

JOSEPH R. BIDEN, JR.
DELAWARE

6209 FEDERAL BUILDING
844 KING STREET
WILMINGTON, DELAWARE 19801
(302) 573-6345

United States Senate

WASHINGTON, DC 20510-0802

199 NOV 17 4:51:22

October 28, 1999

Mr. Charles Brain
Deputy Assistant for Legislative Affairs
The White House
102 East Wing
Washington, D.C. 20500

*Report
cc to [unclear]
Sean M.
Gade M.*

Dear Mr. Brain:

Alan Hoffman, Chief of Staff for Senator Joseph R. Biden, Jr. asked that I send you information on the Senator's efforts to honor The Honorable Collins Seitz with the Presidential Medal of Freedom. Enclosed you will find such information.

I understand that this year's honorees included two former Presidents. However, the Senator and many in the State of Delaware and in the national civil rights community believe that Judge Seitz and Louis Redding, our newly added joint-nominee, deserve this recognition.

You will note that although one of this year's medal of freedom recipients, Oliver White Hill, litigated one of the school desegregation cases that was appealed to the Supreme Court and help shape the overturning of Brown v. Board (1954), Judge Seitz's ruling in Delaware's Belton v. Gebhart (1952) was the only case before the Supreme Court where the presiding Judge in the lower court determined that segregation was illegal. That judge was Collins Seitz and the lawyer on behalf of the plaintiff was Louis Redding. Together, they set the only precedent for national public school desegregation and laid the foundation for the 1954 Supreme Court decision.

Last year, our nation missed a tremendous opportunity to recognize these men before their deaths. It is the hope of the citizens of Delaware and many throughout the nation that we would not miss this opportunity again. Thank you for all of your efforts on our behalf and please call me at (302) 573-6051, should you have any questions.

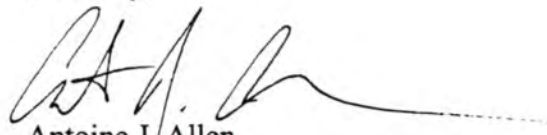
11-17-99

Send to Benckhardt

Yes

No

Sincerely,



Antoine J. Allen
Special Assistant

United States Senate

WASHINGTON, DC 20510-0802

May 14, 1998

The President
The White House
102 East Wing
Washington, D.C. 20500

Dear Mr. President:

For the first time in my 25 years as a U.S. Senator, I am writing to recommend an outstanding citizen for the Presidential Medal of Freedom, the Honorable Judge Collins Seitz. Mr. President, it has been 25 years too long, but this candidate was worth the wait. Between 1950 and 1952, Judge Collins Seitz fundamentally changed America.

In Parker v. University of Delaware (1950), Bulah v. Gebhart (1952) and Belton v. Gebhart (1952), Judge Seitz ruled that educational segregation was illegal and ordered that two Delaware school districts and the University of Delaware be desegregated. It was the first ruling in the nation in favor of desegregation within a school system and formed the basis of the U.S. Supreme Court's landmark decision in Brown v. Board of Education (1954).

To say Judge Seitz's decision is an outstanding symbol of American pride and progress in the 20th century does not adequately convey his importance to this country. Judge Seitz, under great scrutiny during that period, not only laid the foundation by which an entire group of Americans were ensured the rights they had long since been denied, he gave the country the excuse to do what was right, fair, and just under the law – a powerful tool for change.

Such a bold decision is unmistakably characteristic of Judge Seitz. Throughout his career, he has personified the wisdom of the bench and has led a court of his peers in every appointment bestowed upon him: Chief Justice of the Delaware Chancery Court from 1951-1966, Chief Judge of the United States Court of Appeals for the Third Circuit from 1971-1984; and at 83, currently Senior

The President
Page Two
May 14, 1998

Circuit Judge of the United States Court of Appeals for the Third Circuit.

After being saluted with the Devitt Award from the American Judiciary Society -- the highest acknowledgment a federal judge can receive from his peers -- U.S. Supreme Court Justice David Souter wrote, "in his half century of service he has never failed to be the judge we all wish we could be."

Mr. President, it is in this context that I urge your strong consideration of my request. There are children, adults, and senior citizens across our nation that benefit every single day because Judge Collins J. Seitz had the courage and wisdom to make a decision that envisioned not what is, but rather what ought to be. Judge Seitz is an American hero and it is important that the message of his life and the example of his character be enshrined in American culture.

Thank you, Mr. President, for your consideration of this nomination.

Sincerely,

A handwritten signature in black ink that reads "Joe Biden". The signature is written in a cursive, flowing style with a large, prominent "J" and "B".

Joseph R. Biden, Jr.
United States Senator

JOSEPH R. BIDEN, JR.
DELAWARE

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United States Senate

WASHINGTON, DC 20510-0802

October 9, 1998

The President
The White House
102 East Wing
Washington, D.C. 20500

Dear Mr. President:

I write today to bring your attention to the Honorable Judge Collins Seitz. In May, I recommended to you that Judge Seitz be considered for the Presidential Medal of Freedom for his work in civil rights in Delaware and its subsequent impact throughout the country.

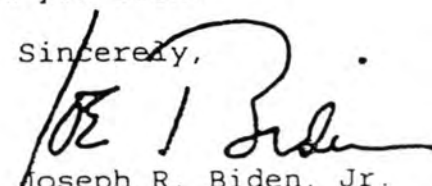
As you know, Judge Seitz made the first ruling in the nation in favor of desegregation and paved the way for the 1954 U.S. Supreme Court Brown v. Board of Education decision. Since that time, he has continued to lead and contribute to some of the highest courts in our State and in the Nation.

Currently, Judge Seitz's health is failing as he is suffering from prostrate cancer and congestive heart failure. This illness is life-threatening, and his physicians say he may only have weeks to live. Although I am aware that announcements about award recipients are traditionally made in the Fall, I am anxious to ensure that Judge Seitz will be among those honored. Perhaps more important is my deep desire that Judge Seitz has the opportunity to personally accept this well-deserved and appropriate acknowledgment.

I have enclosed my original recommendation letter to you, dated May 14, 1998. This letter highlights, in detail, his contributions to the causes of humanity and justice. Judge Seitz deserves your strongest consideration.

I look forward to hearing from you soon..

Sincerely,



Joseph R. Biden, Jr.
United States Senator

United States Senate

WASHINGTON, DC 20510-0802

October 20, 1998

The President
The White House
102 East Wing
Washington, D.C. 20500

Dear Mr. President:

It is with deep regret that I inform you of the death of the Honorable Collins Seitz, a civil rights legend in my home state and throughout the nation, who is currently under consideration for a Presidential Medal of Freedom.

On October 9, 1998, I wrote to you regarding Judge Seitz's failing health. At that time, he was suffering from congestive heart failure and prostrate cancer. Although he has since passed away, I still think it is important to honor the life of this esteemed man.

When I first nominated Judge Seitz for the Presidential Medal of Freedom in a letter to you dated May 14, 1998, I indicated that his rulings in Parker v. University of Delaware (1950), Bulah v. Gebhart (1952) and Belton v. Gebhart (1952) were the first in the nation to favor desegregation and gave the country, "the excuse to do was right, fair and just under the law." Every day, I am even more confident of that fact.

As you are well aware with your nomination of the first-ever African-American federal judge in the State of Delaware, the Honorable Gregory M. Sleet, there is one man whose bold judicial rulings literally opened that historical door, Judge Collins Seitz.

The true mark of Judge Seitz's contributions to the causes of justice is that the fruits of his work continue to surface. With every new opportunity for American citizens previously denied, we can all turn to the tough decisions of men and women like Judge Collins Seitz. He did what few of his position were willing to do in the early 1950's. As a result, all Americans have benefited.

The President
Page Two
October 20, 1998

In this vein, I ask that you continue to consider the nomination of Judge Seitz for a Presidential Medal of Freedom, and if appropriate, award him posthumously. The acknowledgment is still richly deserved and will be greatly appreciated by the entire Seitz family – indeed the entire State of Delaware.

I look forward to hearing from you very soon. Thank you.

Sincerely,

Joseph R. Biden, Jr.
United States Senator

JOSEPH R. BIDEN, JR.
DELAWARE

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WILMINGTON, DELAWARE 19801
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United States Senate

WASHINGTON, DC 20510-0802

November 3, 1998

Mr. Dan Burkhardt
Director of Presidential Correspondence
The White House
102 East Wing
Washington, D.C. 20500

Dear Mr. Burkhardt:

On October 17, 1998, the Honorable Collins Seitz died. He was one of the preeminent figures in American civil rights history and last May, he became my first nomination for the Presidential Medal of Freedom in my 26 years as a United States Senator.

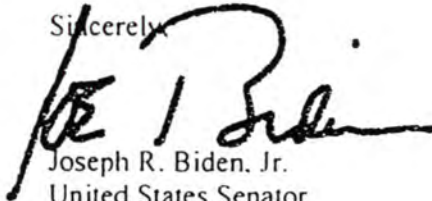
In 1950, Judge Seitz ruled in Parker v. University of Delaware (1950) that the University of Delaware integrate its institution. Two years later he made similar rulings for a local public school in Bulah v. Gebhart (1952) and Belton v. Gebhart (1952). The significance of these decisions was that it provided Thurgood Marshall and the NAACP Legal Defense team the only legal precedent to argue the historic Brown vs. Board (1954) before the United States Supreme Court and end years of legal segregation in schools. In short, Judge Collins Seitz's initial decisions in 1950 and 1952 laid the foundation to fundamentally change America.

Since my original nomination of Judge Seitz last May, I have written several letters to the President regarding Judge Seitz and his contributions to Delaware and our country. My latest letter, dated October 20, 1998, accurately reflects my deep respect for his legacy: "He did what few in his position were willing to do in the early 1950s". As a result all Americans have benefitted."

Judge Seitz's life has been well-documented, but I have included some recent articles along with my previous letters to the President for your review. Although Judge Seitz would receive this award posthumously, it is no less important that he be appropriately acknowledged. I respectfully request the President give this recommendation his strongest consideration.

Should you have any questions regarding Judge Seitz, please contact my Special Assistant Tony Allen in my Wilmington office at (302) 573-6345. Thank you.

Sincerely,



Joseph R. Biden, Jr.
United States Senator

United States Senate

WASHINGTON, DC 20510-0802

March 18, 1999

The President
The White House
102 East Wing
Washington, D.C. 20500

Dear Mr. President:

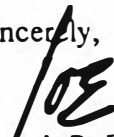
In light of your recent awarding of the Presidential Medal of Freedom to Senator George Mitchell, I am writing to inquire about my nomination of Judge Collins Seitz for this tremendous and unique honor.

As you are aware, Judge Seitz was the first judge in our country to rule in favor of desegregation cases in public schools. As I have said many times over the last year, his decisions set the precedent for the historic Brown v. Board of Education ruling in 1954. Although I nominated him prior to his death last October, his passing has challenged everyone in our State and many throughout the country to look at the impact of the life of this tremendous individual.

In January of this year, a memorial service convened by Delaware State Supreme Court, the Delaware Chancery Court and the U.S. Third Circuit District Court, presided over by U.S. Supreme Court Justice David Souter, was held in honor of Judge Seitz. During this ceremony, the words and gratitude expressed by the African-American men and women directly benefitting from his initial rulings confirmed the continued impact of this great man.

As you consider my nomination of Judge Seitz, I ask that you keep me informed of your deliberations and respectfully request that you notify me prior to an official announcement. Thank you for your time and attention on this particularly important matter.

Sincerely,


Joseph R. Biden, Jr.
United States Senator

Judge Seitz, 'a man

Jurist who was key mover of modern civil rights is praised

By **STEVEN CHURCH**
Staff reporter

Delaware's legal and political elite turned out Wednesday to honor Judge Collins J. Seitz, eulogized as a man whose love of justice and whose life's work helped launch the modern era of

civil rights.

At a time when White House and congressional lawyers are beating law books into political weapons, Seitz' funeral in Brandywine Hundred reminded an audience dominated by judges and attorneys — including Supreme Court Justice David

H. Souter — of the great good wrought by courts in the past half-century.

"He passed every professional test of courage and integrity so easily, he never even understood that he was being tested," said his daughter, Washington, D.C., attorney Virginia Anne Seitz.

In 1951 Seitz was the first judge in America to order an all-white college to admit black students. He ruled that 30 black students must be allowed to attend the Univer-

who passed the test of courage'

sity of Delaware because the college reserved for blacks was inferior.

A year later he issued a similar ruling that an elementary school and a high school also must admit blacks, a decision relied upon by the U.S. Supreme Court when it struck down the "separate but equal" doctrine used to justify barring blacks from white schools.



Judge Seitz

Seitz was quoted in the famous Brown vs. Board of education decision, considered a key moment in America's civil rights movement.

Wednesday's speakers praised those decisions, made at the beginning of Seitz' long, distinguished career on the bench, first on Delaware's Chancery Court and later on the 3rd District U.S. Court of Appeals.

During his time on the court of appeals his name was floated as a potential Supreme Court nominee, but he was passed over by President Nixon in favor of William H. Rehnquist, who is now chief justice.

Early in his career Seitz was a co-chair of the Delaware chapter of the National Conference of Christians and Jews and for many years was an active member of his local Catholic church, St. Mary Magdalen, in Sharples,

where the funeral was held.

His life is an example that will push others to do good things, said Father Joseph M.P.R. Cocucci at Wednesday's service.

"There is a certain satisfaction in dwelling on a life that was truly well lived," Cocucci said. "If we applaud Collins for his response [to social ills] and fail to consider our own, then our response is a resounding gong making no sound, but a clanging."

Federal judge Collins Seitz dies at age 84

Jurist issued landmark desegregation order in '52

By **STEVEN CHURCH**
Staff reporter

The first judge in America to order an all-white state-supported undergraduate school to admit blacks, Collins J. Seitz, has died, six weeks after doctors discovered he had heart problems.

He was 84 and had been living in a Brandywine Hundred nursing home.

Seitz, a Wilmington native, began his judicial career when he was appointed to Delaware's Chancery Court in 1946 before moving to the 3rd U.S. Circuit Court of Appeals in 1966.

"A true giant has fallen," federal Judge Walter K. Stapleton said Saturday.

Stapleton sits on the 3rd U.S. Circuit Court of Appeals in Philadelphia, where Seitz served as chief justice from 1971 to 1984.

Seitz was prominent not only in Delaware, but nationally as well. His work was cited by Chief Justice Earl Warren when the U.S. Supreme Court struck down segregation in the 1954 Brown vs. Board of Education case.

A Seitz decision two years earlier was one of the four court cases the Supreme Court combined into Brown. Of the four, only Seitz's ruling condemned the separate but equal doctrine.

The Delaware lawyer who argued against separate but equal in Seitz's courtroom that year, Louis L. Redding, died Sept. 28 at age 96. A lawyer in another one of the



News Journal file

A 1952 ruling by Judge Collins J. Seitz led to the historic Brown vs. Board decision.

CAREER HIGHLIGHTS

- 1946: Appointed vice chancellor of the Court of Chancery.
- In the 1950s made two key desegregation rulings: that 30 black students must be allowed to attend the all-white University of Delaware and that an elementary school student and a black high school student must be allowed to attend all-white schools in Hockessin and Claymont.
- As chief judge of the 3rd U.S. Circuit Court of Appeals, reorganized the court to handle a dramatically increased caseload.
- Was chairman of the state bar committee that recommended creation of the Legal Aid Society of Delaware, of which he was a trustee and treasurer for several years.

See SEITZ - A9

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Seitz: Judge was

FROM PAGE A1

cases that led to the Brown decision, Spottswood W. Robinson III, died Oct. 11 at age 82.

"I can't even think about walking in Judge Seitz' shoes, or walking in Louis Redding's shoes, because the task would be too daunting," said Gregory M. Sleet, who was sworn in last month as the newest judge for the U.S. District Court in Delaware.

Seitz also helped develop Delaware's nationally known business law while serving on the Chancery Court. His work became the basis for much of the state's business case law, Stapleton said.

In the 1960s, business law experts considered two decades of Seitz' balanced rulings one reason corporations were flocking to Delaware.

Stapleton described Seitz as soft-spoken and non-confrontational.

"He would never tell anybody he thought they were wrong," Stapleton said. "He would ask them questions about their position and kind of coax them around."

He took most things in stride, including a 1990 News Journal story about his nephew, Raymond Seitz, which noted that he was related to "the late judge."

Seitz laughed off the story, telling a reporter "I'm partially alive at least."

The only thing that bothered him, he said: the story also spelled his name wrong.

In the 1970s and early 1980s, when Congress greatly expanded the authority and workload of the 3rd Circuit Court, Seitz changed the way cases were handled to deal

with the overload, Stapleton said.

His work as a court administrator went unheralded by the public, but is an important part of his legacy, Stapleton said.

"[The court] would have gone under, had it not been for some of the innovation in managing and administering the court system he implemented," he said.

But the most influential work Seitz did began in 1950, when he was in Chancery Court.

Thirty black students, represented by Redding, sued for permission to attend the all-white University of Delaware, contending that the all-black Delaware State College was inferior.

It was a direct challenge to the long-held separate but equal doctrine outlined by the U.S. Supreme Court in 1896. After visiting both schools, Seitz ruled in favor of the students and ordered them admitted.

His ruling caused such an outcry in the state Legislature that then-Gov. Elbert N. Carvel had a tough time getting Seitz confirmed by the state Senate as chief judge of Chancery Court in 1951.

The uproar did not hold Seitz back, however.

In 1952 he ruled that elementary school student Shirley Bulah and high school student Ethel Louise Belton must be allowed to attend all-white schools in

national figure

Wilmington and Hockessin.

Judges in other states had wiggled around separate but equal by giving school officials six months to improve the all-black schools, but Seitz rejected that option.

"The cold hard fact is that the state in this situation discriminates against Negro children," he wrote in his April 1, 1952, opinion.

Two years later the U.S. Supreme Court followed his lead.

SEITZ SERVICES

Seitz is survived by his wife, Virginia Seitz; sons, Collins J. Jr. of Hockessin, Mark T. of Nashville, Tenn., and Stephen D. of Nebraska; daughter, Virginia Anne Seitz of Washington, D.C.; a sister, Margaret Jane Seitz of

Wilmington; and six grandchildren.

The funeral will be at 11 a.m. Wednesday at St. Mary Magdalen Church, Concord Pike and Sharpley Road. There will be no viewing, and burial is private.

THURSDAY, OCTOBER 22

7 - 9:00 PM

COLLECTIBLES SHOW!

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The News Journal
Oct 14 '98 Mon. DE.

LEGAL GIANT

Judge Collins J. Seitz became the conscience of the whole country

When he was named to the Chancery Court in 1946, Collins J. Seitz was 32 years old, young, indeed, for such a post. But he soon proved that he was more than qualified for the post.

It's a safe bet that many of the Delaware senators who approved his nomination were, to say the least, appalled when, four years later in 1950, he ruled that sep-

WHERE WE STAND
There are only a few judges of Collins Seitz's stature in each generation.

arate but equal facilities for black Americans was wrong. That decision directing the University of Delaware to admit blacks provided the legal philosophical basis for another, similar decision two years later that ultimately sent social and political shock waves across the nation.

Collins Seitz's core decision that separate but equal facilities were wrong in two Delaware public school cases became the keystone of the 1954 Brown versus Board of Education case in which the U.S. Supreme Court ruled that schools must be desegregated. Judge Seitz's work was specifically cited by Chief Justice Earl Warren.

In effect, Collins J. Seitz became the conscience of the nation. He was a mild mannered man who did not seek confrontation. But he was also a man of high principle and keen mind. He did not shrink from doing what was right. He held that conviction until his death last week.

In 1951, then Gov. Elbert N. Carvel, another great Delaware man of integrity, nominated Collins Seitz as chancellor, the court's top post. One can only wonder what persuasion Bert Carvel used to secure that approval. Southern Delaware was no hotbed of liberalism in the early 1950s and Vice Chancellor Seitz's 1950 ruling was not popular there. In fact, it wasn't until 1967 when the Jason High School in Georgetown, the last segregated school in the state, closed that the separate but equal practice that Judge Seitz had voided was finally eliminated.

Collins Seitz brought the Court of Chancery into the modern era. His thoughtful rulings and sage decisions helped to make the court world renowned and they brought corporations flocking to Delaware. In 1966 he was named to the U.S. Third Circuit Court of Appeals where he served with distinction — 13 years as chief judge.

Judge Seitz won numerous awards in his life and the only professional void in his career that his colleagues lament is that Collins Seitz was not named to the U.S. Supreme Court. The nation was the poorer for that.

THE WASHINGTON POST

B6 TUESDAY, OCTOBER 20, 1998 M1

OBITUARIES

Judge Collins Seitz Dies; Integrated Schools

From News Services

WILMINGTON, Del.—Collins Seitz, 84, a U.S. Circuit Court of Appeals senior judge who is believed to have been the first jurist to order an all-white school to admit blacks, died of a heart ailment Oct. 16 at a nursing home here.

Judge Seitz, a Wilmington native and resident, began his judicial career when he was appointed to the Delaware Court of Chancery in 1948. In 1966, he moved to the federal appeals court. From 1971 to 1984, he served as chief judge of the 3rd U.S. Circuit Court of Appeals in Philadelphia.

Judge Seitz's work was quoted by U.S. Chief Justice Earl Warren when the U.S. Supreme Court struck down segregation in the 1954 *Brown v. Board of Education* case.

A Seitz decision two years earlier was one of the four court cases the Supreme Court combined into *Brown*. Of the four, only Seitz's ruling condemned the doctrine of

separate but equal.

Judge Seitz took most things in stride, including a report in 1990 that he had died. The Wilmington News Journal published a story about the judge's nephew, Raymond Seitz, and mentioned that he was related to the "late judge." The judge laughed off the story, maintaining to a reporter that "I'm partially alive at least."

Judge Seitz's most influential work began in 1950, when he was in Chancery Court.

Thirty black students sued for permission to attend the all-white University of Delaware, contending that all-black Delaware State College was inferior. It was a direct challenge to the long-held separate but equal doctrine handed down by the U.S. Supreme Court in 1896. After visiting both schools, Judge Seitz ruled in favor of the students and ordered them admitted.

Two years later, he ruled that elementary school student Shirley Bulah and high school student Ethel Louise Belton must be allowed to attend all-white schools in

Clayton and Hockessin, Del.

Judges in other states had wiggled around separate but equal by giving school officials six months to improve all-black schools, but Seitz rejected that option.

"The cold hard fact is that the state in this situation discriminates against Negro children," he wrote in his April 1, 1952, opinion.

Two years later, the U.S. Supreme Court followed his lead.

Judge Seitz, a 1937 graduate of the University of Delaware, was a 1940 graduate of the University of Virginia law school. At the law school, he had served on the law review and was a member of the Order of the Coif and the Raven Society.

He then practiced law in Wilmington and served as a county tax attorney before becoming vice chancellor of the Delaware Court of Chancery in 1946. In 1951, he became chancellor of the State of Delaware and also served for a time on the state Supreme Court before taking his seat on the federal bench.

Over the years, Judge Seitz also had taught law school courses at the University of Pennsylvania, Rutgers University and the University of North Carolina. He also had been chairman of the Mid-Century White House Conference on Children and Youth.

Survivors include his wife, Virginia, of Wilmington; three sons, Collins Jr., of Hockessin, Mark Tyler Seitz of Nashville and Stephen Day Seitz of Africa; a daughter, Virginia Ann Seitz of Washington; a sister, Margaret Jane Seitz of Wilmington; and six grandchildren.



Monday November 2, 1998
News Journal
A-8

Judge Seitz merits Presidential Medal of Freedom for landmark ruling

The Presidential Medal of Freedom is our country's highest honor, awarded to distinguished individuals for their significant contributions during peace time.

Since President Kennedy re-established the Medal of Freedom in 1963, the honor has been reserved for those who truly demonstrate extraordinary public service.

Former U.S. Supreme Court Justice Thurgood Marshall, civil rights leader the Rev. Dr. Martin Luther King Jr. and Gen. Colin Powell are among the elite few upon whom this honor has been bestowed.

Delaware's own Judge Collins J. Seitz, should be included in this distinguished group. This May I recommended Judge Seitz to President Clinton, the first time in my 26 years as a senator that I have made such a nomination.

The White House has assured me he will be considered for this



medal posthumously. A decision is expected by the end of this year. Our state, indeed our nation, lost one of the giants of America's legal system with the death of Judge Seitz. He was a man of unparalleled courage who profoundly changed America with his bold decision that "separate but equal" schools for children of

different races violated the U.S. Constitution.

He did what few in his position were willing to do in the early 1950s. He ignited a tremor that toppled segregated schools.

In a series of legal cases, he ruled that school segregation was illegal and ordered the University of Delaware and two Delaware school districts to open their doors to African-Americans.

They were the first such rulings in the nation and formed the basis for the U.S. Supreme Court's landmark *Brown v. Board of Education* decision in 1954. It is important to remember the historical context in which these rulings were issued. In 1950 and 1952, even the U.S. military was only just beginning to integrate people of all races.

As Judge Seitz noted in a 1990 speech at the University of Vir-

ginia Law School, his 1950 and 1952 decisions were "controversial and deeply resented." Yet he had the foresight and fortitude to do what was right and just.

The importance of Judge Seitz's desegregation rulings went beyond the classroom. His decisions paved the way for every civil rights advancement in recent American history.

Last year, Judge Seitz was saluted with the Devitt Award from the American Judiciary Society, the highest honor a federal judge can receive from his peers. At his award ceremony, U.S. Supreme Court Justice David Souter honored him with these words: "In his half-century of service he has never failed to be the judge we all wish we could be."

Sen. Joseph R. Biden Jr.
Greenville

Ceremony honors Seitz's risks



The News Journal/WILLIAM BRETZGER

Virginia Seitz talks with Sen. Joe Biden, D-Del., during a memorial ceremony Friday for Virginia's father, Judge Collins J. Seitz.

Colleagues influenced by judge's landmark rulings against segregation remember 'this giant of a man'

By STEVEN CHURCH
Staff reporter

Judge Collins J. Seitz's most famous decision wins easy praise today: He issued the first court order in the country forcing an all-white, public college to accept blacks.

But in 1951, his ruling against a long-held and long-accepted policy of racial segregation was hard for many in Delaware to take.

In a ceremony Friday honoring his life, a parade of prominent speakers — including U.S. Supreme Court Justice David H. Souter, who presided — talked about the impor-

tance of Seitz's work as a state and federal judge, praising his integrity, foresight and courage.

"How much do we appreciate the risk he took, this giant of a man Collins J. Seitz?" said Homer Minus, a dentist who was one of the first to walk through the door opened by Seitz's ruling, graduating from the University of Delaware in 1953. "What are we doing ... to add to the efforts put forward by Collins Seitz?"

The memorial at the Daniel L. Herrmann Courthouse in Wilmington was held jointly by the Delaware Supreme Court, Court of Chancery

See SEITZ — A5



The News Journal/WILLIAM BRETZGER

Delaware Supreme Court Chief Justice E. Norman Veasey (left) and U.S. Supreme Court Justice David H. Souter take part in the ceremony.

1100 -

Seitz: Desegregation rulings remembered

FROM PAGE A1

and the U.S. Court of Appeals for the Third Circuit, where Seitz served in the 1970s and 1980s.

Seitz died in October at age 84, one month after the death of 96-year-old lawyer Louis L. Redding, who successfully argued in Seitz's courtroom in favor of desegregating the University of Delaware.

Seitz has been widely praised for two of his earliest decisions in a long judicial career. In 1951, he ordered the University of Delaware to end its policy of automatically rejecting black applicants. A year

Seitz's work was cited by the U.S. Supreme Court in 1954, when it ended segregation.

later, he issued a similar order to a pair of all-white public schools in Hockessin and Claymont.

His work was cited by the U.S. Supreme Court in 1954,

when it ended segregation. It inspired Sen. Joe Biden, D-Del., to become a lawyer and later get into politics, Biden said.

"[Seitz proved] if you had the nerve to be shunned by your neighbors and your colleagues, you can do a whole hell of a lot," Biden said.

Other colleagues praised Seitz's work in the 1950s and 1960s as the state's top judge in Chancery Court, where his opinions are credited with laying the foundation for Delaware's primacy in corporate law.

"Collins Seitz breathed predictability into corporate law," said Judge William T. Chandler III, the chancellor of Delaware's Court of Chancery.

Souter said he remembered reading Seitz's legal opinions in law school and then realizing how important they were once he became a judge. As the U.S. Supreme Court's liaison to the Third Circuit Court of Appeals, Souter once sat with Seitz for an official portrait.

"If I live to be a very old man," Souter said, "I will boast that I once sat on the same bench as Judge Seitz."



News Journal file

A memorial ceremony Friday honors Judge Collins J. Seitz for his rulings against segregation.

-30-

News
Journal
Fri 1-28-99

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LEGAL MILESTONE

Unique court session to honor Collins Seitz

Collins J. Seitz was a giant in the U.S. legal community. His ruling in a Delaware matter that all persons must be afforded equal treatment under the law was specifically cited in the 1954 Brown vs. Board of Education desegregation suit. In effect Judge Seitz became the nation's conscience.

His distinguished judicial career in both state and federal courts will be saluted today, three months after his death. There will be a unique congregation of judges in Courtroom 301 in the Daniel L. Herrmann Courthouse on Rodney Square, Wilmington. There young Chancellor Seitz made his monumental decision that separate but equal facilities for different races was unconstitutional.

U.S. Supreme Court Justice David H. Souter will preside over the colloquium of judges from Delaware Supreme Court, Court of Chancery and the third Circuit Court of Appeals. Other court and legal officials will join in honoring Delaware's most famous judge.

Judge Seitz was an humble man, devoted to his family, his faith and the law. It is entirely fitting that this native Delawarean's accomplishments be memorialized.