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Introduction

Stephen Breyer

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INTRODUCTION

*The Honorable Stephen Breyer**

In December 1980, when I became a First Circuit judge, the United States Court of Appeals was composed of three active members, Frank Coffin, Lee Campbell, and Hugh Bownes, and one senior member, Baily Aldrich. For me that court has always showed me what a great court could be. It was the court that through example taught many of us how judges can, and should, do their job.

Frank was the court's Chief. He brought a light touch to that difficult task. But at the same time, he revealed to the rest of us those judicial and personal qualities that characterized Frank Coffin's work as well as his relationships with all of those who knew him. They include thoughtfulness, intelligence, learning, decency, and kindness. Frank had an unusual ability to listen to, and to understand, the points of view of others, even those of his most junior colleagues, then very wet behind the ears. He also had a quality that is often helpful when trying to work out difficult problems with other judges and with lawyers too, namely a good sense of humor.

Frank Coffin thoroughly understood the law. He helped us understand that law is not a set of perfectly logical rules that dictate results through the application of Aristotelian syllogisms. Rather, law reflects an effort by fallible human beings democratically to create legal practices that will help them and others live better lives in their own communities.

Frank's judicial work reflects this understanding. He understood each case. He cared about the individual litigants. He crafted each opinion with care. He searched for sound judgments embodied in carefully considered holdings. He was helped by the fact that, as a Member of Congress he had seen the practical workings of our governmental institutions. And in his great book, *The Ways of a Judge*, he explains how that experience helped him understand the American government and the different roles of legislature and judge within it. He thereby made all of us better understand how the democratic process works in America.

This issue of the *Maine Law Review* will help many who did not know Frank understand why those who did know him think of him as a fine judge and a warm, decent human being, who contributed much to our professional growth as well as to our personal happiness. It will help explain as well why I expect judges in the future may be envious when I say that I sat on a great court, the United States Court of Appeals for the First Circuit, and that great judge, Frank Coffin, was my chief.

* Associate Justice, United States Supreme Court.

