EDELSTEIN: My name is Andrew Edelstein. I'm here with the oral legal history project with the University of Pennsylvania Law School. We're in the chambers of the Delaware Supreme Court-- the chambers of E. Norman Veasey, the Chief Justice. It is November 18, 1999, at eleven o'clock in the morning.

EDELSTEIN: When and where were you born?

VEASEY: I was born in Wilmington, Delaware; January ninth, 1933.

EDELSTEIN: Where were your parents born?

VEASEY: In Maryland. I believe my mother was born in Baltimore and my father was born in Pocomoc City, on the eastern shore.

EDELSTEIN: What did your parents do?

VEASEY: My father was a dentist and later a periodontist, and my mother was a singer, and an actress.

EDELSTEIN: Could you talk a little bit more about that?

VEASEY: Well, she was the ingenue in a number of productions, in Longwood Gardens, here right outside of Wilmington in the Brandywiners Group. I later went into the Brandywiners but I was only in the chorus. She also sang as a soloist in churches and synagogues around the Wilmington area.

EDELSTEIN: Did you have any siblings?

VEASEY: No. I'm an only child.

EDELSTEIN: Where did you grow up?

VEASEY: In Wilmington, Delaware, and Chadsbourne, Pennsylvania.

EDELSTEIN: Where did you go to high school?

VEASEY: The Petty School, in New Jersey.

EDELSTEIN: What activities were you involved with during high school?

VEASEY: Acting, football, swimming, baseball, and some extracurricular activities that I've forgotten.

EDELSTEIN: Was your high school a boarding school, or were you at home?
VEASEY: Boarding school.

EDELSTEIN: Did you have any role models or mentors during your adolescence?

VEASEY: Oh, I'm certain that I did. I had athletic role models, like Stan Musial, people like that. I had some role models as teachers at the Petty School. I can't remember right now who they all were, because that was in the late forties.

EDELSTEIN: What sort of guidance would you say they gave you?

VEASEY: Well, I think they gave me guidance in work ethic, and scholarship, and having fun, and Christian values, as well. It was a Baptist school. I was not a Baptist, but that influence didn't hurt anybody.

EDELSTEIN: How did you select this school, or your parents?

VEASEY: They thought it was a good academic institution; it wasn't far from home; and I guess those are the reasons.

EDELSTEIN: What made you decide to go to college?

VEASEY: Oh, I always decided I was going to go to college.

EDELSTEIN: How did you select Dartmouth?

VEASEY: I guess I read about Dartmouth, and I had a cousin from Baltimore who had gone to Dartmouth, and I talked to him, and I was interested in the outdoors, and Dartmouth's a very outdoorsy place.

EDELSTEIN: What activities were you involved with at Dartmouth?

VEASEY: Well, I was a pre-med student, and I finished all of my pre-med requirements, so that took a lot of time. Then I decided I didn't want to go into medicine nor dentistry, I wanted to become a lawyer, but the other activities... I was on the freshman swimming team for a while, until the pre-med laboratories obligations got in the way. I was in the Dartmouth Players, which is an acting organization, and I was in intramural sports, and some other extracurricular activities that I can't really remember.

EDELSTEIN: What made you decide to apply to law school?

VEASEY: When I was a premedical student, I took a course called Legal Debate at Dartmouth College, and I thought that was fascinating. I was becoming more
and more convinced that I really wanted to go into law, and not to go into medicine or dentistry.

EDELSTEIN: While you were at Dartmouth, the United States was involved in the Korean Conflict. What affect did this have on you and your classmates?

VEASEY: I think it had a very profound affect on all of us. First of all, we thought, when World War Two was over, that wars were over for a while, but that was not to be, so we kept an eye on the Korean War. And the draft boards were all active in those days, ready to draft people, so there were student deferments, I believe it was called a 2-S deferment, for students in college, to complete their college careers. That extended into law school later, so I got a 2-S deferment through law school as well. It did, however, take people out of my law school class, and I think it took a few people out of my college class, but I can't remember that. But I believe my law school class was decimated by the draft.

EDELSTEIN: How did you select the University of Pennsylvania Law School?

VEASEY: It was close by, and it gave me a scholarship. Oh, excuse me, and the University of Pennsylvania is an excellent law school. It's not simply that it was close by and it gave me a scholarship-- it is one of the top-notch law schools in the country.

EDELSTEIN: What was the admissions process like at Penn? Was there an interview, things like that?

VEASEY: There was an interview. I was interviewed by the dean, Jeff Fordham.

EDELSTEIN: What do you remember about that interview?

VEASEY: I remember one thing about that interview and then a second interview that I had with Foster Reeves, who was a professor. The interview with Dean Fordham had much to do with why did I decide to go into law after being a pre-med student, and what did I really want to do, and did I really want to be a lawyer, and a good lawyer, or something to that effect. Then, when I met with Professor Reeves, he was in charge of scholarships, and I told him that I really needed a scholarship, because my father had had a detached retina, and that's not good for dentists. But he was recovering from that, and he was going back to school at NYU, to learn periodontia. He became the dean of periodontia, one of the first people to do it. So while I was in law school, he was going to NYU, and sacrificing some of the days of his dental practice, so his income was down, and I said that it would be helpful if I got a scholarship. Professor Reeves granted me-- I think it was a half-scholarship, but that was fine, and said that I was one of the lucky ones, and said that I should consider it an obligation to pay it back,
and more, and I've done that.

EDELSTEIN: I'd like to pass you the 1957 year book. I have tagged certain sections. Please feel free to look through and talk about some of the memories that will hopefully be invoked.

VEASEY: Pretty ugly picture of me! (Laughter).

EDELSTEIN: Will you show it to the camera?

VEASEY: I'd rather not, but I guess if you want me to, I will. (Laughter). Hopefully I've gotten rid of that pompadour. That's my picture... let's see. Here's a picture of the faculty. I particularly remember Dean Husted. He was the assistant dean. He also taught at Penn. Very fine person, good teacher, and good interaction with the students. He was with a New York firm- I don't remember which one-- and I had a lot of contact with him later. So I had a good relationship with him. As I leaf through the faculty here, do you want me to just comment on the members of the faculty?

EDELSTEIN: Yes.

VEASEY: John Honnold was the commercial law professor. Believe it or not, Pennsylvania was the first state- and the only state when I was in law school- to have adopted the Uniform Commercial Code. Every other state had the Sales Act, and the Uniform Secured Transaction Act, so we were learning both the Acts that were in effect in other states and the Uniform Commercial Code. We were kind of trailblazers at Penn Law School in that area. I was on the Penn Law Review, so Professor Honnold thought it'd be good to have a series of articles about the changes in the law in the new Uniform Commercial Code. So he was kind of my mentor in the law in that area, and I was- I can't remember, but I think this was my third year of law school- I wrote for the- I wrote an article- or a student note, I guess, what do you call them- student note- on the law of impossibility of performance (or impracticability of performance, it was changing to), and that's published in the University of Pennsylvania Law Review. I went back and read it and I think it's terrible, but I thought it was good at the time. Professor Frye was the professor of corporation law, and I really liked corporation law. It was one of my favorite courses, and I later became a corporation lawyer in Delaware. I think that had a lot of effect on what I did, plus the fact that I went to New York between the second and third year of law school and was a summer- we called them a summer clerk, but now they call them a summer associate- at Sullivan and Cromwell. All the cases I worked on were corporate cases in Delaware, so then I decided to practice law in Delaware.
EDELSTEIN: Had you been considering going to New York at that time to start your career?

VEASEY: Yes. I was certain that I was going to go either to New York, or San Francisco, or some place, but I decided that the action was in Delaware, and I wanted to be there. Clarence Morris's picture is here, he was a torts professor, and he had come from Texas. He was a professor of some renown. He was really good, and torts was a fun course. Professor Brudin's picture here- he was the tax professor-- nothing against him, but I didn't like the tax law much. Leo Levin is here, and he's still around. I saw him recently- I went to Penn last week and participated in a symposium on mass torts. He was there, or I saw him recently on some occasion. He's wonderful. He taught evidence, and I remember the first day, he did a little skit, unbeknownst to everybody, and then asked people their recollections; the point being that eyewitness testimony is not very reliable. Clark Bice taught contracts, and he also went to Harvard and kind of went back and forth between Penn and Harvard and other places. Louis Schwartz was really my favorite- he's here- he taught antitrust law and criminal law, and I had him for both. He was excellent, and later, when I was a practicing lawyer, I asked him to help Delaware reform its criminal code, and with his help, and the help of one of his colleagues, we had a whole new criminal code in Delaware. 1963-65, that took place. And then- I won't go over any more of these faculty, but just on this page is Foster Reeve, he taught trusts, among other things. He was a great teacher, but he had a set routine. He didn't deviate from that routine. He was very entertaining, and very flamboyant. One day he fell-- he was leaning back in his chair, teaching, lecturing, his chair went out from under him and he fell, and he never missed a syllable of his lecture. He got up, and he climbed back up, and he looked like Kilroy coming back up over the desk, still talking about trust law. Student body- I had a lot of great friends in this class. I notice the class officers include Miles Tanenbaum, who is one of my favorite people in the world, and he went on to great riches and is a great benefactor of many places, including the University of Pennsylvania Law School. And next to him is Ed Medvene, and Ed Medvene was in my wedding. And Ed Medvene is now a famous lawyer in Los Angeles. He represented somebody in the family that sued O.J. Simpson in the civil case. I've forgotten which side of the family he represented, but I believe it was the Goldman family. Wasn't it Goldman who was killed along with Simpson's wife? And I think he represented the Goldman family, but I'm not sure of that. Anyway, they recovered a verdict, probably uncollectable, but they recovered a verdict. Well, I have lots of good friends here, in this class, you know, I could spend all day going over these people.

EDELSTEIN: Yeah, please comment on some of them.

VEASEY: Well, just going in alphabetical order, Maurice Axelrad is here, and he and I worked on a paper, along with Harvey Wolf, on nuclear energy law. They
called it atomic energy law. Just started. We were kind of writing on a clean slate about what that law was all about. He's a brilliant guy. I think he's an engineer, and I recently got a letter from him about a foundation for an illness his daughter has, and I need to get back to him and contribute to that, but I'd forgotten about it until now. Carol Broderick. Carol Broderick was married to somebody else, and in law school she got divorced and married Mr. Broderick, who was also at law school. That was interesting. But Carol Broderick and Mike Temen and I and somebody else played a lot of bridge while we were in law school, and we would go down to one of the clubs that we were members of, the Hare Law Club or one of them, and play bridge a lot. I felt very guilty about that, but they said don't feel guilty about that, you can still get your work done. I think they were smarter than I was and they were able to get their work done faster. I got it done. I did okay. We had a lot of fun playing bridge. Mike Temen was one of those people, Mike Temen is a member of the class. And I just noticed that Mike Temen, after all these years, took and passed the Delaware bar examination in 1999, and he's going to be admitted to the Delaware bar December fifteenth, and I'll be of course heading the panel, and I do intend to say something about how remarkable that is-- somebody of that vintage taking the bar exam. I wouldn't dare take the bar exam.

EDELSTEIN: Can you tell me a little bit more about the law clubs, and Hare Law Club in particular?

VEASEY: Well, the law clubs were good, they were a lot of fun, we didn't party too much, but I remember we had the Hare Club picnic, and my wife never liked the Hare Club picnic for some reason. Maybe she just didn't like picnics. But we had a lot of fun, they were good law clubs, and we did some substantive things, and mostly we had fun. Those were not really wild days. We were pretty tame. (Laughter).

EDELSTEIN: Were there study groups within the club?

VEASEY: There were study groups within the club. Malin Frankhauser's picture is in here. Malin was a good friend of mine, both at Dartmouth-- not Dartmouth-- at Penn Law School and as a business lawyer. I was active in the section of business law and so was he. He's a lawyer in Washington, D.C.. I think he's an expert in commodities law. But he's not well now. He fell off a ladder and hurt himself significantly, and he's trying to come back from some nerve injuries. But I wish him well. I could comment on all these folks, but I'm just going to pick out a few that strike me. Here's George Grabois. George Grabois and I were at Dartmouth College together, and George went on to become a successful banker, as well as a lawyer, in Rhode Island. I do see him occasionally, more on Dartmouth reunions than Penn reunions, although we have wonderful reunions at Penn, and he was at our last one, which would have been 1997, our forty-
fifth. Is that right? (Laughter)

EDELSTEIN: It sounds right. No-- fortieth.

VEASEY: No, our fortieth, fortieth. I just had my forty-fifth from Dartmouth, and that's where I'm getting confused, in 1999. There's a picture in here of Jerry Candler. Jerry's dead-- he died of a rare disease, I don't know whether it's a rare disease or not-- I think it's leukemia or something. He was a wonderful guy, and he went to Wilmington, Delaware and became a lawyer with Dupont, and was very active in the American Civil Liberties Union. They now have an award-- they Gerald Candler Award, that they award every year, for the American Civil Liberties Union. He was a good friend. John Carnes's picture's here-- he's from Meadeville, Pennsylvania. I think he now practices in Allentown. He was in my wedding also. My wife's and my wedding.

EDELSTEIN: Did you get married during law school or after law school?

VEASEY: I got married during law school. August 4th, 1956. Beginning our senior year. My wife was an undergraduate at Penn. She graduated with a Bachelor of Science degree in education the same day I graduated from the Law School, in 1957. Here's a picture of Sy Curland- Seymour Curland. He's a wonderful friend. He and I were very active in the law review. Miles Tanenbaum was also on the law review, and Sy Curland went to work for Wolf, Block, Schorr in Philadelphia, and then he became City Solicitor in one of the city administrations. Then he went back to practicing law at Dechert Price, and he's very civic minded, professional minded, and recently he's been helping me with some of the professional initiatives of the Conference of Chief Justices.

EDELSTEIN: Can you tell me more about the Law Review and your experience on it?

VEASEY: I can tell you how I got on it. I remember being very surprised that I did well enough in my first year of law school to make the Law Review. The grades, at that time, were very precise number grades. Anything over eighty was really considered wonderful. If you had an eighty-five or a ninety, you were off the charts. So most of the grades were kind of bunched in the seventies. I remember after my first year, my grade point average was 79.79. I'll never forget it, and I made the Law Review. They took, I think, fifteen people, and I was one of the fifteen. But some people who had 78.5 didn't make it. So, it's very interesting, how that worked. So I was very lucky to make the Law Review. And then I worked really hard on the Law Review, but it helped me a lot. It helped me learn to write. I was surprised at how, oh, kind of fulsome and sloppy my writing was. I learned to write very tight-- in a tight way, and I think I learned to write well, and the Law Review helped me a lot on that. It did take away from my studies, and I didn't do quite as well on my studies after I was on
the Law Review, but the Law Review experience I wouldn't trade for anything. And I had a lot of friends on the Law Review, some of whom I mentioned. The editor-in-chief of the Law Review in the Class of 1956 is Curtis Reitz. Curtis Reitz now lives in Delaware and teaches at Penn. He's married to a Delaware lawyer, and I see Curtis all the time. I remember when I was in law school, he was a formidable - not formidable, but he was a very impressive guy, and a very bright and very majestic in his appearance, and ran a tight ship very well. Jim Mulligan, picture here, Jim is in Delaware, he's a Delaware lawyer. You know, Wilmington is only 45 minutes away from Philadelphia-- maybe an hour in those days, and Jim had a car, so when my wife and I were home on weekends, he would drive us back. What a great guy. He was a pitcher at Saint Joseph's College, and I don't know whether he was an All-American, but he was a sensational left-handed pitcher, and also the same at Archmere Academy here in Delaware. He's a terrific lawyer. He has rheumatoid arthritis, and he's all bent over, but he keeps on going, he keeps on practicing, he's got a great spirit and never complains. Here's Jay Ochroch-- O-C-H-R-O-C-H. Jay Ochroch. He's a member of my class, and I met his son recently. He was the anesthesiologist for my wife's sinus surgery last month, at the University of Pennsylvania Hospital.

EDELSTEIN: We should move on a little bit so we have enough time to talk about all your experiences and activities in life.

VEASEY: Very good. I think we've pretty much covered this.

EDELSTEIN: Could you tell me a little about Richards, Layton, and Finger, its history and its practice?

VEASEY: It's the oldest and largest firm in Delaware, I believe. I say it's the oldest-- one of the oldest, let's put it that way. It is the largest. I was at Sullivan & Cromwell my second year as a summer clerk, and all the cases I worked on-- not all the cases, twelve out of fifteen or so-- case I worked on, when I was in the litigation department at Sullivan & Cromwell in New York were in Delaware. Sullivan & Cromwell used Richards, Layton & Finger as their local counsel. More than their local counsel, they worked very closely with Richards, Layton & Finger, and I didn't know Richards, Layton & Finger, but I had a friend from my youth, Jim McKinstry, who was in the firm, and I called up Jim and I said, you know, I've been in New York, and I enjoyed it, and I've got these nice offers from New York, but the cases I worked on were in Delaware, and they were with Richards, Layton & Finger, think you could get me a job? He said, "I don't know, Norm, you know, you're very well qualified, but we just took on two associates, coming next year, and they've never taken on more than two." I said okay, but he said, "I'll see." So he invited me down and I met with the senior partners one Saturday, everybody worked on Saturdays, and they hired me, so they hired three of us, and they only had nine there, so they hired three of us that
year, an increase of a third, so we made twelve. That was big in those days. Now they have a hundred.

EDELSTEIN: What was the nature of your legal practice during the first few years as a lawyer?

VEASEY: It was a general practice. I did a little bit of everything, and I really wanted to gravitate toward the corporate law, so whenever I had the opportunity to work in corporate litigation or corporate law, I tried to do that, and then I did more and more of that.

EDELSTEIN: Prior to your experiences in law school with the corporate law, did you have any interest in corporate law, or was that developed in law school?

VEASEY: Oh, that was developed in law school.

EDELSTEIN: How did you become Deputy Attorney General in 1961 and then Chief Deputy Attorney General in 1963?

VEASEY: It was a tradition at Richards, Layton & Finger that people would do that as part of their career to get trial experience. I succeeded one of the other associates at Richards, Layton & Finger, and we went over to the Attorney General, and I was there as a Deputy Attorney General for two years, and I was ready to go back, and the Attorney General asked me to stay as his chief deputy. That's why I stayed there three years. The first two years, I tried an awful lot of cases in the Court of Common Pleas, which is a misdemeanor court, and in the Superior Court, which went all the way to murder cases. So I tried a lot of cases, got a lot of experiences, never regretted it.

EDELSTEIN: Who were the Attorneys General that you worked under and can you tell me about them?

VEASEY: Jan Bogue was the first Attorney General I worked under, fine lawyer, went on to have a great career in intellectual property. The second one who was elected was David Buckson. Jan Bogue passed away, David Buckon's still alive, he was very energetic, kind of a little bantam rooster, nice guy. He turned over most of the work to me, except the political that I wasn't interested in. I did all the legal stuff. He kept his political fires going while he was Attorney General. I don't mean in that any negative way-- he was very good at that, he had very good instincts.

EDELSTEIN: In 1963, the case of Roman v. Sincock, a case involving district apportionment, came before the United States Supreme Court. Did you work on the case?
VEASEY: I did. I helped write the brief, and I went to the Supreme Court, as a brief carrier-- (laughter)-- briefcase carrier, and David Buckson had hired a lawyer in Washington who was an expert on appellate argument before the U.S. Supreme Court, Fritz Wiener-- Frederick Bearnaise Wiener. He'd written some books on appellate advocacy. He was a very, very, shall we say, formal man, appeared before the Supreme Court in striped pants and a cut-away, which is the proper way to do it, probably more so than now, except the Solicitor General now, I think, always dresses that way in arguments before the Supreme Court. It was a losing argument. Baker v. Carr had already been decided on apportionment, and we were trying to distinguish Delaware. It didn't wash. Delaware followed Baker versus Carr.

EDELSTEIN: What are some of your favorite memories from your time at the Attorney General's Office?

VEASEY: Well, I remember working very closely with police in developing cases, and trying to shape a presentation of a case. I really enjoyed cross examination, and summations. I enjoyed the interaction with the defense bar, we got along very well-- fought tooth and nail, but got along very well. The experience in talking to juries, reasoning with juries, was terrific. Very valuable in anything you do, and everybody should be exposed to jury trials. The cases were interesting, I had a lot of very interesting cases in the criminal area, but we also wrote opinions in the civil area for most of the state agencies, so we did both. We had very few people, I mean they have a big organization now, the Delaware Department of Justice, but we had a very few people. We did both-- prosecuting and writing opinions.

EDELSTEIN: Between 1957 and 1963 you were Legal Officer and Captain in the Air Force Reserves. What duties did you perform for the Air Force Reserves?

VEASEY: The Air Force Reserve- I mean, the Delaware Air National Guard was what I was principally assigned to, and that was part of the Air Force Reserve. When I got out of law school, the draft board was breathing down my neck, so I went into the National Guard. I went in as an enlisted man, and I went to basic training as an enlisted man, in Texas. That's where I found out I'd passed the bar exam-- my senior partner sent me a telegram saying, you passed with flying colors. I said, that's good. Then I came back. That was just a six-month-- less than six month-- basic training at Lacklun Air Force Base, so then I came back, and I did two weeks active duty every summer, and one weekend a month for six years. So I got a commission when a legal officer slot opened up, I was doing intelligence work first, then a legal officer slot opened up, and I got a direct commission as a first lieutenant, then ultimately a captain, and I only had an obligation to serve that way for six years and I completed that obligation and
I went to my senior partner, Mr. Richards, and said, "Mr. Richards, I could go on, make money in the Air National Guard, and become a major, colonel, whatever," and he said, "You're more needed here, and if you can get an honorable discharge now, do it." So I did.

**EDELSTEIN:** Was the Cold War looming large during this time?

**VEASEY:** Yes. Two things happened as I remember. One was Cuban Missile Crisis, and one was the Berlin Crisis. I remember when they-- I forgotten what happened in Berlin, but I do remember the Cuban Missile Crisis, and we were about to be activated, and I had to get shots, and we were afraid we'd get bombed, so we all made little bomb shelters in our houses, and put water and crackers in the bomb shelters. I was about to get activated, and I got my shots, and they gave me every shot you could imagine, yellow fever, scarlet-- I've forgotten what they all were-- maybe not scarlet fever-- yellow fever, malaria, something else, and I remember having chills and hot flashes, and the chills were so deep that I got down on the floor in the living room, and my wife piled every blanket in the house and every pillow in the house on top of me while I was shivering with chills from the shots. In fact, she got on top of all the blankets and all the pillows, and I finally got warm enough so that I could function. But those were real crises, and we thought we were going to get activated, but we never did. You remember the Cuban Missile Crisis. You don't remember it, but you remember reading about it. That was really scary, but President Kennedy handled it very well, and I'm a Republican. (Laughter).

**EDELSTEIN:** When did you became partner at Richards, Layton, & Finger, did you still have a general practice, or had it become more specialized?

**VEASEY:** More specialized, but I did a lot of different things. For example, in addition to corporate law, I did a lot of zoning cases, on both sides. Preventing shopping centers from encroaching on residential areas, and getting new office buildings for growth in Delaware.

**EDELSTEIN:** Do you remember your first oral argument before the Delaware Supreme Court?

**VEASEY:** No, but I remember several of them.

**EDELSTEIN:** Any favorite memories of those experiences?

**VEASEY:** Yes, I thought they were great experiences. I loved oral argument. I thought it was wonderful, the give and take in the Delaware Supreme Court-- it's a very hot bench, and you have to be very well prepared, and I thought that was-- oral argument was just great. I really enjoyed it, and I enjoy it now, from the other side of the bench. But I do remember the whipping post case.
EDELSTEIN: Can you tell me about that?

VEASEY: Delaware had a whipping post that was never used, but one judge wanted to use it and his name was Stewart Lynch, and he imposed, I don't know, twenty lashes on somebody for beating his wife, a man named Cannon. Cannon's lawyer thought that was cruel and unusual punishment, took it to the Delaware Supreme Court, and I was the Deputy Attorney General, or Chief Deputy, and I had to defend the statute, and I defended it and won. The Delaware Supreme Court said it was not cruel and unusual punishment, and I was surprised that I won that. But anyway, I won that, and I tried to get the trial judge to remit the penalty before I had to go to the Supreme Court. I said, "Judge Lynch, you ought to really rethink this." No, no, he wanted to do it. So we went to the Supreme Court and won that victory, and finding the statute to be constitutional, and then he remitted the lash, so the guy was never lashed, which was fine. But I remember a lot of other arguments that are a lot more interesting than that, in terms of the corporate law, in my-- I guess in the eighties, primarily, when we were having all the takeovers.

EDELSTEIN: Who were some of the dominant figures of the Delaware Bar during the 1960s?

VEASEY: H. Albert Young was the Dean of the Criminal Bar, a former Attorney General, and my partners, Henry Camby, Ned Carpenter, and Bob Richards, and Sam Arscht, was the famous corporate lawyer from Morris Nickel Arscht & Tunnel, and Jim Tunnel was one of the finest trial lawyers ever. Bill Potter, of Potter Anderson & Caroon, and Dick Caroon, stand out as really giants in the area. And it happened that Henry Camby-- I mentioned him originally-- Henry Camby, Dick Caroon, and Sam Arscht helped to rewrite the 1967 revision of the Delaware General Corporation Law.

EDELSTEIN: In what ways was the Delaware practice of law during the 1960s different than it is today?

VEASEY: Well, there were fewer lawyers, and the ones I came into contact with were very high quality. Now we have a lot of lawyers, a lot of high quality lawyers, but a lot that aren't as good.

EDELSTEIN: From 1965-1968 you were co-chair of the Governor's Committee on Criminal Law Revision. Were there any memorable changes proposed by the committee or any issues you felt strongly about?

VEASEY: I think I was responsible for getting that started. I came out of the Attorney General's Office as Chief Deputy in 1963, and I went to the governor, Governor Terry, and I said, "Governor, the criminal code's a mess. I would respectfully
suggest that you appoint a commission to revise it." And he said, "Fine, but you're a Republican, I don't think I can appoint you chairman, but I can appoint you vice- he called it co-chairman." So he appointed Bruce Stargate as chairman, he appointed me as co-chairman, which was fine. Bruce and I worked very well together, and Bruce is a wonderful lawyer, and we produced this document. We got Louis Schwartz to come down, I mentioned Louis Schwartz, professor at Penn, to come down and speak to the bar association about the need and the possible remedy, which was basically to follow the format of the Model Penal Code. He had a friend named Frank Baldwin, who was a practicing lawyer and a professor, and Baldwin was hired to be our reporter. Bruce Stargate and I headed this committee and we went through everything, from soup to nuts, and changed a lot of things. Got rid of the whipping post, for example. Then we went around to sell it at various groups, and I remember going to a Republican Committee meeting, with a lot of people, and explaining all these wonderful changes. The conservatives didn't like it--one guy stood up, named Cat Bensen, who was a former police officer, legislator, and he said it was terrible, it was just going to open the jails for everybody, and so forth. And I stood up and I said, "Representative Bensen, you have an obligation to be correct when you talk to people, you were not correct." And I remember the Republican Chairman saying to me later, "You should never have said that to him, that was terrible." And I said, "He wasn't correct." I was polite in saying that.

**EDELSTEIN:** What was most memorable about your involvement with the expansion of the Delaware Legal Aid Society?

**VEASEY:** I didn't have a big role there. I was a supporter, and I really thought it was extremely important that the Delaware Legal Aid Society be expanded, so I was an Indian in that effort, not a chief.

**EDELSTEIN:** When did you become managing partner at Richards, Layton, & Finger?

**VEASEY:** I don't know, I was in and out of that job a lot. Nobody wanted it, I took it, I tried to bring the firm into the twentieth century, in terms of modern billing practices and so forth. I think I got really interested in exercising some management leadership right after 1964. I was made a partner in '63, and in '64 we had a problem, one of our partners had a stroke and all of the billing information was in his head, not in any billing records. So we didn't have a very good year that year, because nobody knew how to bill has matters, and they were big matters. So we went to time records, and they said, you know, why don't you kind of be the managing partner, so I did.

**EDELSTEIN:** Throughout the late sixties and seventies, can you talk more about your goals as managing partner and some of the changes you implemented?
VEASEY: I just wanted everybody to be collegial, and be on the same team, in terms of wanting to get something done, and take an interest in new management techniques, and billing practices, and marketing, in the sense that we would write letters to clients, telling them the latest developments— not that we would go out and advertise, marketing and advertising were kind of anathema, but we thought we ought to show everybody what we were doing and get everybody active in the bar association, the American Bar and other things. I’d like to say something about Sam Arscht, who was a dean of the Delaware bar, and a partner at Morris Nickel Arscht & Tunnel, he was very active in the corporate laws committee in the section of business law, and he got me interested. I was in a competing law firm, and he told me I ought to do that, and I went and got involved, and I went to my partners, and I said, "You've got to get very active in this area. I know you're very busy, but you've got to get active in this area so you can get more contacts out there." I said, "Sam Arscht is eating your lunch." They got interested.

EDELSTEIN: What was, roughly, the date you became involved with the Delaware Bar after Sam Arscht did?

VEASEY: In the late seventies, like 1978 or around there.

EDELSTEIN: How did you get involved with the Board of Bar Examiners?

VEASEY: The Chief Justice asked me to be on the Board of Bar Examiners, and later he asked me to be chair— he asked me to fill an unexpired term of my partner, Henry Camby, who had come down with cancer.

EDELSTEIN: What were some of the changes or issues that were on-going during your tenure as Chair?

VEASEY: The Delaware Law School came of age, that was in 1975. I had been— I think I was Chair of the Board at that time. I was on the Board of Bar Examiners forever, it seems. Ten years or so, and seven years as Chair. So the Delaware Law School came along, became Widener University School of Law, and they were not accredited. The accreditation procedure and approval by the American Bar Association House of Delegates was scheduled for the middle of August in 1975. The bar exam was given the last Wednesday of July, and the first couple days of August. You can't sit for the Delaware bar exam unless you've graduated from an approved law school. What to do? So the Board of Bar Examiners took a risk, went to the Supreme Court and said, we've ought to let these people sit for the bar, we think they're going to be approved by the House of Delegates. The Supreme Court said go ahead, and we did, and then we did the sort of what if, how do we isolate these numbers, because it was all by
number, so we figured out a procedure for doing that. Fortunately, we didn't have to do it--we let them sit for the bar exam, they sat for the bar exam, and the rest is history. There are a lot of them now, members of the Delaware bar. Another thing that happened, I don't know what year it was, but for many years, we had a pass rate of about 67%, even in my year. When I took the bar in 1957 and passed it, there were eighteen of us that took the bar, and twelve passed. When I was on the Board of Bar Examiners, there were larger numbers, but it was about the same percentage. But one year the papers were so terrible, we dropped it down to 50%, and people started suing us, saying that we were doing evil things, and we had to defend ourselves in this lawsuit. We did, successfully, but it was a pain. I remember that quite well. And we made a lot of changes when I was on the Board of Bar Examiners--we went to the multistate blend of multistate and essay, and we went to significant character investigations, had to have hearings of people who had been arrested for possession of marijuana, and, you know, we could get over that, that was not a big deal, but if they didn't disclose it, that was a big deal, they couldn't sit for the bar. Candor was key there.

EDELSTEIN: Do you feel that the bar exam now or then is an effective mechanism on quality control?

VEASEY: Yes.

EDELSTEIN: In 1976 you became a trustee of the University of Delaware. What are some of the issues you worked on as a trustee?

VEASEY: I thought it was before then, but that's close enough. That was a wonderful experience. I was chair of a committee on student life, and I got to interact with the students and the people who deal with the student life. The University of Delaware's a pretty big institution, it has about 13,000 undergraduates, and so you have to work on housing issues, and health issues, and discipline issues, and things like that. I also went on to the Athletic Committee, and the Finance Committee, and then the Executive Committee. I became Vice Chair of the Search Committee, and our committee was very active, and we called President Rosell to the University of Delaware, and he's a hero, and it's been a hit, so we look good.

EDELSTEIN: Can you talk about your work with the Supreme Court Rules Revision Committee and your work as Chair of the Permanent Advisory Committee on Supreme Court Rules?

VEASEY: I think my recollection is right that I went to the Chief Justice and said our rules are a mess and we need to appoint a committee and revise them. It was Chief Justice Herman. He appointed me chair of a committee to completely rewrite
the rules, start from scratch, and out committee did that, and part of that recommendation of that committee was to have a Permanent Advisory Rule Committee, and of course I inherited the chairmanship of that job, too. I worked with Justice Horsey who was assigned to that committee, in trying to keep the rules up to date. The toughest one was dealing with professional corporations, and that was a departure from the usual mode of practicing law, and you had to deal with professional responsibility, as well as liability issues and how to do that, and that was a little difficult, and it continues to be a challenge. Even recently, in 1998, we just changed the rules to allow limited liability companies to practice law under certain stringent guidelines that include ample insurance.

EDELSTEIN: Can you say a little bit more about the issues that arise in that context?

VEASEY: Getting the briefs down to size, making sure they are filed on time, making sure that people don't hide stuff in footnotes, don't cheat on trying get longer briefs, make sure that they respond adequately, don't sandbag people in their reply brief.

EDELSTEIN: Throughout your career you have been tremendously active in state government, as well as several professional organizations. What values or experiences in your life have lead you to perform so much civic service?

VEASEY: Well, I think people ought to make a difference. You shouldn't go through life just being self-centered. I think you need to reach out to people and see if you can make changes for the positive good. If you bury yourself in your little world and just do your work, even though you might be good at it, and successful, I don't think you're a complete person.

EDELSTEIN: Did you ever consider running for public office?

VEASEY: Yes. You don't really want to know my political career, do you?

EDELSTEIN: Please.

VEASEY: It lasted for about a week. I was Deputy Attorney General, and I got my name in the paper a lot, and there was a trial balloon that somebody put in there, not me, that said Veasey might run for Attorney General. I went to my senior partner, Ned Carpenter-- oh, in those days you could be in the law firm and be a prosecutor, you of course had to disqualify yourself from the firm and the firm couldn't take any criminal cases, but I did both at the same time, so it was a part-time job. I only worked in the Attorney General's office about sixty hours a week, and I worked about twenty hours a week at the firm. I was young, you could do that. But anyway, Ned Carpenter said, "Why don't you put your name in the hat for the Republican nomination for Attorney General in1962?," and I
said, "What?" (Laughter). He said, "Sure." He said, "There are two other people, three other people, fighting for it, and it was convention, not a primary, and there might be a deadlock on the umpiti-umpth ballot, and you and your wife ought to go there and sit in the armory and smile at people, shake hands." He said, "I've got somebody who's going to put your name in nomination." So we went there and smiled and nothing happened, and at about the eighth ballot I went to Ned and I said, "What's going to happen?," and he said, "Nothing's going to happen. The person who was going to put your name in nomination got drunk and passed out." (Laughter).

**EDELSTEIN:** When did you become president of Richards, Layton, & Finger?

**VEASEY:** I don't remember. I think I can work backward--I think it was 1985. I was President-Elect from '82- '85. I was President of the Delaware Bar Association from '82- '83, and I was also President-Elect of the firm. You were President-Elect for three years, then you were President for three years, then you were Immediate Past President for three years, and then you didn't have to do the heavy lifting anymore. So I guess I was President from '85- '88. Those were big years.

**EDELSTEIN:** Can you talk about your responsibilities and activities as President of Richards, Layton, & Finger?

**VEASEY:** Well, they were much like managing partner, but the eighties were such high velocity times, with all the takeover things going on, that we had to manage the firm effectively and had to put in controls for avoiding conflicts, and had to make sure that we were positioned to staff these cases, because when one of these cases came in, they just sucked up people. You had to take around-the-clock depositions, had to have somebody to argue the case; in fact, I think we developed a model for doing that that's now being used, where you had teams of people, people taking depositions, people defending depositions, people doing research, people doing the deal, people arguing the case in court, you had to make sure the people arguing the case in court were not the same people pulling the all-nighters because they had to be alert, and so I think we developed that model in the very first case that I handled in 1975, *Alaska Interstate*. I was in charge of the team and we developed the model that's being used today, not that it wouldn't have been developed anyway. But as President of the firm in 1985, when all this activity was at its zenith, all the takeover activity, we had to do all of those management things you had to do to build a practice, staff the practice, and avoid conflicts. And make money.

**EDELSTEIN:** Can you tell me more about Richards, Layton & Finger's involvement, and your personal involvement, during the boom time for corporate law in the 1980's?
VEASEY: Well, it was a lot of work, it's a great firm, there were other great firms, but it was a great firm, I enjoyed it, I loved it, we worked around the clock, and we got a lot done.

EDELSTEIN: You mentioned earlier you have memories from the oral arguments during the 1980's. Can you share some of those?

VEASEY: There were so many of them, they are now a blur. Different people handled them. I handled some, my partners handled others. I can't identify any one in particular.

EDELSTEIN: From 1979 until your appointment to the bench you were a director for Beneficial Corporation. As an expert on corporate governance, what was it like to be sitting on a corporate board?

VEASEY: Scary. (Laughter). I think I helped the board learn a lot about corporate governance procedures and the corporation law, and they helped me learn a lot about the business and what a board of directors and what a management actually do, and it was a very good experience for me, and I think a good experience for the board, and we got a lot done, and we did the right things from a corporate governance point of view. I must say, though, that I think-- and Richards, Layton & Finger was a client of Beneficial-- that's problematic, being on the board of a company that your firm does a lot of work for. I guess it's okay, in most issues, but I don't think you can count yourself to be found to be independent in all areas, so I learned something from that, and what I think I take away from that is I wouldn't recommend that somebody go on the board, as a lawyer, where the firm does substantial work for the company. I think you have to recognize that person's not going to be thought to be independent, and it's okay if you don't do the legal work for the company to be on the board as a lawyer, that's helpful. So that's something I learned.

EDELSTEIN: Can you tell me about the founding of The Delaware Lawyer?

VEASEY: Other people did that, I didn't have anything to do with it.

EDELSTEIN: Thinking back on your presidency of the state bar, how would you describe your term, and what issues were you most involved with?

VEASEY: Well, that was a great experience. I don't remember, I think we just, we did a lot of work to improve the bar, we changed from committees to sections to model that American Bar Association, we had developed greater interaction with the American Bar Association, had a lot of activity with regional bars. We had good interaction with New Jersey, Pennsylvania, District of Columbia, New York, and Maryland. They were in our grouping, and we worked very closely
together, and we had a lot in common. But when I went to the meetings of the bar presidents, they would assign us to breakout groups according to population, not according to region, so I ended up in the breakout groups with the presidents from Wyoming, North Dakota, Vermont, Alaska, Nevada, South Dakota, Idaho, and those out west called themselves the jackrabbit bar. So I was always involved with the jackrabbit bar, and they were wonderful people. They got their work done in a hurry, and then they spent a lot of time and analysis on what Caribbean island are they going to have their meetings next winter. (Laughter). Not to denigrate them, they are wonderful people, but I enjoyed being associated with the jackrabbit bar.

**EDELSTEIN:** What do you and don’t you miss about being a practitioner?

**VEASEY:** I don't miss time records, dealing with clients, billing, all-nighters. I do miss some of the fun of developing and advocating new positions. What I enjoy best about being a judge is being totally independent, being able to see where the law is going, being able to analyze facts, and looking at it through an independent's prism, instead of an advocate's prism.

**EDELSTEIN:** What do you consider to be some of your greatest achievements from your years as a practitioner of the law?

**VEASEY:** I don't know. That's for others to judge.

**EDELSTEIN:** Experienced lawyers often have "war stories" from their years of practice, do you have any additional stories you would like to tell me? For example, your most challenging deposition? Something along those lines?

**VEASEY:** I remember taking a deposition of one guy once who wanted to punch me, and I said, "Let the record show he's about to punch me." I found out later that there were a lot of people on that particular lawyer that had transcripts that read similarly. I think some of the depositions that I took or defended in the takeover days, when we were working around the clock taking depositions, trying to develop records, trying to show, for example, if you were attacking a corporation, that the target board was entrenching itself, what their values were, and I really enjoyed getting up to speed quickly on the economics of the transaction, so that I could ask questions that didn't seem stupid, and trying to pan for gold in these depositions, and really being thrilled when you found a little gold. There was a lot of dirt and water, though, in these depositions.

**EDELSTEIN:** Who appointed you to Chief Justice of the Delaware Supreme Court?

**VEASEY:** Mike Castle, a brilliant governor. (Laughter). Mike was governor for eight years, until 1992, and now he's a congressman. He appointed me in April of
1992, an election year. He's a Republican governor, I'm a Republican, and in Delaware, you know, you have to have a bipartisan judiciary. So this was a position that could have gone either to a Republican or a Democrat. Sometimes you have to appoint a-- sometimes a governor has to appoint a Republican to a certain seat or a Democrat to a certain seat in Delaware. Delaware is unique. This seat could have gone either way. I didn't seek this appointment. I was very flattered to have a lot of friends talk to me two years before the vacancy came up, to tell me this vacancy was coming up and would I be interested, and I said, "No. I like what I'm doing. No, no, no." And it went on and on. Finally, they said, "You want to make a difference, you want to do public service, this is your chance to do it. You've made enough money. Go! Do it." (Laughter). So I did it. Governor Castle appointed me; I was not a foregone conclusion by any means. He did it through a merit-selected list, and there was a lot of strong competition for the position. I was very honored and flattered that he appointed me to this position, and that the Senate confirmed me. I found out just the other day that Governor Carper, who is a Democrat, was asked by the Democrats in the Senate, who confirmed me, whether they should delay until he became governor, so that he could appoint a Democrat, and he said no, he was satisfied with me, so that was very nice. He said that publicly last Saturday-- Friday.

EDELSTEIN: Can you tell me a little bit more on your deliberations on whether or not to accept the appointment?

VEASEY: I went through a long process. I talked to all of my friends; in fact, I took some of my friends out to a mountain house we have in Colorado in the dead of winter to have a little retreat, to tell me what I should do, and I decided everybody should be repotted at least once in their lifetime, and I had practiced law for thirty-some years and it was time for me to be repotted, and these people I met with were giving me advice, and they all ended up being repotted, too.

EDELSTEIN: In what ways is the Chief Justice's job different than the other Justices?

VEASEY: It's a dual job. You have half of your time is on administration and half of your time is on research and deciding cases, writing opinions, and I take a full load, so that means I work extra hours. The administration is sometimes all-consuming, and there are times that it excludes your ability to work on cases, and that becomes very frustrating. There's nothing that can be done about it. It's inherent in the job.

EDELSTEIN: What is your involvement with the state legislature as Chief Justice?

VEASEY: I have a lot of involvement with the legislature. Not political, but running the government. I mean, the easiest one is budgets, and the other one is defense, to make sure that they don't impose something on the courts that won't work, but
you have to maintain the contacts, you have to build public trust and confidence, you have to make sure you don't surprise them, and make sure they understand what you're doing, so you have to go call on them, and tell them, "This is what I'd like to do," or "This is what you shouldn't do."

**EDELSTEIN:** You wrote an article entitled "I have the Best Job in America."

**VEASEY:** Right. And I do.

**EDELSTEIN:** Why is that the case?

**VEASEY:** That article came about because Senator Biden, the United States Senator, just one day at a bar association function, said, "How do you like your job?," and I said, I have the best job in America, I said, aside from the low pay and long hours, I have the best job in America. I am head of the best judiciary in the country, because we have all these corporations in Delaware, and we do because we have such a fine judiciary. I have the opportunity to influence national policy on corporate law and national policy on the administration of justice, because we can run Delaware's system pretty well. We're getting better at that, we're not there yet; our jurisprudence is good, everybody works hard, we produce a good product, they're fun to work with, the subjects that we have in our cases are interesting, the challenges of the judicial management are good challenges, and Delaware has a lot of respect for its judiciary. It's not like other states where you have to be elected and run for reelection, it's not like other states where the media is out to prove something bad about you, even though there isn't anything bad. I have problems with the media, of course, but I regard that as my challenge, to make sure I get the record out right. So, that's why I have the best job in America.

**EDELSTEIN:** Can you say a few words about the uniqueness of Delaware, particularly in the realm of corporate law?

**VEASEY:** Well, Delaware's unique because in 1897 we had a constitutional convention that appointed this bipartisan-- that set forth this bipartisan judiciary. Every judge is appointed for twelve years, we have a bipartisan judiciary, the senate confirms, we have a merit-selected list, so we come up with a good judiciary that way. Then we had the corporation law, came right along in 1899, and Delaware got the lion's share of all the corporate litigation because people had this great trust and confidence in the Delaware court system, so we built up a body of law, and it's just sort of self-generated itself, so that today everybody looks to Delaware law for, and the Delaware judiciary, for guidance in this area. The reason that Delaware has over half the Fortune 500 companies is because the legislature keeps it up to date, the Secretary of State's office does it well, but mostly the courts.
EDELSTEIN: How would you describe your judicial philosophy? What judicial values do you hold most dear?

VEASEY: I don't think a judge should have an agenda that's a political agenda, that's outcome determinative or result-oriented. I think that judicial philosophy should be that you have to maintain your total independence, your total objectivity, and you have to do a good work ethic job and you never send out an opinion that you haven't researched and thought about thoroughly. You know that, Andrew. (Laughter).

EDELSTEIN: Do you have any judicial role models?

VEASEY: Oh, yes, I think that some of the great icons over the years are just wonderful people to consider and follow, all the way from Chief Justice Marshall to Collins Seitz. Collins Seitz was a Chancellor of Delaware and then became a judge of the Court of Appeals for the Third Circuit, and then Chief Judge, and his life is a storybook of the values that I hold dear, independence, objectivity, scholarship, and hard work.

EDELSTEIN: In asking the following question, I have in mind your article "An Economic Rationale for Judicial Decision Making in Corporate Law." When ruling on issues of corporate governance, what economic principles do you abide by?

VEASEY: I think that it's no one principle. I think its a knowledge of the economic consequences of what you're doing. Many other states regret that their judges are not knowledgeable about economic issues, so that they decide cases either taking a long time to get up to speed or never getting up to speed, and making a wrong decision. I think that when you make a decision in the corporate law area, you have to have some economic rationale for what you're doing. It makes sense from the point of view of macroeconomics mostly, that you apply things that you know from accounting or other aspects of the economics to do it. I went to Australia to lecture in 1996 all over the country. They were concerned in Australia about the fact that their wonderful judges, who were excellent, were not experts, didn't know much about business law, and they were coming out with some wrong decisions about internal corporate affairs. I decided that I would tell them that one of the secrets of Delaware's success is that the judges do know something about economics.

EDELSTEIN: Speaking in the most general terms, what do you consider to be the role of the courts in overseeing corporate behavior?

VEASEY: That's a long story, but I'll just cut to the chase. I don't think courts are as much a guide in their decisions about what boards should do as what they should not
do. I think that it's proper for judges to go tell the board of directors that you ought to have the best corporate governance models that you can possibly have, but if you don't have them, it doesn't mean you're going to be liable. So you have to separate precatory and aspirational language about how's a good way to run the corporation from what you would decide was a violation of the law on the other hand.

**EDELSTEIN:** I'd like to ask you about two opinions of yours--Paramount Communications Inc. v. QVC Network, from 1994 and Williams v. Geier, from 1996. When I mention these cases, what comes to mind? What do you remember about working on them?

**VEASEY:** Well, I'll take them one at a time. Paramount was an expedited case. It involved a takeover of Paramount corporation. There had been a merger agreement between Viacom and Paramount, and QVC came in and wanted to bid higher, and so this all happened very suddenly and it had around-the-clock depositions in the Court of Chancery, and a quick Chancery decision, and then a quick appeal to us, and we heard argument within two-and-a-half weeks after the case got to us, even with briefing and I remember we had an appendix of 7,250 pages, and we read most of those, burning the midnight oil before the hearing. The hearing was on television, and it was a classic case about what do you do, what does a court do when a board enters into a merger agreement and somebody else comes along with a higher offer. The board has to get the best value for the stockholders, if they're selling control. That's what the basic principle there was. We found in reading those 7,250 pages when we--we made our decision that day, in a twelve order outlining this, and everybody thought that was good service and then about fifty days later we wrote an opinion, and we read the depositions more carefully in those fifty days, and found misbehavior by a lawyer in Texas defending a deposition. We wrote a long addendum about unprofessional conduct. So I remember both of those. It's a classic case for corporate law, and it's a classic case about how not to behave as a lawyer. Williams v. Geier was interesting, because the Vice Chancellor who decided the case got it right, but maybe for different reasons. The Vice Chancellor thought that in that case what the board was doing in setting up a tenured voting system had to be tested under Unocal, which had to do with takeovers and entrenchment, but we found that it really wasn't that, it was really a business judgment rule case about an independent board making a recommendation on restructuring the stock, and they put it to a stockholder vote, all in accordance with the statute and all fully disclosed. So we thought that you don't look at it from an entrenchment point of view, you look at it from a business judgment, put it to the stockholders, statutory conformity, full disclosure vote, so we made a kind of a stable and purist decision there. The dissent thought it was unfair, because it benefited the majority stockholders, so we just basically disagreed with the dissent. We kind of followed the doctrine
of independent legal significance in Delaware, and the dissent had a kind of
evisceral reaction to it, that they talked about in their dissent.

**EDELSTEIN:** Do you want to say anything about other corporate opinions that you wrote that
you think will have or have had a large impact on corporate board rooms?

**VEASEY:** I'd rather not do that, because some of the opinions that I've written that could
have that effect now implicate cases that are under advisement.

**EDELSTEIN:** What are some of your more memorable non-corporate cases?

**VEASEY:** I was in an aircrash case one time, it was a mystery. I ultimately lost the case,
but I should have won it. A private plane was traveling from Long Island to
Charlottesville, Virginia, and it got over Dover, Delaware, and mysteriously
crashed. We were hired by the widow. We investigated and found that the
plane was brought down-- it was a Piper plane-- was brought down by wingtip
vortex turbulence caused by the big airplanes from the Dover air force base.
They were using a navigational aid to practice their landings without disclosing
that in the notices to airmen-- notams. We put together kind of a mystery
things, nobody had seen the accident, we reconstructed the accident, the hardest
thing we had was proving a) that it was the wingtip vortices-- the little cyclone
strength that come out from the wingtips of the airplanes that are invisible, and
they sink at a certain mathematic rate. We proved that the plane had gone by
and was maybe three or four miles away, and its turbulence was still hanging in
the air and knocked this private plane out of the air, and we won the liability on
the failure to warn, but we lost the case because the judge said that our pilot was
flying too low.

**EDELSTEIN:** In 1993 you urged the creation of a commission to study the Delaware Court
system. Can you tell me about that?

**VEASEY:** That was a key decision, because when I first became Chief Justice, I thought
that a lot of things needed to be rationalized about the structure of the court
system, and what we should do, so I went to the legislature and I said, "We
ought to have this big study and you ought to buy into it," and they bought into
it, and the governor bought into it, and we created this commission on Courts
2000, and they came out with a lot of recommendations that are being
implemented, and we've had a lot of little spin-off committees since that time,
studying and making recommendations in certain areas.

**EDELSTEIN:** You are currently the president of the Conference of Chief Justices. What are
some of your responsibilities as president?

**VEASEY:** It's a very, very intense job to try to bring together all the members of the
conference from all the courts to get state supreme courts to develop best practices in judicial management and to deal with the challenges of federalism, so that the federal government doesn't interfere too much in the states. It's a great organization, we just had a big meeting in Delaware, a retreat we called it in advance, and it's a very exciting prospect. This is a very busy year for me, and fortunately it's only one year.

EDELSTEIN: In addition to professionalism, which I will get to in a minute, as president of the Conference of Chief Justices, are there other issues you have taken a leadership role on?

VEASEY: Well, I'm chairing the Ethics 2000 Commission, which is rewriting the Model Rules of Professional Conduct for all lawyers. I'm doing these two jobs simultaneously along with my day job. That will be over a year from now, so we'll have a new Model Rules of Professional Conduct for every state supreme court to consider, regulating lawyers all across the country.

EDELSTEIN: Can you tell me a little bit about your work with the Conference of Chief Justices and the federal government?

VEASEY: Well, we have one basic issue, which is dealing with conduct of prosecutors. The Attorney General, in 1994, promulgated a regulation in which she purported to preempt state supreme courts from enforcing Rule 4.2, which says that a lawyer cannot contact a client of another lawyer unless authorized by law—unless there's consent. The Attorney General said, "My prosecutors want to contact people. State supreme courts are hereby preempted." We were outraged, the Conference of Chief Justices, and ultimately we won a court case saying that she didn't have the power to do that, and Congress later adopted the McDade Act, which says that all federal prosecutors have to abide by the state rules. But there are other challenges to federalism. The Juvenile Justice Act makes some imposition on state courts, so you have adding jurisdiction to state courts, taking jurisdiction away from state courts, unfunded mandates on state courts, and so we just had to get Congress to recognize that we have a very important role. Ninety-five percent of all litigation in the United States is in state courts. State courts run the judicial system in this country. Federal courts have very limited jurisdiction. We have a wonderful relationship with the federal courts, but we don't want Congress interfering with us unless we agree.

EDELSTEIN: Who are some of the other Chief Justices that you have most enjoyed working with?

VEASEY: They are all wonderful people.

EDELSTEIN: Can you tell me about your involvement with the Business Law Section of the
ABA, including your tenure as chair of that section and your editorial experience with the Business Lawyer?

VEASEY: That's a mouthful. I got active in the Section of Business Law-- it used to be the Section of Corporation, Banking and Business Law and then they shortened the name-- in the late seventies, and I wrote an article, one of my earlier articles in the Business Lawyer, and that sort of got people's attention. Then I started going to the corporate laws committee meetings, dealing with the Model Act, and became active in that, and one thing led to another and I got into a leadership position in the whole section of 50,000 lawyers and was fortunate to be Chair in 1994-95. Part of getting up the ladder is to be the editor of the business lawyer. It was a great job. It takes a lot of work, but when you're Vice Chair of the section, you're the editor of The Business Lawyer. You deal with student editors from the University of Maryland, you deal with authors all over the country, some are prima donnas, other authors send you articles in and are hurt when you don't publish the articles, and some of the articles are good, some are trash, others need a lot of work. I remember one instance when I accepted an article from an author, it needed a lot of work, and I sent it down to the student editors and I said, "Work this over on citations and authorities and grammar and writing and everything," and they did that, and the author got annoyed at the students and yelled at them, and said that he didn't want one semicolon changed in his article. I got in touch with him and I wrote back to him and said, "Those student editors are in charge of that, you either do what they say or you withdraw your article. You're welcome to publish it anywhere else." He ultimately agreed to the changes the student editors had put in there.

EDELSTEIN: Can you tell me about your activities with the American Law Institute?

VEASEY: Well, I'm a member of the American Law Institute, I'm very honored to be a member and we got very active when the American Law Institute was trying to come out with-- or did come out with principles of corporate governance. That was a fifteen-year process. I was on an ABA committee of the section of business law that interacted with the reporters and tried to get them from making the dreadful mistakes they were starting out to make, and it was shaped up later as a decent product that is information that is added to the literature. I wouldn't adopt, if I were adopting it as a judge or a legislature, I wouldn't adopt a lot of things they have, but it's a very good tool to consider, and you can adopt parts of it. It needs a lot of thoughtful consideration.

EDELSTEIN: What has your involvement with the Standing Committee on Rules of Practice and Procedure of the United States Judicial Conference been?

VEASEY: Well, Chief Justice Rehnquist appointed me to that committee six years ago. It's a wonderful experience. That's kind of the parent corporation of all the advisory
committees on federal rules—civil, criminal, bankruptcy, appellate, evidence. Those advisory committees send drafts to the standing committee, and the standing committee massages them, sends them out for comments, changes them, approves them, or not, sends them to the Judicial Conference, then they go to the Supreme Court, and then they go—become effective if Congress doesn't veto them. So, we're kind of the gatekeeper of all the changes that are being made in all those areas in the federal rules. I'm the only state judge on it, and the Chief Justice has just extended my term for one more year because we're dealing with a big issue now about attorney conduct in federal courts—should they follow the state court or should they do something different.

EDELSTEIN: Are there faculty members from the University of Pennsylvania that you have worked with recently, or over the years?

VEASEY: Geoff Hazard, quite frequently, on the Standing Committee that you just mentioned, and on the Ethics 2000 Committee. But I've worked with many others. A lot of them. Too many to name.

EDELSTEIN: How did you come to develop such a strong interest in professionalism and legal ethics?

VEASEY: I found, when I was practicing law, that the civility of lawyers is starting to deteriorate, so I used the bully pulpit when I first become Chief Justice, they asked me to speak to the Bar Association, the Delaware Bar Association, within a month, and I said, we've got to have a new tone of civility, professionalism, and I became very interested in that. As Chief Justice, that's a good, not only a bully pulpit, but a place where you can make a difference in reshaping the entire profession so that lawyers act more professionally. That includes excellence as well as civility.

EDELSTEIN: You are the Chair of the ABA's Ethics 2000 Commission. Can you tell me about the Commission and your involvement?

VEASEY: I've touched on that a little bit. The ABA president called me up a few years ago, and said would I chair a committee to revise the model rules, they're getting out of date, a lot of new things are happening, a lot of new things are about to happen, and there's some dissonance in the rules between the rules and the comments and the rules from state to state, and would I do that. I said, "Depends on who else is on the Commission," and he named the people and they were satisfactory. We hired academics for reporters, and we're going great guns, and we're sending out everything on the internet, for people to comment on, and we're going to make our final report in October of 2000.

EDELSTEIN: How do you view the future for professionalism and ethics in the law?
VEASEY: It's a struggle. I think we've got to keep at it, though. We've got to make a difference. We've got to make sure that people learn how to deal with it. I chaired a committee of the Conference of Chief Justices on a national action plan for lawyer conduct and professionalism. It has a hundred different recommendations, a hundred and fifty pages worked out by our working group of lawyers, judges and academics in various areas, and what law schools should teach, how courts should enforce professionalism, bridging the gap---you know, law students are taught to be appellate judges, they are not taught to be lawyers as much as they should be. We need to improve all that. We're making a difference. People are starting to pick up this national action plan and implement it. It's state supreme courts that can do that, because they're the gatekeeper for people admitted to the bar, they are the people who regulate the bar, and they're the people who supervise the trial judges who deal with the lawyers where the rubber hits the road.

EDELSTEIN: In 1993 you received an honorary doctorate in law from Widener University. Can you describe that experience?

VEASEY: Yes, I was asked to give the commencement address, I was very honored to receive that honorary degree, and I remember practicing for my commencement address and trying to keep it brief. I don't think I did, because I started to speak, and it started to rain. It was outdoors, and raindrops kept falling on my notes, and the ink was running. I turned the pages pretty quickly until the rain sort of got out of control, and I probably went too long, kept people standing in the rain.

EDELSTEIN: In 1995 you received the Dartmouth College Class of 1954 Award. Can you tell me about this award?

VEASEY: They give that award every year, and I was quite surprised and quite honored. They asked me to come up to a lunch in New York and they gave me this award. It was wonderful. My classmates from Dartmouth College, my class of 1954, that's a great class. I mean, they just have superstars, and I was very honored to be included.

EDELSTEIN: In 1996 you received the Lewis F. Powell, Jr. Award for Professionalism and Ethics from the American Inns of Court. What is the Inns of Court and can you tell me about the Lewis F. Powell Award?

VEASEY: That award was engineered by my dear colleague, Justice Randy Holland, who is the vice president of the American Inns of Court. The Inns of Court are little inns that are set up all around the country in different communities that are set up for excellence, professionalism, and civility, teaching people--young
lawyers, old lawyers-- these values. This wonderful award was given to me by
the national organization, from among a lot of people. I have a huge plaque at
home in my office, and it's a great honor, but I really attribute Justice Holland
for getting that done. I didn't ask for it, I was quite surprised when he told me
that it was going to happen. And I went down there to accept it, and all my
colleagues from the Supreme Court, and all their spouses, were down there. I
was very honored.

**EDELSTEIN:** Your term expires on April 7, 2004. What more would you like to do as Chief
Justice between then and now?

**VEASEY:** Well, I think we've got to make a difference in getting the court structures all
rationalized, getting it high tech. We're building a new courthouse here in
Wilmington, for the trial courts in Newcastle County, a hundred and thirty
million dollar project. We've got to get ourselves high tech, best practices, and
my goal is to get us to those best practices in Delaware, so that I can turn the key
and give the new Chief Justice a key that he or she can run the organization and
they won't have to reinvent the wheel.

**EDELSTEIN:** Would you ever consider another term?

**VEASEY:** No. (Laughter).

**EDELSTEIN:** What would you like your legacy on the Delaware bench to be?

**VEASEY:** There are a lot of areas. I think improvement in judicial management,
professionalism, excellence at scholarship, all across the board of lawyers and
judges, in Delaware and across the country.

**EDELSTEIN:** What are your plans for when you are no longer Chief Justice?

**VEASEY:** If my health holds out, I don't think I'll be idle. You know, I'm not going to play
golf every day. I'd like to play a little bit more than I do now. But I'll do
something. I won't go back to practicing law, but I might do mediation, writing
a book, maybe teach. Maybe be a consultant, kind of a package.

**EDELSTEIN:** Thank you so much.

**VEASEY:** Alright, thank you. Boring subject matter. (Laughter).