

Remarks of U.S. Senior Circuit Judge
Frank M. Coffin

Edward Godfrey: The Passing of a Venerable

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When a truly venerable one passes from our company, we need a gathering together, not just to grieve our loss but to realize our legacy. In Ed Godfrey's case, this is not easy, for that legacy is so rich and varied.

His qualities of mind and spirit are like a palimpsest, a document or parchment which reveals, as one peels off the layers, yet ever deeper levels. The top layer, most easily peelable, is that of a gruff, offputting countenance . . . until it cracks his weathered face into a wide grin or an unrestrained laugh. Here, we quickly sense, is an amused, bemused observer of the Human Comedy, self included. Beneath this, we find a person who stoutly defends cherished standards, institutions, and processes of law with relentless honesty and discipline. And then, below that, we discover a durable and outgoing concern for others, those others being generations of students, faculty, and other friends.

With this set of qualities, fate gave him the opportunity to create an institution, a law school, which allowed him to play all the roles in the drama. And so he began as the dogged and creative Founder and Dean, the standard setter of scholarship, a model of teaching, and the ad hoc philanthropist for needy students. Then he demonstrated that an academic could be a collegial, non-ideological and stimulating Justice on Maine's highest court. He then returned to the school he loved to nurse along and watch mature under gifted successors.

There is one other role he filled to perfection, that of lifelong learner and student. Many years ago, a good friend and excellent member of our Law Court, Sidney Wernick, and I had the unique privilege of going to Ed Godfrey's house for evening classes in the fabled Hart and Sacks Legal Process course. These proved to be wonderful, no-holds-barred sessions of exchanging experiences and reciprocal learning.

His eagerness to learn did not stop with the law. Ed and I had a tradition of lunching together every so often. He would drive us to The Cannery in Yarmouth where we would have a Dubonnet and talk about everything under the sun. On one occasion he had been studying his grandfather's papers and became interested in the ill-fated Battle of the Little Big Horn in 1876, where his grandfather had served. He had mastered the entire story, placing it in its historical context. It seemed to me, however, that he was pushing learning a bit far when he gave me New York Times writer James Gleick's book, "Chaos - Making a New Science." One scientist described this new science as "the irregular, unpredictable behavior of deterministic, nonlinear dynamical systems." I was flattered but overwhelmed, for I was a stranger even to old science. But for Ed, this was grist for his mill and something I ought to know about. At the very end of his life, he was studying a book on contemporary mathematics.

Years ago, when my portrait was presented to the court here in Portland, Ed did me the honor of participating. He began with some very insightful words. He said, "My remarks will all just boil down to one worried, eclectic pluralist praising another." I am not sure I measure up to this, but Ed was a pluralist in not accepting any one source or theory as a solvent for all problems; he was eclectic in choosing among various sources and systems for the one that

seemed the best fit. And he remained worried, but never daunted. Having no fixed final answers kept him going as a lifelong searcher and learner, always open to new ideas.

There is no law school which has a founder of broader vision, nobler commitment, and deeper compassion than our own University of Maine School of Law. What a rich inheritance he has given all of us.