



SPONSOR: Sen. Gay & Rep. Griffith
Sens. Hansen, Townsend; Reprs. Bush, Lynn

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 88

EXTENDING HEARTFELT BEST WISHES TO THE MEMBERS OF THE DELAWARE STATE BAR ASSOCIATION, AS THAT VENERABLE ORGANIZATION CELEBRATES THE 100TH ANNIVERSARY OF ITS ESTABLISHMENT AS A MODERN STATE BAR ASSOCIATION.

1 WHEREAS, the Delaware Bar had its origins in the earliest days of European settlement of what is now the State
2 of Delaware under the Swedes and the Dutch, the earliest recorded appearance of an attorney in a Delaware court having
3 been in 1658 during the period of governance by the Dutch; and

4 WHEREAS, the first trial by jury in Delaware took place in 1669, in which one Marcus Jacobs (or Jacobsen), also
5 known as "Long Finn," was charged with insurrection and tried before a jury of "twelve good men;" and

6 WHEREAS, by the mid-18th century, as historian J. Thomas Scharf noted in his 1888 "History of Delaware," the
7 Delaware Bar began to "flourish from the accession of men of character and ability, and truly there were giants in those
8 days;" and

9 WHEREAS, among those giants of the 18th century Delaware Bar were such men as George Read, John
10 Dickinson and Thomas McKean, who were added as the seventh, eighth and ninth names on the roll of Delaware attorneys
11 and all of whom went on to achieve fame as among the founding fathers of "the Delaware State" in 1776; and

12 WHEREAS, these and other early members of the Delaware Bar went on to help draft what became the United
13 States Constitution, which the State of Delaware was the first state to ratify on December 7, 1787; and

14 WHEREAS, throughout the 19th century, members of the Delaware Bar continued to distinguish themselves both
15 at home in Delaware and nationally; and

16 WHEREAS, in December, 1896, when a convention was convened at Dover to draft a new Delaware State
17 Constitution, there were ten delegates from each of the three counties, with members of the Delaware Bar comprising one-
18 third of the total number; and

19 WHEREAS, many of the provisions of the new state constitution, which was enacted in 1897, particularly those
20 relating to the judiciary which had been drawn up under the leadership of the lawyer-delegates, remain substantially the
21 same today; and

22 WHEREAS, while the first version of the Delaware State Bar Association was formed in 1901, the three county
23 Bar Associations had been and continued to be for some decades after 1900 primarily responsible for the work of the

24 Delaware Bar, but it was becoming clear that a statewide association was needed to bring uniformity to such practices as
25 the examination of students seeking admission to the Bar and similar matters; and

26 WHEREAS, these and other concerns to the county Bar Associations led, in February, 1923, to the revival of the
27 Delaware State Bar Association, which had lain more or less dormant since it was first established more than 20 years
28 earlier; and

29 WHEREAS, as noted in the seminal work on the subject, "The Delaware Bar in the Twentieth Century," published
30 by the State Bar Association in 1994:

31 "The history of the Association provides a glimpse of the considerable influence Delaware
32 lawyers have had on laws and the court system, politics and social change. In a larger sense, it mirrors
33 the history of the profession itself and of the country. Aspects of broad-ranging and historic issues such as
34 Prohibition, FDR's court-packing plan and the Great Depression, as well as more recent policy questions
35 such as the legalization of drugs, the Equal Rights Amendment and Delaware's anti-takeover statute,
36 have been addressed by Delaware lawyers through the Association.

37 It has also been the protector of the ideals of the legal profession. The Association's first
38 seventy years [and the next thirty as well] are marked by evolving efforts to promote ethical conduct by
39 lawyers, to offer high quality continuing legal education and eventually to require continuing legal
40 education, to protect the public from the unauthorized practice of law, to review and make
41 recommendations regarding Delaware's court system and foster the mentoring of new lawyers."; and

42 WHEREAS, in the century since it became by degrees the strong, active, and vibrant organization of today, the
43 Delaware Bar Association has had among its members a wealth of great legal minds, many of whom shared their
44 knowledge of the law and of new directions in the law with the members of the Delaware General Assembly and through
45 them with the citizens of our State; and

46 WHEREAS, in 1923 Evangelyn Barsky and Sybil Ward were the first two women admitted to the bar in
47 Delaware, and whereas Louis L. Redding, the first African American man, and Paulette Sullivan Moore, the first African
48 American woman were admitted to practice in 1929 and 1977 respectively; and

49 WHEREAS, in recent years, the DSBA has recommitted itself to serving all Delawareans by promoting diversity,
50 equity, and inclusion in the practice of law in collaboration with the Multicultural Judges and Lawyers Section, the Woman
51 and the Law Section, and the LGBTQ+ Section, and through programs such as the Judicial Diversity Clerkship Program;
52 and

53 WHEREAS, it must also be noted that a great deal of the guidance and leadership provided to the General
54 Assembly and to Delaware citizens by members of the Delaware Bar has been provided voluntarily and at little or no cost, a
55 classic example of the true spirit of the term “*pro bono publico*,” and

56 WHEREAS, one of the results of this tradition of service is the fact that the Delaware Judiciary is considered
57 across the nation as one of the finest judicial branches among all 50 states; and

58 WHEREAS, while we honor the Delaware State Bar Association on this day for its 100th Anniversary as a modern
59 bar association, we truly honor its members, and those earlier members extending far back into Delaware’s long history, for
60 far more—we owe them and the modern bar association that has grown out of their efforts a true debt of gratitude for all
61 that they have done to help make the State of Delaware “The First State” in all ways.

62 NOW, THEREFORE:

63 BE IT RESOLVED by the Senate of the 152nd General Assembly of the State of Delaware, the House of
64 Representatives concurring therein, that the members do hereby extend to the members of the Delaware State Bar
65 Association heartfelt congratulations and best wishes on the occasion of your 100th Anniversary as the modern, strong, and
66 vibrant organization that has played and continues to play a vital role in the life of our State.

67 BE IT FURTHER RESOLVED that a suitable copy of this Senate Concurrent Resolution be presented with
68 gratitude to the Delaware State Bar Association.

SYNOPSIS

This Senate Concurrent Resolution extends heartfelt congratulations and best wishes to members of the Delaware State Bar Association on the occasion of the 100th Anniversary of the establishment of the modern bar association in 1923.

Author: Senator Gay