

## October Sitting - Remarks from Justice Barbara Lenk

Today is the first sitting of this Court since the sudden and untimely death of our beloved Chief Justice, Ralph Gants. It was his practice to offer farewell remarks when a justice was retiring from the bench. And so now I would like to do the same for him.

The outpouring of appreciation for Chief Justice Gants that we have seen since his passing has been truly extraordinary. How can one man mean so much to so many? When the man is Ralph Gants, the answer is in some respects self-evident. I have heard from so many people about his gift for being uniquely “present” to each of us: at a party or gathering of any sort, when he spoke with us, you never had the sense that he—unlike so many other “important” folks—was looking over your shoulder, checking out whether someone else might be more worthy of his attention. No—he was talking with YOU; he was completely focused on what you had to say, on your experience, and on what he could do to offer encouragement and support.

As one of my colleagues has said, the Chief's brilliance was only overshadowed by his kindness. I experienced that kindness on many occasions, but especially during the year or so when I was quite ill. He was so very wonderful with me—not letting me resign, himself taking over my single justice assignments, checking in regularly, making sure I had what I needed—including a little work, of course, to let me feel useful.

Somehow, the Chief had a seemingly inexhaustible reservoir of time and energy: for each person, in whom he was really interested; for each task, large or small; for ideas, big and little. I

used to tease him that God must have made it so that he got 36 or more hours in each day, while the rest of us got only the standard 24. How else to explain the infinite patience with and time for the many people in his life—and he seemed to know EVERYONE—the many time-consuming non-case related commitments—the court and national committees on which he served, the extraordinary number of administrative matters he oversaw, the many lower courts and their policies and personnel over which the SJC has superintendence power (and about which he seemed to know everything), the good relationships he fostered and developed with the legislative and executive branches. This alone would more than occupy the ordinary mortal. But I doubt it took more than half of his working time. Also known as his awake time.

He spent the rest of his time thinking, writing opinions, mentoring his law clerks, giving all sorts of talks, carefully reading and editing the drafts circulated and considered at monthly consultation, reading briefs piled high on his desk each month, letting oral arguments far exceed the stated time constraints, working his way masterfully at sables and consultation with the associate justices—all with our own strong views—to harmonize those views. An amazing number of our opinions are unanimous, thanks in large part to his skill in showing us the common ground that we all shared. And when justices, including the Chief, wrote separately, they did so without rancor or personal invective, a tribute to the environment he created and sustained by his example.

It was all an enormous enterprise, the Chief's work, but he embraced every part of it. He loved being Chief Justice, loved this Court, and loved us. He loved it all, because he knew how important the work of this Court is for the people of Massachusetts--the people who rely upon us

for justice—and he cherished the opportunity to do that work for their benefit. He was always focused on them, on the people behind the cases we heard—especially those who have the least—and on what our rulings would mean for them.

In all respects, Chief Justice Ralph Gants fulfilled the Biblical injunction in the Book of Micah: he did justly, he loved mercy, and he walked humbly. He was indeed a mensch of mensches. May we all strive to follow his example.

And now let us observe a moment of silence in honor of his memory.