

William E. Manning

# OF COUNSEL: Pete du Pont, the Lawyer

To be honest, Pete du Pont was not supposed to be a lawyer. With an engineering degree from Princeton, Pete was headed for the family business, where he was expected to do great things. All was right with the world.

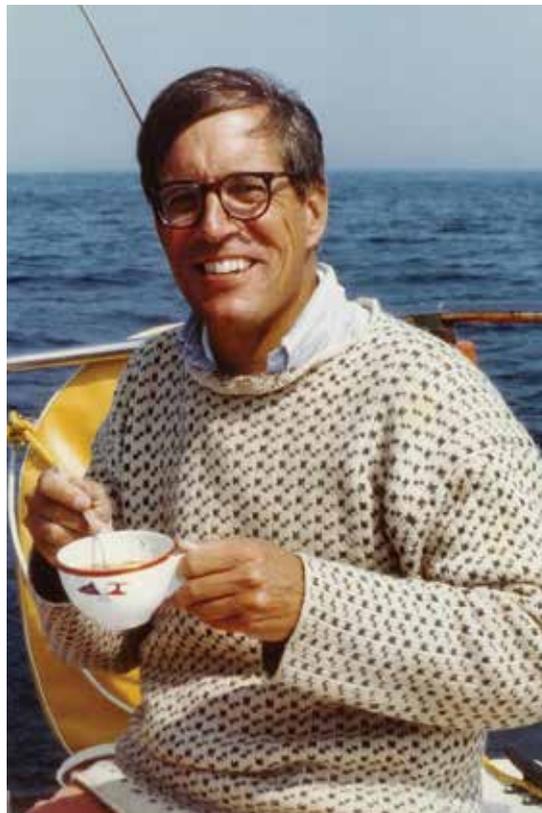
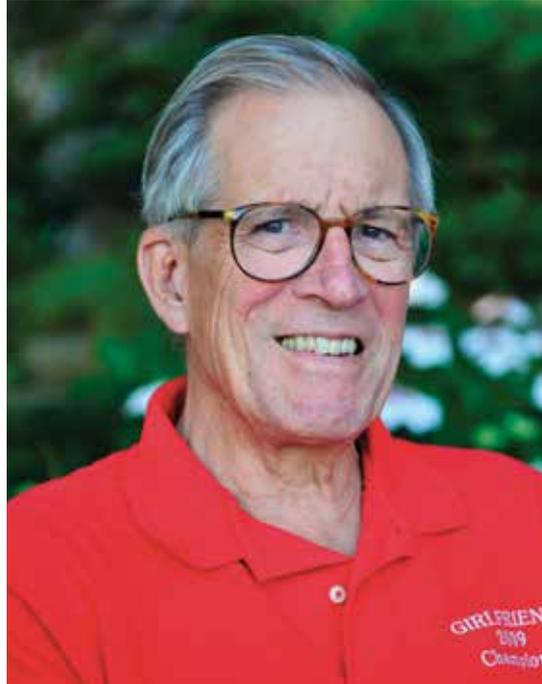
But, as we have come gratefully to realize, Pete was different. Family lore has it that Big Pete (Pierre Samuel III) was not pleased when Pete declared he would attend law school. His choice of school – Harvard (OMG!) – didn't help.

Nevertheless, young du Ponts are expected to chart their own course and off to Harvard he went. After his degree, Pete served in the Naval Reserve as a Seabee, keeping a lonely airfield in Maine free of snow and ice while our nation slept peacefully.

Pete's first client? The family business, where he served in the law department for seven years while the itch for public service grew. Never experiencing defeat, Pete served in the State legislature (1968-1970), in Congress (1970-1976) and as Governor (1976-1984). We won't talk about the 1988 Presidential bid, because... well...I don't want to. Huge loss for the nation.

For many of us, our contributions to the law are limited to our efforts on behalf of clients, Bar committees and occasional *pro bono* work. Lawyer Pete, on the other hand, had the opportunity to write a little larger. One of his first initiatives as Governor was to change the rather clubby way in which our judges were chosen.

As if awaiting the blessing of the Elders, Pete's predecessors had relied heavily on the review of judicial candidates by the Bar Association's Committee on Judicial Appointments. Bothered that it had no lay members and was not accountable to any elected official, Pete created the Judicial Nominating Commission and appointed



its first members. The JNC's first chair was Pete's lifelong friend and a legendary lawyer, Ned Carpenter.

In watching the early work of the JNC, it became clear to me that Pete intended to broaden the field of candidates by gender, race and religion. That he did. I am pleased that Pete's successors have continued its use and the JNC is now part of our landscape.

Pete's reliance on the JNC chafed a bit with leaders of our profession. I remember sitting in uncomfortably while the Bar Association's Committee would visit Pete to announce its recommendations. Ever the gentleman, Pete patiently listened, thanked his guests and then made clear, without exactly saying so, that the Committee's advice was irrelevant. Our

guests had to take it from him; after all, he was Governor, by golly. I wasn't too sure, though, about me.

My other recollections of Pete's take on the legal profession, gained while serving as his legal counsel and then chief of staff, range from the trivial to the important. For example, I recall his annual grouching when it came time to renew his Bar Association membership. "Manning, why should I do this? The dues are too high!" "Governor, please just do it. You get me in enough hot water as it is."

Speaking of hot water, I will never forget the morning Bill Quillen – one of Delaware's most revered jurists and a wonderful man who left us too soon – dropped in unannounced (his Supreme Court office was only one floor below). Mind you, I was all of 34 and felt like a batboy chatting with Babe Ruth. Nervously, I inquired how I might be of service and His Honor's response was, as always, pointed: "I

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want you to help me keep him quiet.”

It turned out that Pete had made recent remarks on one of his favorite subjects – judicial activism. Justice Quillen admonished that respect for our courts is a delicate asset, critical to the success of our judicial system, and it didn’t help things if respected political leaders kept fanning political flames about judicial activism – whether it was fair comment or not.

Well, there is another side to that debate and I, not about to referee a difference of opinion among Titans, arranged for a discussion between the two. Neither persuaded the other, but their great friendship continued (is this a great State or what?). I last saw the two together at a hockey game not too long before Justice Quillen passed away. Pete and Delaware lost a good friend.



I tell that last anecdote because it represents to me one of Pete’s most fetching – and important – character traits. As Governor, he had the wonderful ability to confront firmly those with whom he disagreed, but with humor and the offer of friendship. More often than not, resolution was found. A leader of the Legislature’s Loyal Opposition once said to me, “I don’t care where he is standing, but I want to be next to him. It’s safe there.” All of Delaware found that to be true.

Pete has retired from practice and now has complete freedom to hold onto his Bar Association dues. ♦

Top: Pete du Pont in the late 1960s with sons Eleuthère and Ben.  
Center: The former governor marks a recent birthday.  
Bottom: On the trail with granddaughter Janie.



Photos courtesy of the du Pont family.