

Remarks of Senior U.S. Circuit Judge Frank M. Coffin
at Presentation of Portrait of Daniel E. Wathen
Kennebec County Courthouse
Augusta, Maine
April 11, 2003

This occasion is something of a paradox. We are here to pay deserved tribute to our latest former Chief Justice by celebrating the presentation of his portrait. This will, in all probability, be a physical likeness and depict one face. Yet, as I view our roster of speakers, I sense that each has a different story to tell, and may well portray a different face of our honoree. For Dan Wathen is a man of many parts. In a sense, we shall be rhetorically carving him up into pieces, leaving it to the portrait to put him back together again.

I am happy to begin with a view from the outside. From very early in Dan Wathen's Chiefship, we have shared an exciting joint venture in judicial outreach. In addition to tending to his duties as Chief Justice of the Maine judicial system, his court, and his caseload, Dan has looked for ways to reach out to people needing easier access to the processes of justice. One major way was to marshal the efforts of the entire interested community -- judges, lawyers, legislators, legal service providers, and representative members of those in need. He did this for the Fall Forum of 1995, convened to deal with the crisis in legal aid resulting from the deep cuts in funding and the curtailing of services imposed by Congress.

Out of this came the Justice Action Group, a typical Wathen reaction to a problem -- a pragmatic, flexible, informal instrumentality based on common interest and consensus. He recruited me as Chair out of our joint belief in the principle stated by Alexander Hamilton in Federalist Paper No. 81 that the state and national court system "are to be regarded as ONE WHOLE." Hamilton, be it noted, capitalized all the letters in these two words. It should be no surprise that my colleague, Judge Lipez is carrying on this tradition.

Subsequently, in 1996, we continued our collaboration in the Dirigo Project, aimed at increasing communication and cooperation between courts and the public. To chair the committee overseeing the project, we picked Dan's fellow celebrated non-achiever, Buzz Fitzgerald. Probably the most significant impact of the Dirigo Project was its effect as a catalyst, energizing all in Maine's legal assistance network.

The next years resulted in actions on many fronts to increase the level and quality of legal assistance efforts - the Maine Equal Justice Project and Partners, computer-based guides to court procedures, a coordinator of volunteers, the funding of two fellowships in family law by twelve Portland law firms, an increase in civil filing fees to fund legal assistance, the organized sharing of resources, together with bank actions dramatically increasing the interest paid into IOLTA funds.

In 1999, Dan and I told our story in the Federal Judicial Center's "State-Federal Judicial Observer." It bore the title "A Maine Journey in State-Federal Judicial Outreach." At the end, Dan noted some "Lessons Learned Along the Way." They included:

It is part of every judge's and lawyer's job to keep the courthouse door wide open for all.

Change in the legal community is most easily accomplished with the joint involvement of state and federal judges.

Adversity really does equal opportunity.

Big problems lend themselves to small solutions. Many pieces can solve

the big puzzle.

This is vintage Wathen. Now for the rest of the Wathen story, told by colleagues, his predecessor and successor, his teachers and his law clerks. But this outsider is forever grateful for Dan Wathen's generous and imaginative capacity for stretching out beyond the strict confines of his job to embrace the broadest reach of Justice.