

REMARKS AT MBA DINNER-MAY 7, 2015

Thank you, John for that very kind introduction.

I have a secret to share with all of you. (PAUSE...) Those words of Chief Justice Hennessey that John quoted, are aspirational to me; I am, as the saying goes, “a work in progress.” (PAUSE).

Perhaps there’s no one who knows that better than my wife, Bonnie. We’ve been married for 33 years. I would hardly be standing here, accepting this honor, without her love, support, deep friendship and steadfast loyalty “in good times and in bad.” We don’t say it often enough how much we love and cherish our spouses — especially in public: but here, before you all, I stand before you all, and proclaim my love for Bonnie, and tell you how much her support has helped me through many of life’s challenges we’ve faced together.

Would you please stand up, Bon.

And by the same token, I proudly introduce our son, Michael, who has taught me much about life.

Our older son, John, is in Indonesia with his wife, Dr. Ufara Zuwasti Curran. My wife and I love John and Ufara and are proud of them as well.

I have worked as a Boston trial lawyer for 23 years and have now been on the bench for over a dozen years. Tonight, I want to share two thoughts based on these experiences — and formed by talking with mentors and friends: Chief Justice John Broderick of the New Hampshire Supreme Court and First Justice of the Roxbury Court Ed Redd, who, along with Judge Milton Wright, propped me up as a struggling new judge. As Judge

Redd was fond of saying: “If you can work in the Roxbury Court, you can work anywhere.”

My other mentor, and dear friend to the south, Chief Justice Frank Williams of the Supreme Court of Rhode Island, has a speaking commitment this evening on his — and my — favorite subject: Lincoln. But the Chief, too, is very much on my mind as I make these remarks.

I have had long discussions with each of these men about the condition of our civil justice system and our profession. And I will speak plainly about these matters.

Now, to my first point: the lack of civility in our courts and among our attorneys is deeply troubling. It reflects the temper of the national discourse. As one federal judge has said:

“It is difficult to live a life of integrity, to be civil ... professional and courteous with so many forces pulling in other directions.

[But] without civility — no private discussion, no public debate, no legislative process... no trial of any case, can serve its purpose or achieve its objective.”

Thus, my first point: *Civility begets Civility*. And civility, if I may be candid, leads to settlement.

In short, civility must be the coin of our professional realm.

My second point: We are far too litigious a society. This may seem like heresy to an audience of attorneys, but on this issue, I agree with a prairie lawyer who, in 1850, exhorted his fellow lawyers to:

“Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser — in fees, expenses, and waste of time. As a peacemaker, the lawyer has a superior opportunity of being a good man. There will still be business enough.”

That was Abraham Lincoln.

I want to thank John Morrissey for proposing me for this award well over a year ago and Marty Healy for encouraging it. Marty Healy personifies the maxim:

“The sole advantage of power is the opportunity to do good.”

I also want to thank Marsha Kazarosian. Her remarks at her induction as President last fall at the Boston Harbor Hotel were the most moving words I have ever heard uttered. As were those of the speaker who preceded her, outgoing MBA President Doug Sheff.

I would also like to thank others in attendance:

My friends from Roslindale I grew up with.

My classmates from Boston Latin School.

And my family – especially my sister, Lorraine, who has flown from Switzerland to be here tonight.

I also want to single out two lawyers:

Howard M. Kahalas; and
Richard Bardi, President of the Justinian Law Society.

I close with Chief Justice Hennessey's philosophy of life spelled out in his book. (HOLD UP). I was surprised to find that his words are the exact same words I have carried in my wallet on a dog-eared, laminated card for over 20 years. They are mine; they are his. A coincidence? I leave it for you to decide. But here they are:

“Finally, brothers and sisters, whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is lovely, whatever is admirable — if anything is excellent or praiseworthy — think about such things.”

Thank you, for this most distinct honor.