

OBA Memorial Day Program 2016

Remarks by Hon. Joseph Bataillon, U.S. District Court, District of Nebraska

Judge Thalken asked me to visit with you today. I asked why me. He answered – because you aren't on the list. I want to believe it is because I am old enough to have known and worked with nearly every one of the lawyers we remember today. Some were co-employees, adversaries, a political ally, a law clerk for our court, a judge before whom we all tried cases, a bar president, an college instructor and law partners who helped shape the way we practice even today,

This afternoon we are here to honor and remember our compatriots, competitors, and friends. This year's group includes old and young, fathers, grandfathers, a mother and loved ones. Some were taken from us after long and distinguished careers. Some had their lives cut short. All of them left behind friends and loved ones who will miss them.

They all practiced law among us. They shaped and influenced our legal culture. In their day to day practice they influenced the way we thought about the law, about the practice of law and about the penumbra of fairness. Some were giants, some were modest practitioners, others we hardly knew. But all of them touched us when they advocated for their clients, shaded the truth when they negotiated a settlement, upset us when they made decisions we didn't like, and then took time to have a friendly drink or cup of coffee between contests.

As I reflect on the loss of these fine lawyers and the friends, family and loved ones they leave behind, I am reminded of a blessing by Irish poet and author John O'Donohue. It is about love and its effect on the hardships of life.

I want to answer in advance my Brother Pete's question about a word used in this blessing. A "currach" is a small boat used in Scotland and Ireland.

(From his book *Echoes of Memory*, Beannacht, Gaelic for "Blessing")

On the day when
the weight deadens
on your shoulders
and you stumble,
may the clay dance
to balance you.

And when your eyes
freeze behind
the grey window
and the ghost of loss
gets in to you,
may a flock of colours,
indigo, red, green,
and azure blue
come to awaken in you
a meadow of delight.

When the canvas frays
in the currach of thought
and a stain of ocean
blackens beneath you,
may there come across the waters
a path of yellow moonlight
to bring you safely home.

May the nourishment of the earth be yours,
May the clarity of light be yours,
May the fluency of the ocean be yours,
May the protection of the ancestors be yours.
And so may a slow
wind work these words
of love around you,
an invisible cloak
to mind your life.

All of these fellow lawyers, compatriots, competitors, friends, family and loved ones will be missed. Let us not forget them.