

COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY  
COMMONWEALTH OF PENNSYLVANIA

IN RE: MEMORIAL SERVICE FOR:  
THE HONORABLE ALFRED T. WILLIAMS, JR.

Held in Courtroom 1, Northampton County Government Center, Easton,  
Pennsylvania, on Tuesday, May 28, 2002, beginning at 9:15 a.m.

On The Bench:

Hon. Robert A. Freedberg, President Judge  
Hon. William F. Moran, Judge  
Hon. F.P. Kimberly McFadden, Judge  
Hon. Jack A. Panella, Judge  
Hon. Steven G. Baratta, Judge  
Hon. Franklin S. VanAntwerpen, U.S. District Court  
Hon. Robert E. Simpson, Commonwealth Court  
Hon. Richard D. Grifo, Senior Judge

Also Present:

Hon. Michael V. Franciosa, Senior Judge  
Hon. James C. Hogan, Senior Judge  
Hon. Isaac S. Garb, Senior Judge

The Speakers:

Joanne Kelhart, Esq.  
Barbara L. Hollenbach, Esq.  
George C. Heitzman, Esq.  
Hon. Franklin S. VanAntwerpen, U.S. District Court  
Hon. Robert A. Freedberg, President Judge

Proceedings stenographically recorded by Sandra M. Borger, RPR,  
Official Court Reporter.

MORNING SESSION

THE COURT: Good morning. Members of the bar, members of the community, and family of Judge Williams. We convene today for a very special reason and that is to celebrate the life and career of our President Judge Alfred T. Williams. We are delighted that you have come today for this very special occasion.

At this time I recognize Joanne Kelhart, Esquire, President of the Northampton County Bar Association.

MS. KELHART: Thank you, Judge Freedberg.

May it please the Court, members of the bar, friends and family of Judge Alfred T. Williams, Jr., annually we gather to remember those who have passed away who have been members of our Bar Association, but today we specially convene to honor and memorialize Judge Williams. Many eulogies and memorials have been held in this courtroom, but few have been conducted in memory of an individual who has so shaped this Court and influenced the professional lives of so many members of our bar. Here in courtroom 1, Judge Williams' courtroom, he set standards for us all and, in turn, we learned a respect for the law and for each other which is unmatched by the other courts in this Commonwealth.

The first introduction many of us had to Judge Williams was in the well of this courtroom as he administered the oath of admission to practice law. That oath places on us a special responsibility. We bear the burden willingly being justice's standard bearers. The timeless oath we took that each new generation will take and each past generation takes seeks the equal application of justice for all.

We are charged as well to be civil and professional in all our workings with the court and these are the standards by which Judge Williams molded his professional career. He recognized we are to reach beyond our professional lives and be community leaders. We are in a unique position to be of service to our communities and to do so willingly.

Today the eulogists you will hear will help us to remember a man who has had a profound impact on so many of us in this room. On behalf of the Northampton County Bar Association, we thank the court for convening this morning in memory of Judge Alfred T. Williams, Jr., and for providing us with this opportunity to reflect on the life of one who has exemplified for us what it means to be an honest lawyer, a good citizen, and a community leader.

Your Honor, I ask that Barbara Hollenbach be recognized.

THE COURT: Very well. Barbara Hollenbach, former president of the Northampton County Bar Association. She speaks today on behalf of the law clerks who served Judge Williams during his tenure on the court.

MS. HOLLENBACH: May it please the Court, husband, father, grandfather, community leader, lawyer and jurist, Alfred T. Williams, Jr., was all of these, but to those of us who clerked for him, he was our mentor and, more importantly, our friend, so today we join with his family, the court, the bar, and the community in celebrating his life.

Fifteen young lawyers had the privilege of clerking for Judge Williams. To us he was and always will be the Judge. As clerks, it didn't take us very long to recognize the people and principles he valued in life. The Judge loved his family and his community; he had a deep and abiding faith in God; he was devoted to his long-time secretary Carol Greenzweig and she to him. Clerks came and clerks went, but Carol was irreplaceable and woe betide the clerk who didn't learn that quickly enough.

Judge Williams respected the law and took his responsibilities as a judge seriously. He frequently reminded himself and us, however, not to take ourselves too seriously. Many of us here today still remember the delight he took in leading the judges in a serenade of the bar with one of his favorite songs, "Oh, Lord, It's Hard to be Humble."

With that shock of white hair, those penetrating blue eyes, and that stern demeanor, the Judge could be intimidating. One morning upon the advice of a tipstaff, a new, naive law clerk went into chambers to tell Judge Williams that court was about to start and he needed to come into the courtroom or he would be late. The Judge's reply, "I am the Court, therefore, I can never be late for court."

As law clerks, we all rapidly learned to tell when something or someone had begun to displease him. It was the look. His head would go down, then his eyes would go up over those reading glasses. Clearly it was time to reevaluate one's position and reevaluate pretty quickly. As we may try to imitate the look on occasion, none of us will ever be able to master it. For some of us that look continues to serve as a touchstone against which we measure our actions.

Behind that stern demeanor was a compassionate man who was ever mindful that his decisions were not just rulings on some dry legal principle. They impacted the lives of the people who appeared before him and the communities in which they lived. The integrity with which he discharged his duties and the respect he accorded to attorneys and litigants are traits we would all do well to remember and emulate.

As clerks, Judge Williams taught us lessons that have stood us in good stead throughout our careers. We learned to be thoroughly prepared at all times. We also learned to think fast on our feet. There's nothing that gets the adrenalin flowing quite so fast as the Judge telling you to go find the case law he knows exists while everyone waits in the courtroom for you to do so.

Looking back, I can only be amazed at the patience he displayed every year or two when he had to teach a fresh, young law clerk how to write thoughtful, well-reasoned opinions. Most of all, he taught us to have faith and confidence in ourselves and our abilities. Even after our clerkships ended, many of us continued to seek the Judge's advice about various aspects of our professional lives. He unstintingly gave us his wise counsel and his support. We felt part of his extended family, and periodically held clerks' reunions which he enjoyed tremendously. Last summer one of his clerks made the comment, "If Judge Williams were to start a law firm tomorrow, I would join him if he would have me." All of us are proud to have clerked for him and each of us hope that we made him proud of us.

Most, if not all, of the clerks first met the Judge during an interview which took place over lunch. Talk about intimidating, but we learned with time that Judge Williams had a marvelous sense of humor and over the

years some of us seemed to supply him with an endless source of amusement. Several of us developed a tradition of getting together with him and Carol for lunch where hilarity always seemed to reign.

In a favorite poem of mine, William Wordsworth describes how his memories of a place he visited sustained him even though he was not able to return again for many years. Although Wordsworth was talking about his memories of a place, he describes more eloquently than I how our memories of Judge Williams have and will continue to sustain us.

...oft in lonely rooms and mid the din  
Of towns and cities, I have owed to them,  
In hours of weariness, sensations sweet,  
Felt in the blood, and felt along the heart,  
And passing even into my purer mind  
With tranquil restoration:—feelings too  
Of unremembered pleasure; such, perhaps,  
As have no slight or trivial influence  
On that best portion of a good man's life,  
His little, nameless, unremembered acts  
Of kindness and of love.

Whether as a husband, father, grandfather, community leader, lawyer, jurist, mentor or friend, Alfred T. Williams, Jr., shared that best portion of his life with each of us and so we remember and honor him today and every day when we share that best portion of our lives with others.

THE COURT: Thank you, Attorney Hollenbach. The members of the bar are represented here today by Attorney George Heitzman. Mr. Heitzman.

MR. HEITCZMAN: May it please the Court, members of the Williams family, members of the bar, ladies and gentlemen, I got to know Judge Williams as a young lawyer because of the way motion practice used to be conducted in this county. Now we come to the courthouse for our motions. In the days when I started and shortly after Judge Williams came to the bench, you would go to your local judge. You would go to the Judge's office, call in first, and discuss motions with the Judge.

Judge Williams, being the Bethlehem judge, was my local judge and I found him to be extremely courteous and patient, particularly, I think, with me. I had started practicing in the early 70s when *Miranda* and other criminal cases were coming down and criminal motions were coming to the fore. I always seemed to develop these by Friday afternoon and I can tell you Judge Williams worked on Friday afternoons. I don't know if he looked with trepidation or amusement on my coming on Fridays, but I usually had a motion for him to consider.

Although he was certainly courteous and extremely patient, his patience was not unlimited. Barbara Hollenbach has alluded to the glasses and at his memorial service, discussion was had about the Judge voice. I

had experienced myself on more than one occasion the combination of the Judge voice and the glasses when the Judge would look at you over the glasses and, as Barbara said, it was time to move on.

I remember one case in which there was a question whether an eye-witness had seen or not seen something, either had the door closed or open in his room. This is the old Atlantic Hotel and the District Attorney on direct got him to describe what he had seen and he was an accommodating gentleman. When I arose, I was able to get him to admit the door was closed because of the danger involved, so the D.A. got up and opened the door and I closed the door and this went back and forth rather interminably until finally I airily waved my hand. I said, Your Honor, I don't want to belabor this anymore. I have no questions. He said, "Mr. Heitzzman, it is far beyond that point."

Judge Williams also followed the law even if he disagreed with it. He had the marvelous facility for being fair and appearing to be fair, which I think is as important as being fair because if people and the litigants and the lawyers who come before a judge don't believe they've gotten a fair shake, then it matters not whether or not they did. I often have clients who are not perhaps pleased with the result but always knew and felt that they had been dealt with fairly.

Judge Williams liked the law and he liked lawyers and I thought I'd tell you a little bit about some of the lawyers that he had spoken about, but then I thought why should I do that when the Judge could speak for himself.

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(The following dialog was presented by means of videotaped responses by Judge Williams.)

MR. HEITZMAN: Judge Williams, could you tell us a little bit about what it was like to be admitted to practice in your day?

JUDGE WILLIAMS: That occurred, George, in February of 1956. The admission dates in those years were a bit different because you had to complete a long clerkship in addition to passing the bar examination and only four months of the clerkship could be served, had to be served after the bar examination so that people were only admitted usually in January or February following the July examinations.

As a matter of fact, in those days you had to register your intent to go to law school, find a lawyer who would agree that he would be your preceptor when you finished. The process of becoming a lawyer was a bit more complicated in those days, whether as a matter of professionalism or as a matter of keeping the numbers down, one is never sure, but it was a cumbersome process, included interviews with members of the Board of

Benchers, members of the bar, who inquired of you as to why you wanted to study law, if it was only to make money or if it was really to serve the public interest.

MR. HEITCZMAN: Judge, I know that a large part of your initial practice was searching titles. How did you develop that skill?

JUDGE WILLIAMS: I was fortunate enough to have one of the smartest title lawyers in the county then and now, I believe, to be my teacher. Milt Riskin, of course, I believe is now our oldest practitioner.

MR. HEITCZMAN: Yes, Judge, he is 96 years old and still practicing. Now, when the title searchers would meet, I understand they'd have lunch. Anything other than food happen at those lunches?

JUDGE WILLIAMS: Lunch usually involved some, some very good stories. Among them, undoubtedly the leader because he could tell the dialect stories the best, was Jake Kolb with his Prussian background he enjoyed, and always, never to be forgotten, are the stories from Jake Kolb at lunch.

MR. HEITCZMAN: (Videotaped) Unfortunately no one ever recorded any of those, I'm sure.

JUDGE WILLIAMS: No, they never made the occasional anecdote nights of the Bar Association of those days.

MR. HEITCZMAN: Judge, you don't have to tell me about anecdote nights. I know about that. Judge, as you were growing up, was there any lawyer who seemed to you the epitome of legal practice?

JUDGE WILLIAMS: Bill Fulmer, by the way, was principally a divorce lawyer. I remember him, going back to my high school days, as being to me the epitome of a lawyer. In the summertime walking from his home to his office on Market Street, always dressed in a white suit, he had white hair, he was one of the most distinguished people in the community. Interesting, interesting fellow.

MR. HEITCZMAN: Judge, we have a lot of criminal cases these days that seem to attract interest. Anything like that that you can recall when you were a lawyer?

JUDGE WILLIAMS: I mentioned Justin Jerolanio. Jerry tried more murder cases for the defense than any other lawyer in our county's history, and a good percentage of them successfully. Jerry didn't practice the law so much as he practiced the facts. It was very emotionally, but he was able to work the facts very well.

He tried a case in which he represented the wife of a Bethlehem police captain who had killed her husband with his own service revolver and there had been several shots fired from the weapon and Jerry's defense was accidental death, and he was able to trace the bullets that they found in the ceiling and in the floors and the only one that could possibly have killed the victim, according to Jerry, was one that had ricocheted off of

three walls before it got him in, straight to the center of the heart. It was a defense verdict.

It prompted Walter Winchell, who was then a radio commentator, to begin his evening program inviting those who really wanted to commit murder and get away with it to go to Easton, Northampton County, Pennsylvania, where it was certainly permitted to happen.

MR. HEITCZMAN: Judge, lawyers go to law school for various reasons. Can you tell us about one lawyer and his reason for going to law school?

JUDGE WILLIAMS: John Barrett practiced in Bethlehem two years before me and I think has been in court less than a dozen times and he's very proud of it. That was not what he wanted to do. Of course, with John you never set up an appointment before nine or 9:30 in the morning because I tried to do that once about 8:30 and he said, I went to college four years, I went to law school three years, and the reason I did that is so that I don't have to do anything before 9 or 9:30 in the morning.

MR. HEITCZMAN: Judge, how about some lawyers who had skills that lawyers need sufficient for, oh, for example, cross-examination and the ability to create and cite cases?

JUDGE WILLIAMS: Some of those who are gone, of course, one of those was your partner, and that's Bernie O'Hare who was one of the most delightful characters at our bar, one of the most skillful lawyers, probably, I think, without peer when it came to the technique of cross-examination or the ability to come up with a one-line joke that would totally destroy the entire courtroom. It was always wise to keep your hand very close to your mouth when he was there to cover up the smiles that would come from some of his questions.

Lou Long, Lou was a, had done almost everything. He had been the assistant D.A. at one point, he was a graduate of Lehigh University, an advocate of the wrestling program and always was funding, in those days there weren't too many scholarships, and Lou always had one or two wrestlers under his wing. He would always at the summer outings be willing to wrestle anyone there by late afternoon and I only ever saw one who had the temerity to take Lou on.

Lou was a bluff 'em type of lawyer for the most part. He would get his work done, but Lou—I mean that in the sense that he always had a citation available for any principle or any rule or any issue, in his favor, of course, and he would give you the citation and, of course, that citation had no connection with the facts, and if you went to look at it, it would not even be there, but he would do that even with the court.

I can remember being in chambers with him with Judge Barthold and he would tell the judge, "That principle is long decided and established in *Brown v. Smith* in 469 Pennsylvania, you'll find the case at 417," and no

such case, no such cite existed, but he would try and bulldog his way through.

MR. HEITCZMAN: Judge, it was an honor and a privilege to practice before you and in closing I can do no better than to quote Shakespeare, "It doth appear you are a worthy judge. You know the law. Your exposition has been most sound."

JUDGE WILLIAMS: Thank you, George.

MR. HEITCZMAN: Thank you, Judge.

(The video presentation concluded.)

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JUDGE FREEDBERG: Thank you, Attorney Heitzman.

Judge Franklin S. VanAntwerpen of the United States District Court began his judicial career in Northampton County in 1979, just at the time when Al Williams began his career as president judge of this court. Judge VanAntwerpen remained on this court through 1987 when he went to the United States District Court for the Eastern District of Pennsylvania.

I have asked him to speak today on behalf of all of the judicial colleagues who had the pleasure of sharing the bench over the years with Judge Williams. Judge VanAntwerpen.

JUDGE VanANTWERPEN: Thank you, President Judge Freedberg, for inviting me to take part today and to speak on behalf of this bench.

You know, when I entered my old chambers here this morning, I felt as though I had been transported back in time more than 20 years and it seemed as if at any moment President Judge Alfred T. Williams would come through the chambers door and lead us all into this courtroom for the call of the list.

There was something very special about Judge Williams' demeanor and his bearing and it complemented this historic courtroom and no matter how many times we sat here, there was a certain magic about it. Yes, he would assign us cases and we would hear them in this courthouse and later we would all meet for lunch and after gently chiding me for the 500th time for eating too much at lunch, Judge Williams would tell us where he and his wife had been with their motor home that weekend. He truly loved to take those motor home trips and we enjoyed hearing about the places that he had been.

Now, I can tell you that under Judge Williams this Court ran pretty much by the book with one notable exception and that was when fishing season began. Judge Grifo was always given a few days off with the understanding, however, that he would provide us with a brace or two of trout for our next courthouse meal. Yes, they were wonderful years and they were made all the more wonderful by the company and leadership of Judge Williams.



You know, there is so much to learn when you become a judge and you have to remember that this was a time before guidelines for sentencing and support. Even the rules of evidence in those years were based mostly upon case law and pattern jury instructions were few and far between. A new judge had to rely heavily on his colleagues and he always sought out their advice and in that regard Judge Williams truly excelled.

He had a fine legal mind coupled with a knowledge of the local community. He not only kept faith with the high traditions of this bench and bar, he was an outstanding jurist who set a benchmark for every judge who will ever follow him on this court. Above all, he had a sense of justice and integrity that was second to none. He knew that what is right is not always popular and what is popular is not always right. I shall forever be thankful to Judge Williams for all that he did for me for he taught me how to be a judge.

Judge Williams became president judge with the death of Judge Clinton "Budd" Palmer in 1979. Now, a president judge has many administrative responsibilities and Judge Williams handled these with the same quiet competence that he exercised in the courtroom. Had he not supported the computerization of our Domestic Relations Section, we would surely have fallen into massive delays. He laid the groundwork for much of what we have today.

Each year as I get more administrative responsibilities, I marvel at how easy he made it all look, but it was not easy and, nevertheless, he persevered even through the tragic loss of his first wife. How he did it all, I shall never know and then we all rejoiced with him when there came the joy of a second marriage and, finally, a well-deserved retirement.

As it has been alluded to already, Judge Williams also had a great sense of humor. Now, he kept that carefully concealed just below the surface and he was, without a doubt, the master of the one liner. When I was in my old chambers talking on the telephone to the President of the United States, he came in and whispered in my ear, "You're taking too many personal calls."

He could use humor to make a point, he could use it to gain control. We were sitting in this courtroom at a call of the list when a man suddenly ran up before the bench from the audience and demanded in a loud voice that, "I want to be taken to prison immediately." Judge Williams calmly turned to the sheriff and said, "Sheriff, please accommodate this gentleman." And then he looked out into the audience expectantly, "Is there anyone else?" Order was instantly restored.

The older members of the bar will probably recall, I know, Hank Barnett will, that dinner that the Bethlehem Steel gave. It was a very, very lovely dinner and at the end of the dinner, President Judge Palmer was slated to give a lengthy address and Judge Palmer got up to give his dinner speech and simply stated, "Thank you for inviting us and now Judge Wil-

liams has some very important things to share with you," and sat down. This was totally unanticipated by anyone in the audience including Judge Williams. Judge Williams rose to the task and delivered a very entertaining and impromptu speech.

Who else but Judge Williams could think of hiring a character actor from Brooklyn to pose as a judge from the World Court in the Netherlands to give a speech at a Bar Association dinner and, yes, Barbara, as you indicated, who else could convince the judges of this court with our singing ability, or lack thereof, to stand before the bar and sing, Oh, Lord it's hard to be humble when you're perfect in every way. There was always just enough humor to keep the pressure down on the bench, but not so much that it ever interfered with the dignity of the bench.

Judge Williams led an extraordinary life. By the time he was elected as a judge in 1967, he was already firmly established as a community leader. He was born on November 13th of 1930 and he graduated from Moravian College with honors. After law school at the University of Pennsylvania, he began a successful practice of law. He was married to his first wife in 1952, Betty Kresge, and they had three children.

His leadership roles with the Chamber of Commerce, the Red Cross, the Bach Choir, the City of Bethlehem and the County of Northampton are well-known. He was a trustee of St. Luke's Hospital and Moravian College. In 1962 he was named one of the outstanding young men of America.

I could go on, but the point of all this is that Judge Williams could have made a great deal of money practicing law, but he chose instead the path of public service and he became a judge and we in this county are forever in his debt for what he did for us.

When Judge Freedberg invited me to speak today, I was at my chambers in Philadelphia and as I sat there thinking about what I was going to say, I gazed out the window and I looked across the Philadelphia waterfront and I could see Camden in the distance and my thoughts turned to Camden's most famous son and one of this nation's greatest poets and I thought of how that poet had chosen to eulogize Lincoln and how lucky we all were to have had our own time in this courthouse when under Judge Williams, "Lilacs last in our courtyard bloomed" and, yes, to quote that poet, "A great star has early drooped in the western sky."

And I could end here, but I won't. For one thing, I still have that feeling that when I go back into my old chambers, I will see Judge Williams there and no matter what we may think, he will tell me in his own modest way that it was presumptuous of me to even mention his name in the same sentence with a man like Lincoln.

Even more importantly, first, last, and always, Judge Williams was an active and devoted member of the Moravian Church. With all his other duties, he always found time to take part in the activities of that church, and at Christmas time you could find him giving tours of the Christmas

display at the Moravian Church, so rather than the words of Walt Whitman, I close instead with the words of Hymn 287 of the General Hymnal of the Moravian Church,

Servant of God, well done.  
Rest from thy loved employ.  
The battle fought, the victory won,  
Enter thy Master's joy.

THE COURT: Thank you, Judge VanAntwerpen, for that marvelous recollection of a very special man who served this bench for so many years and led this bench for so many years.

Al Williams was my colleague, my friend, and I'm proud to say my mentor for more than twenty years. As a judge, he was scholarly; his opinions were strong, clear, and always well-reasoned. I pay him the highest compliment that I can to a judge when I say that he always followed the law. Trial judges have wide discretion in matters before them. His exercise of discretion was influenced and informed by his personal values and by his decency, but it was always within the parameters of the law.

Those who appeared before him knew that they were receiving a fair hearing. There was no prejudice. They knew that public opinion would not sway his decision and they most assuredly knew that the Judge was in charge of the courtroom. His work was always promptly disposed of. He brought a common-sense view to the performance of his duties as a judge. He knew that the litigants needed fairness rather than perfection and that what they needed always was closure, that closure was important to them.

As president judge, he administered this court for the best interests of the public. On February 1, 1991, when he retired as president judge, he said the following: "This Court exists and should function for the benefit of those who are required to appear before us, not for the sake of attorneys or for the convenience of the judges." The interests of the bar and of the bench were important to him. He always consulted with the bar, he also consulted with his colleagues; he took them into account, but the controlling question always was what best serves the public.

I will recall Alfred T. Williams for his commitment to doing his job excellently. When he spoke of judging, he said, "It is important work and worth doing well." I will also remember him for his caring for those who appeared before him, the juveniles who were in trouble. At an earlier point in his career he sat with Judge Franciosa in juvenile court. He cared a great deal about custody cases, about the tears and the heartache for the litigants, the parents and the children, and he cared a great deal about those he sentenced. Too often he took their troubles, their cases, home with him at night. Callousness was not in him. He cared for those who came before him.

Finally, I will always be grateful for the guidance that he gave me both when I came on the bench and the advice and support he provided to

me when I became president judge upon his taking senior status. Even during his last illness, his thoughts were of this court. The last conversation I had with Judge Williams occurred about two weeks before his passing. He called me from the hospital with advice and a suggestion that benefited the court.

Sol Linowitz, an American lawyer, businessman, and diplomat spoke words which apply well to Alfred T. Williams in his career. He said, "When we look at our fellows and we decide whom we respect, civic leadership should count for more than hourly rate, a sense of justice for more than a record of victories at trial and service to those who need the law for more than representation of those who merely use the law."

It has been said that a great judge is cognizant of the trust imposed by the office and of his responsibility to administer that trust to the best of his ability impartially and with compassion. By every measure Judge Alfred T. Williams, Jr., was a great judge. He made a difference.

In closing, we order the transcription of these proceedings and direct that a copy be provided to Judge Williams' wife and his children. When Court adjourns today, it will do so out of respect for, in honor of, and with deep affection for Judge Alfred T. Williams, Jr.

The Bar Association is hosting a reception that will follow immediately after we conclude here. The reception is in the jury lounge. This Court will reconvene at 10 a.m. for the call of the argument list. This Court is now in recess. Thank you.

(The proceedings concluded.)