my new life and sorrow in leaving behind the men in my firm and the private practice of law. It has also been an occasion which I could look back over my life, my experiences, my

exposure, and then look forward joyously to performing this most demanding and challenging governmental function. It's as if, for the moment, I have taken a break before my judicial life begins, a pause so to speak, to see where and what I have been and where I'm going.

Looking back, I can't help but thank God for my heritage, my culture, my family and my friends. Each of them in their own way helped shape my life. I hope I have taken some small part of the best of what they were, of what they are.

I have been blessed with fiercely loyal and devoted friends like the Isaacs and the many more I see in this room today, a mother, a father, sister, a brother and, heaven help us, a brother-in-law, who have given me of their infinite love and affection and made the word family an institution and a life style, and now a mother alone who is always there, two wonderful children, one each, a boy and a girl, who make life a joy and fill me with pride, and a wife who has taught me the true meaning of understanding, loyalty and devotion. To each of them, my profound thanks for making my life richer.

As to the view forward, the challenge is exciting especially so since I will have, as my associates, these

men, my fellow Judges. I shall do my very best for the citizens of this State, and I hope to justify the high honor and trust which have been bestowed upon me.

I thank you all.

JUDGE STIFTEL: Thank you, Judge.

Now, these proceedings are at an end, but Judge Longobardi and his lovely wife, Maud, and his two children, Joseph, 17, and Cynthia, 16, will remain to greet their many friends.

Thank you for being here. Court is recessed.