

Chancellor Allen recently issued a press release to the newspaper in his old home town — "The Bucks County Courier Times," — in connection with the completion of his term as Chancellor. It commences with the sentence, "William T. Allen, a 1962 graduate of Bishop Egan High School, who has served as Chancellor of the Delaware Court of Chancery since 1985 will complete his term of office on June 28, 1997."<sup>5</sup> After three paragraphs of unembellished data concerning his career thus far, the Chancellor concluded with the following three sentences: "He has lectured at Yale Law School, University of Toronto, and at the Max Planck Institute in Hamburg. Allen serves as a member of the Board of Trustees of the University of Delaware. He graduated toward the bottom of his class at Bishop Egan."<sup>6</sup>

#### IV.

Chancellor Allen has come a long way from his days at Bishop Egan High. He is nevertheless still in the prime of life and mid-career. Very few people at his stage in life already have made contributions so universally recognized as extraordinary. That fact makes the tribute of this issue of the Journal particularly impressive. It is a great pleasure and privilege for me to be able to join in that tribute. Congratulations, Chancellor Allen, on many jobs well done!

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### THE CHANCELLOR OF EXCELLENCE

BY CHIEF JUSTICE E. NORMAN VEASEY\*

Over the past year, it has been my privilege to speak at events honoring Chancellor William T. Allen on three separate occasions. As I prepared my remarks for each of these occasions, I marveled at the significance of Bill Allen's tenure as Chancellor and the unparalleled character of the man responsible for guiding Delaware's internationally

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<sup>5</sup>Press Release to Bucks County Courier Times (on file with *The Delaware Journal of Corporate Law*).

<sup>6</sup>*Id.*

\*Chief Justice, State of Delaware Supreme Court.

respected Court of Chancery for the past twelve years. Let me revisit each of these occasions.

On December 13, 1996, I presented the Chancellor with the Second Annual Chief Justice's Award for Outstanding Judicial Service. This award was established to honor that member of the Delaware Judicial Conference who demonstrated outstanding judicial service that year in accordance with established criteria. I selected Bill Allen for the following reasons, many which were elegantly articulated in the nomination of Chancellor Allen by the person who was ultimately to succeed him — Chancellor William B. Chandler III:

1. Intangible skills and qualities he brought to the art of judging;
2. Demonstrations of the highest degree of professionalism, courtesy, sensitivity, and civility to litigants, lawyers, and to all who came before the Court;
3. Not only a strong, but an awe-inspiring work ethic;
4. Leadership that strengthens the spirit of collegueship and knits the members of the Court into a community; and
5. Skillful organization of judicial business, extraordinary scholarship in writing, a respected national reputation and, most of all, his humanity.

In nominating Chancellor Allen for this award, then Vice-Chancellor Chandler stated:

Because of his typical modesty, Bill Allen would not want me to nominate him for an award of any kind. But I believe he deserves recognition for his years of outstanding judicial service to the State of Delaware and to the State Judiciary. Bill's accomplishments as Chancellor are well known and far too numerous for me to recite in a brief letter. Nor would reciting his achievements accurately portray his years of service on the Court of Chancery, for his record of service to the Court and to the State is as wide and as varied as his intellectual interests. Of course, Bill's reputation as a scholar and expert in the area of corporate law is recognized all across the United States. His opinions, as well as his scholarly articles and speeches, have been pathbreaking and precedential in an era of enormous growth and activity in the law of corporations and fiduciary duties. His decisions have been praised widely and are admired

highly by both corporate law practitioners and academics. Bill Allen truly has preserved and enhanced the national reputation of Delaware's Court of Chancery.

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I think Bill Allen is a remarkable jurist and certainly one of the most intellectually gifted individuals with whom I have ever had the privilege of working. In addition, he possesses great personal charm, wit and warmth, and is an engaging conversationalist. I believe Bill is an excellent candidate for the Chief Justice's Judicial Service Award.

In my presentation of the Second Annual Chief Justice's Award for Outstanding Judicial Service, I stated:

In my view, this year's recipient is one who has earned not only the highest respect of his colleagues, and the people in Delaware, but one who has perhaps the most glittering reputation in corporation law of any judge in the universe. He is admired, followed, and much sought-after at national seminars and lectures on that topic, which is only one of his many areas of expertise.

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He is not only brilliant and eloquent — and perceived to be so — but he is usually right!

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He has written over 500 judicial opinions on a broad range of legal questions. He is nationally renowned not only because of his corporation law opinions and the scholarship inherent in them, but because his reputation has also been enhanced by his academic writings, lectures and associations with institutions of higher learning.

The second opportunity I had to honor Chancellor Allen was this past June at the Annual Delaware Bench and Bar meeting, where I presented him with the First State Distinguished Service Award. This award recognizes exemplary leadership and service in strengthening the

legal profession and the judicial system and is given annually to a Delaware judge or lawyer who has rendered outstanding service. It rewards services of such distinction as to constitute unique contributions of an exemplary and substantial character. It is the highest award that the Delaware Bar Association can bestow. Bill received two standing ovations on that occasion, demonstrating the respect and admiration of his colleagues on the bench and bar.

The third opportunity that I had to honor Bill Allen in the past year was on June 26, 1997, at a dinner honoring his retirement from the Court of Chancery. Of the three occasions that I have mentioned, this was the most memorable, for it represented the end of an unprecedented era of jurisprudence and the loss of an even more unprecedented leader whose notable words and character guided the way.

In my comments, I reflected on Bill's letter of February 25, 1997, in which he informed the Governor and me that he would not be seeking appointment to another term of office. In this letter he stated:

On June 30, 1997 my twelve year term of office as Chancellor will be completed. I have deeply appreciated the opportunity to make a contribution to the welfare of my community and to the advancement of law that service on the Court of Chancery has afforded me. I have as well cherished the human relationships that I formed with others while helping to do the important work of the Court and the Board of Pardons.

The work of the Court of Chancery is important to the people of our State and is important sometimes to people elsewhere in the nation. I have never forgotten that fact and have worked hard to assure that the quality of the Court's current contribution has measured up to the high historical standards that my predecessors had set. I am proud of the judicial work that, with the help of others, I have been able to accomplish during my tenure in office.

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I will leave the Court of Chancery at the appointed hour deeply grateful for the opportunity to have been of service to my community, as I hope I have been. During the twelve years in which I have served as Chancellor I have invested deeply in the Court of Chancery and its work. The welfare

of the Court, and of the Delaware judicial system as a whole, will always remain an important concern for me.

In my letter of the same date, responding to Bill's letter, I said:

I greet this news with very mixed emotions. On the positive side, I am delighted for you and Ruth about the excitement of your new career in academia where I know you will make an outstanding contribution, particularly in the development of the law of business organization and governance. On the negative side, it is a sad turn of events for the people of Delaware and for litigants in our Court of Chancery. You will be missed as deeply as any leader of a great institution can be missed.

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On behalf of the Delaware Judiciary and the people of Delaware, I want to thank you for your extraordinary judicial service and to wish you and Ruth in your new career the outstanding success which you richly deserve.

A few days prior to this dinner, Bill said to me with characteristic modesty that "far too much has been made of my retirement as Chancellor." But, in my view, perhaps we have not done enough. Bill's substantial contribution to jurisprudence is exemplified by numerous well-known case names, as well as his industry, consistent work ethic, and productivity. His skills as a judge are exceeded only by the warmth of his human qualities and the strength of his character. He is truly a distinguished man and his tenure with the Court of Chancery will be long remembered as one of outstanding judicial service.

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