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Alan C. Sundberg

MR. CHIEF JUSTICE

GOOD MORNING, AND I MUST BEGIN BY TELLING YOU HOW VERY APPROPRIATE IT SEEMS TO ME, THAT WE GATHER TOGETHER IN THIS PLACE, AND IN THIS SPACE, THAT OUR FRIEND ALAN SUNDBERG WAS SUCH A POSITIVE FORCE FOR THIS PLACE AND THIS COURT, THIS STATE AND THIS NATION, AND ALL THAT HIS LIFE WAS ABOUT, WHICH WAS SERVICE TO US ALL. AND I, WE ARE HERE TO CELEBRATE, TO CELEBRATE THE LIFE OF A PERSON WHO WAS TRULY SPECIAL, AND WE ARE, ALSO, HERE TO EXPRESS OUR GRATITUDE, OUR GRATITUDE FOR THE FACT THAT YOU AND I HAD THE BLESSING OF SPENDING OUR LIFE'S EXPERIENCES WITH SUCH AN EXTRAORDINARY HUMAN AS OUR FRIEND ALLEN, AND SO AS WE PROCEED HERE, WE WILL BEGIN WITH THE INVOCATION BY REVEREND HARRY DOUGLAS, AND THEN THE FAMILY HAS ASKED SOME OF ALLEN'S FRIENDS WHO ARE LISTED HERE, TO COME AND SHARE WITH US, THEIR EXPERIENCES WITH OUR FRIEND ALLEN SUNDBERG. REVEREND DOUGLAS.

LET US PRAY. ALMIGHTY GOD, WITH WHOM STILL LIVES THE SPIRITS OF THOSE WHO DIE IN THE LORD, AND WITH WHOM THE SOULS OF THE FAITHFUL ARE IN JOY AND FELICITY, WE GIVE YOU HEARTFELT THANKS FOR THE GOOD EXAMPLES OF ALL YOUR SERVICE, ESPECIALLY OUR FAITHFUL SERVANT ALLEN, FOR HAVING FINISHED HIS COURSE IN FAITH, NOW FINDS REST AND REFRESHMENT. MAY WE, WITH ALL WHO HAVE DIED IN THE TRUE FAITH OF YOUR HOLY NAME, HAVE PERFECT FULFILLMENT AND BLISS IN YOUR ETERNAL AND EVERLASTING SALVATION, THROUGH JESUS CHRIST OUR LORD, AMEN.

MR. CHIEF JUSTICE, MEMBERS OF THE COURT PAST AND PRESENT, FRIENDS OF ALLEN SUNDBERG. YOU HAVE TO WONDER HOW WE CAN TALK ABOUT ALLEN SUNDBERG, WHO DID SO MUCH FOR THIS COURT, FOR THE BAR IT REGULATES, AND FOR THE STATE IT SERVES. WE MIGHT EVEN THINK, IN DOING THAT, ABOUT THE WAYS THAT ALLEN DESCRIBED HIMSELF, WHEN HE WAS ASKED EACH DAY WHEN HE CAME INTO THE OFFICE BY THE RECEPTIONIST AT FSU, HOW ARE YOU, ALLEN? HIS SNAPPY RESPONSE WAS I AM VIRTUALLY PERFECT. TO THINK OF ALLEN IS TO THINK OF THE FIRST TIME WE MET HIM, TALL AND JOVIAL AND BRIGHT. HE WAS LARGE BUT NEVER INTIMIDATING, INTERESTED BUT NEVER INVASIVE, PRINCE PELD BUT CERTAINLY NOT STUFFY -- PRINCIPLED, BUT CERTAINLY NOT STUFFY, INTELLIGENT BUT CERTAINLY NOT ARROGANT, HUMBLE BUT RESERVED. ALLEN ENTERED A ROOM IN A STRIDE AND SORT OF A LOW. YOU NOTICED THE SIZE FIRST, BUT AFTER THAT YOU NOTICED HIS FACE. HIS SMILE WAS NOT A TOOTHY SMILE BUT SORT OF A MISCHIEVOUS GRIN, AND IT WAS ALWAYS AS IF HE EXPECTED SOMETHING FUN TOY HAPPEN AND IT USUALLY DID THE. EVEN WHEN THE EVENT WAS VERY SERIOUS, ALLEN HAD A GREAT SENSE OF HUMOR. HE AND I SERVED AS USHERS, WHEN ART AND DEBORAH ENGLAND WERE MARRIED, AND AT THE MOST SOLEMN PART OF THE CEREMONY, WHEN THEY ARE ABOUT TO EXCHANE THEE VOWS THEY HAD EACH WRITTEN FOR ONE ANOTHER, ALLEN LEANED OVER AND ASKED ME "DO YOU THINK THAT ARTHUR WILL READ THE FOOTNOTES?" HE WOULD LAUGH AT HIMSELF. ALLEN LOVED TO TELL ABOUT RICHARD MacFAR LAND, ARGUING BEFORE THIS COURT FOR THE JUDICIAL QUALIFICATIONS COMMISSION, AND RICHARD WAS ARGUING THAT A JUDGE SHOULD BE DISCIPLINED FOR SPEAKING OUT AGAINST THE DEATH PENALTY. ALLEN INTERRUPTED HIM. "BUT, MR. MacFAR LAND, HAVEN'T MEMBERS OF THIS COURT ALSO SPOKEN OUT ON POLITICAL ISSUES?" AND RICHARD MacFAR LAND ANSWERED PERHAPS, YOUR HONOR, BUT I AM HERE TO ARGUE THE CASE FOR THE JQC AND NOT TO ADDRESS THE IMPROPRIETIES OF MEMBERS OF THIS COURT. [LAUGHTER]

ALLEN HAD MORE THAN INTELLIGENCE, INTEGRITY AND GOOD HUMOR, BUT HE TOOK ALL THOSE QUALITIES WITH HIM WHEREVER HE WENT. HE WAS FUNDAMENTALLY A GREAT LAWYER, A PERSON WHO, IN JUSTICE HOLMES'S WORDS, LEARNED TO THINK LIKE A LAWYER. WHEN HE LEFT HIS PRACTICE, LAWYERS WERE NOT NOBLY ABSENT, AND HE LEFT HIS PRACTICE AT ST. PETERSBURG AT PRECISELY THE TIME WHEN HE WAS BEGINNING TO RECEIVE A SUBSTANTIAL INCOME. HE WAS APPOINTED WITH THE SECOND MERIT APPOINTMENT AND WHEN THE COURT WAS STILL REELING FROM THE CRITICISM AND PUBLIC INQUIRY. ALLEN FOLLOWED HIS OLD FRIENDS, ENGLAND AND HATCHET AND MANY OTHERS, AND THESE LAWYERS BUILT THE COURT TO WHAT IT IS TODAY, A PLACE OF GOOD JUDGMENT AND INTEGRITY. SHORTLY AFTER ALLEN WAS APPOINTED, HE HAD TO RUN FOR A CONTESTED ELECTION, ONE OF LAST IN FLORIDA, FOR JUDICIAL OFFICERS. HE WAS, I BELIEVE, PERHAPS THE WORST CANDIDATE IN FLORIDA POLITICAL HISTORY. ONE DAY I WAS IN QUINCY TO APPEAR BEFORE THE REDOUBTABLE HUGH TAYLOR, AND PASSING BY THE CLERK'S OFFICE, I SAW HUGH HALL LEANING OVER THE CLERK'S COUNTER IN A CONVERSATION. I GREETED HIM AND ASKED HIM WHAT HE WAS DOING. "I AM CAMPAIGNING", HE SAID. BUT ALLEN, YOU HAVEN'T BEEN TO GADSDEN COUNTY? "I HAVE RELATIVES IN GADSDEN COUNTY, AND DADE COUNTY IS ONE OF MY MOST FAMILIAR PLACES." HE CARRIED DADE COUNTY AND ALTHOUGH HE LOST GADSDEN COUNTY, HE WAS REELECTED. HE LOVED WHAT HE DID ON THE COURT BUT HE LOVED HIS CHILDREN MORE, AND HE LEFT BEHIND AN INCREDIBLE RECORD. ONE OF HIS LANDMARK DECISIONS WAS THE FIRST IN THE COUNTRY PERMITTING CAMERAS IN THE COURTROOM AS A MATTER OF RIGHT AND HAS SET THE PATTERN FOR MOST OTHER STATE COURTS. HE WROTE, "WE ARE NOT UNMINDFUL OF THE PERCEIVED RISKS ARTICULATED BY THE OPPONENTS OF CHANGE. HOWEVER, THERE ARE RISKS IN ANY SYSTEM OF FREE AND OPEN GOVERNMENT. A DEMOCRATIC SYSTEM IS NOT THE SAFEST FORM OF GOVERNMENT. IT IS JUST BEST THAT MAN HAS DEVISED TODAY, AND IT WORKS BEST WHEN ITS CITIZENS ARE INFORMED ABOUT ITS WORKINGS. OF COURSE, THERE ARE MANY OTHER SUNDBERG OPINIONS. LAWYERS SIMPLY CANNOT RESEARCH ANY AREA OF THE LAW AND NOT SEE HIS IMPACT ON THE JURISPRUDENCE OF THIS STATE. YET THOSE WHO KNOW THIS COURT REMEMBER THAT HE BROUGHT MORE THAN HIS GRACEFUL SENSE OF ARGUMENT AND HIS CAREFULLY CAREFULLY-CRAFTED OPINIONS. HE, ALSO, BROUGHT GREAT RESPECT TO THE COURT BY THE WAY HE LED IT DURING HIS YEARS AS CHIEF JUSTICE. HE WAS IMMENSELY POPULAR AS A CHIEF JUSTICE, WELL-LIKED BY OTHER JUSTICES, SECRETARIES, LAWYERS OF THE COURT. HE WOULD GO DOWN AND SIT MOST DAY AND GREET HIS CLERK AND THE PEOPLE IN THE CLERK'S OFFICE. HE WAS GREATLY REGARDED BY THE LEGISLATURE. WHEN HE STEPPED BACK INTO PRACTICE, HE STEPPED BACK INTO THE DEMANDING ROLE AFTER APPELLATE LAWYER. DURING THESE TIMES HE REPRESENTED GOVERNOR MARTINEZ IN THIS COURT, IN WHAT WAS PERHAPS THE LONGEST ARGUMENT THIS COURT HAS EVER SEEN, AN ARGUMENT ABOUT THE SERVICES TAX INSTITUTION. WHEN I WENT TO PRESIDENT OF FLORIDA STATE UNIVERSITY, I BEGGED AND BEGGED HIM. I KNEW THAT THE UNIVERSITY NEEDED HIM AND THAT HE LOVED THE UNIVERSITY, AND WE NEEDED HIM BECAUSE WE WERE ENTERING INTO AREAS IN WHICH THE UNIVERSITY HAD NOT PREVIOUSLY VENTURED. FINALLY, IN 1997, HE AGREED. NOT EVERYBODY APPROVED THIS HIRE. JOHN CARNEGIE, VICE PRESIDENT FOR FINANCE AND RESEARCH, WORRIED THAT ALLEN SUNDBERG WASN'T GOING TO WORK VERY HARD AND WAS GOING TO HAVE THE ATTITUDE OF A RETIRED CHIEF JUSTICE. HE QUICKLY LEARNED AND JOHN CARNEGIE QUICKLY BECAME ONE OF THE LOVERS OF ALLEN SUNDBERG, AS FAR AS I KNOW THE ONLY LAWYER THAT JOHN CARNEGIE HAS EVER LOVED. HIS OFFICE WAS BETWEEN MINE AND LARRY ABLES, OUR PRO VOSE -- LARRY ABLES, OUR PRO VOSE, AND -- OUR PROVOST, AND HE GAVE US GREAT LEGAL ADVICE. HE WAS A LAWYER STATESMAN AND EVEN WHEN HE LEFT THE PAYROLL TO JOIN HIS GREAT FRIEND JIM SMITH IN PRACTICE, HE WAS PROUD TO SERVE ON THE FSU BOARD OF TRUSTEES, AND WE WERE PROUD TO HAVE HIM AS CO-CHAIR OF OUR 150th CELEBRATION. ALLEN WAS SO MANY THINGS. BETTY, THOUGH YOU WERE THE LOVE OF HIS LIFE, YOU KNOW THAT HE LOVED US, TOO, AND AS I THINK ABOUT ALLEN, I KNOW THAT HE MEANT SO MUCH TO SO MANY PEOPLE, IN ALL THAT HE DID, BUT ESPECIALLY IN BEING A FRIEND, HE WAS VIRTUALLY PERFECT.

BETTY, THANK YOU FOR ASKING ME TO PARTICIPATE TODAY. I THINK I CAN GET THROUGH THIS.

IT IS GOING TO BE TOUGH. IN LIFE, IT SEEMS THAT WE ALL HAVE MANY, MANY FRIENDS AND WE ARE ALL FORTUNATE TO HAVE SOME GOOD FRIENDS, BUT IT IS USUAL TO HAVE ONE OR TWO OR THREE, FOUR FRIENDS THAT YOU WOULD CALL SPECIAL, AND THAT IS WHAT ALLEN WAS TO ME, A VERY, VERY SPECIAL FRIEND. I THINK I HAD LEFT GOVERNOR ASKEW'S OFFICE IN 1975, WHEN GOVERNOR ASKEW APPOINTED HIM TO THE BENCH, AND CERTAINLY I KNEW ALLEN OR KNEW WHO HE WAS. HE DIDN'T KNOW MUCH ABOUT ME. BUT WHEN I WAS ELECTED ATTORNEY GENERAL AND TOOK OFFICE IN 1979, IT WAS NOT LONG AFTER THAT, AND IF YOU ALL REMEMBER BACK IN THE EARLY '80s, THE ECONOMY OF OUR COUNTRY WAS IN A SHAMBLES. CRIME WAS OUT OF CONTROL IN FLORIDA. PRISON OVERCROWDING WAS AN UNBELIEVABLE PROBLEM. GOVERNOR GRAHAM APPOINTED A COMMISSION ON CRIMINAL JUSTICE REFORM AND ASKED ALLEN AND I TO CO-CHAIR THAT, AND LATER WE SERVED ON THE SENTENCING GUIDELINES COMMISSION, AND ALONG THE WAY, WE SPENT MANY, MANY HOURS, TRYING TO FIGURE OUT WHAT TO DO ABOUT PRISON OVERCROWDING. IT STRUCK ME AT THAT TIME, HOW UNUSUAL IT WAS THAT THE CHIEF JUSTICE OF THE SUPREME COURT WOULD PARTICIPATE IN FORMING PUBLIC POLICY. WE HAD MANY, MANY PUBLIC HEARINGS THAT HE WAS ABLE TO TAKE, IN ADDITION TO HIS TREMENDOUS DUTIES ON THE SUPREME COURT, TIME TO GIVE THAT THE ATTENTION THAT IT DESERVED. THE GOVERNOR WANTED THIS TO BE DONE RIGHT. AND I CAN TELL YOU THAT ALLEN MADE SURE, AS WE WENT THROUGH THIS PROCESS, THAT WE CONSIDERED EVERY WORD, EVERY SENTENCE, EVERY PARAGRAPH AND HOW IT WOULD ALL FIT TOGETHER AND WORK. FOR ME, IT WAS A GREAT EXPERIENCE, AND HE WAS A DRIVING FORCE, AND WE HAD THE SAME KIND OF RESULTS IN THE SENTENCING GUIDELINES COMMISSION. EARLY ON, IN GETTING TO KNOW ALLEN, I REMEMBER A DINNER AT THE TALQUIN INN WITH ART ENGLAND AND SOMEHOW THE SUBJECT OF PHI BETA CAPPA CAME UP -- OF PHI BETA CAPPA CAME UP, AND IN MY CAREER, PHI BETA CAPPA WAS SOMETHING THAT I DIDN'T COME AROUND, AND AFTER A WHILE BETTY GOT TIRED OF HEARING THEM TALK ABOUT IT, AND SHE LOOKED AT THEM AND SAID PHI BETA CAPPA RUSHED JIM VERY, VERY HARD AT FLORIDA STATE BUT HE DECIDED TO PEDGE AT 06789. ALLEN AND I WERE, BOTH, BORN IN JACKSONVILLE AND WENT TO PUBLIC SCHOOLS THERE, AND AT ONE OF OUR PUBLIC HEARINGS IN JACKSONVILLE, MAYOR GOD BOLD HAD WRITTEN AND SAID THAT HE WANTED TO APPEAR, AND WE ASSUMED THAT HE WANTED TO COME AND TALK ABOUT SOME ASPECT OF THE CRIMINAL JUSTICE SYSTEM, BUT HE MADE AN ELABORATE PRESENTATION. ALL KINDS OF WONDERFUL COMMENTS ABOUT ALLEN BEING FROM JACKSONVILLE AND HOW PROUD THE COMMUNITY WAS OF HIM AND PROCEEDED TO GIVE HIM A KEY TO THE CITY, AND ALL THE TIME I AM SITTING THERE, YOU KNOW, A NATIVE OF JACKSONVILLE, AND NOTHING WAS SAID ABOUT OLD JIM BOW, YOU KNOW, SO -- OLD JIMBO, YOU KNOW, SO ALLEN, YOU DESCRIBED THAT SMILE ON HIS FACE AND HE SAT BACK DOWN AND I LOOKED AT HIM LIKE I CAN'T BELIEVE YOU DIDN'T TELL THEM I WAS FROM JACKSONVILLE, TOO. HE SAID DON'T WORRY ABOUT IT, SMITH. I WILL GIVE YOU THE KEY SIX MONTHS OF THE YEAR AND I WILL KEEP IT SIX MONTHS OF THE YEAR. I SEE A LOT OF GOOD FRIENDS IN THIS ROOM, AND AS YOU ALL KNOW, TOWARDS THE END OF MY TERM AS ATTORNEY GENERAL, I KIND OF WENT THROUGH A MIDLIFE CRISIS AND I WAS GOING TO RUN FOR GOVERNOR AND THEN I WASN'T GOING TO RUN FOR GOVERNOR AND I WAS GOING TO RUN FOR LIEUTENANT GOVERNOR AND THEN I WASN'T GOING TO RUN FOR LIEUTENANT GOVERNOR. IT WAS A HELL OF A TIME, I TELL YOU, BUT ALONG THAT PATH I WOULD GET A CALL FROM ALLEN, AND HE WOULD SAY, SMITH, I LOVE YOU, WARTS AND ALL, AND WHILE I HAD A LOT OF PEOPLE WONDERING WHAT WAS GOING ON AND IN MANY WAYS PROBABLY BEING CRITICAL OF ME, ALLEN WAS THAT SPECIAL FRIEND THAT WAS THERE WHEN YOU NEEDED HIM. A FEW WEEKS AGO, WHEN HE WAS HAVING A GOOD DAY AND CAROL AND BETTY HAD TALKED ABOUT TRYING TO FATTEN HIM UP A LITTLE BIT, SHE, CAROL PREPARED A MEAL AND HAD FIXED SOME BEETS AND WALKED INTO THE ROOM AND TOLD ALLEN, I HOPE YOU LIKE BEETS, AND HE SAID OF COURSE I LIKE BEETS. I AM FROM HARVARD. I AM SURE THE LADIES WHO KNOW ABOUT HARVARD BEETS WILL GET THAT ONE AND THE MEN MAY NOT, BUT SADLY YESTERDAY AND SATURDAY I STARTED THINKING ABOUT THE THINGS ABOUT WHAT MADE OUR FRIENDSHIP SO SPECIAL, AND MUCH OF IT, I THINK, WAS A COMMON INTEREST THAT WE SHARED. WE BOTH THOROUGHLY ENJOYED THE OUTDOORS. WE LIKED TO DO THINGS OUTDOORS. WE ENJOYED HUNTING AND FISHING. I RECALL A WEEKEND AT TALQUIN, LAKE TALQUIN WITH A BUNCH OF FOLKS AND

THOUGHT, THEN, ALLEN COULD SIT UP HERE DURING THE WEEK AND DO BATTLE WITH THE GREATEST LEGAL MINDS IN FLORIDA, BUT ON THE WEEKEND, BE IT A HUNTING CAMP OR FISHING CAMP, AND BE JUST ONE OF THE GUYS AND A REDNECK LIKE THE REST OF US. HE WAS WONDERFUL IN THAT WAY. WE BOTH SHARED A GREAT LOVE OF SPORTS, AND BETTY, WE WILL ALWAYS REMEMBER THAT WEEKEND THIS PAST SUMMER IN NEW YORK, GOING TO A YANKEES GAME AND, LATER, GEORGE STEINBRENNER SAID TO ME, YOU KNOW THAT, JUDGE SUNDBERG IS REALLY A NEAT GUY. I LIKE HIM. ALLEN, THIS PAST SUMMER, HAD THE OPPORTUNITY TO PLAY GOLF ONE DAY WITH PAT ROONY, WHOSE FAMILY OWNS THE PITTSBURG STEELERS, AND HE DIDN'T SAY ANYTHING ABOUT ALLEN'S GOLF GAME, BUT HE SAID THAT IS ONE OF THE NICEST PEOPLE I EVER MET. CERTAINLY FSU AND THE WAY IT HAS GROWN AND DEVELOPED, PARTICULARLY UNDER SANDY'S LEADERSHIP, WAS ALWAYS A SOURCE OF TREMENDOUS PRIDE. HE USED TO JOKE THAT FINALLY, WE HAVE A UNIVERSITY THAT THE FOOTBALL TEAM CAN BE PROUD OF. BUT -- [LAUGHTER]

-- AND CERTAINLY WE SHARED A CONTINUING GREAT INTEREST IN PUBLIC POLICY AND APPRECIATE THE HE DID, THE MANY OPPORTUNITIES THAT HE HAD TO SERVE, AND AS A CITIZEN, I APPRECIATE VERY MUCH, THE TREMENDOUS JOB THAT HE DID AT EVERY OPPORTUNITY. WE TALKED A LOT ABOUT OUR CHILDREN, MAINLY THAT WE WERE GLAD THEY FINISHED SCHOOL AND WERE MAKING IT ON THEIR OWN AND WHAT A WONDERFUL THING THAT WAS. CAROL REMINDED ME OF WHEN MY SON SCOTT, AND BILL'S SON, BERT, WERE ABOUT EIGHT OR NINE YEARS OLD AND BEGINNING THEIR TENNIS CAREER. ALLEN AND I STOOD ON A HILL, WATCHING A TENNIS MATCH, AND FOR SOME REASON SCOTT AND BILL HAD DECIDED THAT THEY WERE GOING TO PLAY DOUBLES USING THE "I" FORMATION. THEY DIDN'T LINEUP IN THE TYPICAL WARX AND THEY WERE BOTH BIG, TALL BOYS AND PLAYING A COUPLE OF KIDS TWO-THIRDS THEIR HEIGHT THAT PROCEEDED TO BEAT THEM IN, I AM SURE, A RECORD MATCH, IN TERMS OF TIME. BUT AND AT FIRST ALLEN AND I WERE SO FRUSTRATED. WE WERE TRYING TO GIVE THEM THE HAND SIGNALS AND TRYING TO COMMUNICATE WITH THEM AND FINALLY JUST SAID HEY, THEY ARE KIDS. THEY ARE HAVING FUN. BUT I CAN TELL YOU WILL VERY -- I CAN TELL YOU VERY SERIOUS TENNIS LESSONS BEGAN SHORTLY THEREAFTER. WE WERE COMMENTING ABOUT OUR WIVES AND HOW MUCH WE LOVED THEM. WE USED TO COMMENT TO EACH OTHER ABOUT HOW WE HAD MARRIED OVER OUR HEAD, AND ONE OF ALLEN'S FAVORITE COMMENTS ALWAYS WAS THAT EVEN A BLIND HOG FINDS AN ACHE OWNER EVERY -- AN ACORN EVERY ONCE IN AWHILE. I WAS EXTREMELY FLATTERED WHEN ALLEN CALLED ME AND SAID HE DECIDED TO LEAVE FSU AND TO GO BACK INTO PRACTICE AND HE WANTED TO COME AND JOIN OUR SMALL FIRM, AND WHEN I TALKED TO MY SON-IN-LAW AND PARTNER AND JOHN AND MARK LOGAN, THEY WERE DELIGHTED FOR US. IT HAS BEEN A FAR TOO SHORT BUT A TREMENDOUS EXPERIENCE, ONE THAT WILL LAST WITH US ALL OF OUR LIVES, AND WE APPRECIATE THE MANY, MANY GREAT MEMORIES AND WONDERFULTIMES. BETTY, THERE ARE LOTS OF OTHER STORIES, BUT I COULDN'T CLEAN MOST OF THEM UP WELL ENOUGH TO TELL THEM TODAY, BUT I WILL SHARE THEM WITH YOU IN THE WEEKS TO COME. THANK YOU.

MAY IT PLEASE THE COURT. I FIRST MET JUSTICE SUNDBERG, ALLEN, RIGHT HERE IN THIS BUILDING. I DIDN'T KNOW HIM PRIOR TO HIS APPOINTMENT TO THE COURT BY GOVERNOR ASKEW. HE AND I BECAME THE BEST OF FRIENDS IN NO TIME FLAT. THE REASONS ARE THE ONES THAT YOU EITHER KNOW OR YOU HAVE HEARD EXPRESSED ABOUT ALLEN. HE WAS A MAN WHO WAS UNFAILINGLY KIND. ASK ANYONE WHO EVER WORKED AT THE COURT. THE CLERKS, SECRETARIES, THE JUSTICES, THE MARSHAL'S OFFICE, THE PEOPLE IN THE MAIL ROOM, PEOPLE IN THE STATE COURT ADMINISTRATOR'S OFFICE. HE WAS A MAN WHO BELIEVED THAT THE LAW WAS A PROFESSION, AND HE LIVED HIS LIFE PASSIONATE ADHERENCE TO PROFESSIONISM. HE WAS A MAN WHO IS, WHO WAS INVARIABLY FAIR TO PEOPLE WHO OPPOSED HIM, JUST LIKE HE WAS TO THE PEOPLE WHO SUPPORTED HIM. HE WAS A MAN WHO RESPECTED EVERYONE, WITHOUT EXCEPTION, COURTEOUS TO A FAULT, WITTY, RIGHT, INTELLIGENT, POSSESSED OF UNERRING COMMON SENSE. AND HE WAS A FRIEND TO ME IN EVERY CONCEIVABLE WAY. BUT EVERYONE WHO KNOWS ALLEN KNOWS THESE THINGS ABOUT HIM, SO LET ME TELL YOU A FEW OF THE

THING THAT IS MADE HIM SPECIAL TO ME. ALLEN LOVED THE INTELLECTUAL ASPECTS OF DECISION-MAKING AS A JUSTICE OF THE FLORIDA SUPREME COURT. AND HE RIGOROUSLY APPLIED HIS INTELLECT TO EVERY SINGLE THING HE DID ON THE COURT. WITH RESPECT TO CASES, DECISIONS HE WOULD THINK ABOUT THE FINE POINTS OF LEGAL ISSUES. HE WOULD TALK THEM OUT WITH US, THE OTHER JUSTICES, UNTIL HE WAS SATISFIED THAT EVERY FEATURE AND EVERY NUANCE HAD BEEN NOT ONLY THOROUGHLY CONSIDERED BUT MASTERED. THESE DISCUSSIONS WERE THE HIGH POINTS OF MY TIME ON THE COURT, FULL OF GRAVE PUBLIC POLICY QUESTIONS, LIFE AND DEATH CHOICES, DECISIONS WHICH COULD BE RIGHT OR WRONG, BUT WE HAD NO WAY OF KNOWING, AND ONLY TIME WOULD TELL. IF -- YET ALAN NEVER LET THE INTELLECTUAL SIDE OF HIS DECISION-MAKING INTERFERE WITH HIS PRACTICAL SIDE OF COMMON SENSE. HE WAS MY FRIEND ON BOTH THE FACTS OF PRACTICAL LAW AND JUDICIAL PRECEDENT MAKING. MORE THAN ONCE, HE KEPT ME FROM DOING SOMETHING OR WRITING SOMETHING THAT WAS THEORETICALLY ATTRACTIVE AND SEEMED REASONABLE BUT WAS HAD, IN FACT, DETACHED FROM PRACTICAL REALITY. AS A FRIEND, HE DID LET ME MAKE A FOOL OF MYSELF ONE TIME. BUT AS A FRIEND, HE NEVER SAID, TO ME, I TOLD YOU SO. THERE ARE PROBABLY TWO OVERRIDING REASONS IN MY MIND THAT, ALAN WAS A GREAT JUSTICE OF THE COURT. ABLE TO MAINTAIN THAT WONDERFUL BALANCE BETWEEN THE PUBLIC POLICY, RESPONSIBILITIES OF SITTING AS A JUSTICE, AND THE PRACTICALITIES OF LIFE THAT GAVE HIS JUDICIAL DECISION LEFT AND SURVIVABILITY. FIRST, HE NEVER TOOK HIMSELF SERIOUSLY. HE DID NOT BELIEVE HE WAS ENDOWED WITH UNIQUE INSIGHT AND WISDOM, SIMPLY BECAUSE HE HAD BEEN APPOINTED TO THE SUPREME COURT AND MANAGED TO GET ELECTED AN ELECTION WHICH HE NEVER COMPREHENDED. [LAUGHTER] HE HAD A SPECIAL WAY OF REMINDING HIMSELF THAT HE DID NOT HAVE ALL THE ANSWERS. WITH ALMOST EVERY DECISION THIS COURT RENDERED DURING THE TIME HE AND I SERVED, ON THE WE HADS BEFORE THOSE OPINIONS -- ON THE WEDNESDAYS BEFORE THOSE OPINIONS WERE RELEASED TO THE PUBLIC, HE AND I WOULD SIT DOWN AND TALK, AND HE WOULD SAY TO ME "HOW WILL THIS PLAY IN PERRY?" WHAT HE MEANT BY THAT IS HOW WILL THIS DECISION BE AFFECTING THOSE PEOPLE 50 MILES DOWN THE STREET IN PERRY, FLORIDA? WILL IT AFFECT THEIR LIVES? WILL IT MAKE A DIFFERENCE? WILL THEY EVEN CARE? AND THAT IS HOW HE WORRIED. SECOND, HE WAS ALWAYS WILLING TO WALK AWAY FROM THIS JOB, IF HE BELIEVED HE WAS NO LONGER WANTED AS A JUSTICE, OR IF HE BELIEVED HE WAS NOT GIVING THE JOB THE VERY, VERY BEST OF HIS ABILITY. HE FIRMLY BELIEVED THAT HE WAS JUST A LUCKY LAWYER WHO WAS MASQUERADING AS A JUSTICE OF A SUPREME COURT, BY GOODNESS! AND IF AND WHEN HE WAS EVER FOUND OUT, HE WOULD WALK AWAY WITHOUT A WIMPER. HE CONSIDERED THIS POSITON ON THE COURT TO BE A SACRED TRUST THAT IT WAS A PRIVILEGE TO HOLD, AND HE FELT HIMSELF OBSERVE LIJD TO PERFORM THAT TRUST HE HAVE -- OBLIGED TO PERFORM THAT TRUST EVERY SINGLE DAY. A PRIME EXAMPLE, FOR ME, OF HIS MUM ANDITY AND HIS LOVE OF THE -- OF HIS HUMANITY AND HIS LOVE OF THE LAW AND HIS COMMON SENSE IS REFLECTED IN THE NATIONAL AIRLINES DECISION. MOST OF YOU DON'T KNOW IT. I AM SURE EVEN THE MEMBERS OF THE COURT WHO SIT HERE TODAY WON'T REMEMBER IT. THIS IS A CASE THAT CAME TO THE COURT AT A TIME WHEN ALAN AND I AND BEN OVERTON AND JOE HATCHET WERE STRIVING TO GET THE SUPREME COURT AWAY FROM ITS LONG-STANDING HABIT OF TAKING TOO MANY CASES, WHICH WERE NOT IMPORTANT TO THE PEOPLE OF THE STATE, AND IN THE COURSE OF THE DOG, ERODING THE AUTHORITY OF THE DISTRICT COURTS OF APPEAL. WE WERE VOTING NOT TO TAKE CASES THAT DIDN'T SEEM TO BELONG AT THIS LEVEL OF THE COURT SYSTEM. ALAN VOTED TO ACCEPT THE NATIONAL AIRLIES CASE, A DECISION THAT I ARGUED WITH HIM ABOUT OVER AND OVER AGAIN, UP THROUGH LAST WEEK, AS A MATTER OF FACT. [LAUGHTER] ALTHOUGH HE KNEW FULL WELL THAT TAKING THE CASE WAS NOT CONSISTENT WITH THE PRINCIPLE OF JUDICIAL REVIEW THAT WE WERE FIGHTING FOR, WHY DID HE DO IT? BECAUSE THE DISTRICT COURT'S DECISION WAS JUST PLAIN WRONG. HE DID NOT ALLOW THAT DECISION TO STAND AND BECOME PART OF OUR JURISPRUDENCE IN THIS STATE, BECAUSE IT WAS POORLY DECIDED, HAD THE WRONG PRINCIPLES APPLIED AND DID NOT FIT WITHIN THE COMMON LAW OF THIS STATE. ALAN, I FORGIVE YOU FOR THAT VOTE. THERE IS A LOT MORE I CAN SAY ABOUT ALAN WITH MY EXPERIENCE, BOTH ON AND OFF THE BENCH. BUT OTHERS HAVE CAPTURED THE ESSENCE OF ALAN FROM THEIR EXPERIENCES. ATTORNEYS WHO WERE FORTUNATE ENOUGH TO

PRACTICE BEFORE THE COURT AND HAVE ORAL ARGUMENT WHEN ALAN WAS SITTING UP THERE. ONE TOLD ME OF THIS EXPERIENCE. ALAN WAS TAKING HIS TERM AS THE DUTY JUDGE, DURING THE COURT'S AUGUST RECESS. HE WAS THE ONLY JUSTICE HERE AT THE TIME, AND THIS ATTORNEY FILED A MOTION TO STOP A TRIAL IN A CAPITAL PUNISHMENT CASE IN SOUTH FLORIDA THAT WAS ABOUT TO BEGIN, AND BECAUSE, IN HIS VIEW, THERE WERE CERTAIN CRITICAL RULINGS THAT THE TRIAL JUDGE HAD SAID HE WAS GOING TO FOLLOW FROM A PRIOR TRIAL IN THIS CASE, WHICH OUR COURT HAD REVERSED, AND SENT BACK FOR A NEW TRIAL. ALAN ISSUED THE STAY AND EXPLAINED THE REASONS IN HIS ONE-PERSON OPINION, WHY THE TRIAL SHOULD NOT GO FORWARD AS SCHEDULED. NOW, THERE IS NOTHING REMARKABLE ABOUT A JUSTICE OF THE COURT ISSUING A STAY IN A CAPITAL PUNISHMENT CASE, WHERE THERE APPEARS TO BE GOOD REASON THAT IT SHOULD NOT GO FORWARD, BUT WHAT WAS UNUSUAL WAS THAT ALAN DID MORE. HE WAS CONCERNED THAT HE WAS LEAVING FOR A TWO-WEEK VACATION, AND HE KNEW THERE WAS GOING TO BE NO OTHER JUSTICE HERE TO RESPOND TO EMERGENCY MOTIONS. SO HE MADE A TELEPHONE CALL TO BE SURE THAT THE TRIAL COURT HAD EVERYTHING IT NEEDED TO MAKE SURE THAT, AS THE TRIAL WENT FORWARD, THE RULINGS OF THE COURT AND THAT TRIAL WOULD BE CONDUCTED IN A PROPER MANNER. ANOTHER ATTORNEY WHO APPEARED BEFORE THE COURT TOLD ME WHAT IT WAS LIKE TO BE ON THIS SIDE OF THE BENCH, WHEN ALAN SUNDBERG WAS ON THAT SIDE. HE SAID HE WOULD, ALAN WOULD POLITELY ASK A QUESTION, ONE THAT WAS FULLY EXPECTED IN THE CASE, AND THE ATTORNEY SAID HE WOULD GIVE HIS ANSWER. THAT QUESTION WILL BE FOLLOWED BY ANOTHER, WHICH, ALSO, LOGICALLY FOLLOWED, AND THE ATTORNEY WOULD, AGAIN, GIVE WHAT HE THOUGHT WAS THE EXPECTED ANSWER AND APPROPRIATE FOR THE CIRCUMSTANCES. AND THEN ALAN WOULD ASK A THIRD QUESTION, WHICH LOGICALLY FOLLOWED FROM THE FIRST AND THE SECOND. AND THE ATTORNEY SAID HE HAD A DAWNING RECOGNITION THAT THE POINT HE WAS TRYING TO MAKE, THE LEGAL POSITION HE WAS TRYING TO PUT FORWARD, WAS COMPLETELY UNTENABLE. AND AS HE PUT IT, "I STOOD THERE I LOOKED DOWN, AND I REALIZED THAT MY LEGS OF MY ARGUMENT HAD JUST BEEN CUT OFF AT THE KNEES." BUT WHAT HE REMEMBERED ABOUT THAT WAS NOT THE INTELLECTUAL CHALLENGE OF IT. WHAT HE KNEW ABOUT ALLEN FROM THAT EXPERIENCE WAS JUSTICE SUNDBERG WAS NOT GETTING ANY PLEASURE FROM THE EXAMINATION AND THE ANSWERS. HE WAS COURTEOUS. HE WAS RESPECTFUL, HE WAS GETTING INFORMATION, AND HE WAS DOING THE BUSINESS OF THE COURT. THERE WAS NO GLOATING. THERE WAS NO PRIDE. IT WAS JUST LET'S MOVE ON FROM HERE. THIS COURT AND THE PEOPLE OF FLORIDA AND I HAVE BEEN VERY LUCKY TO HAVE HAD ALAN ON THIS COURT. I WILL MISS HIM GREATLY. THANK YOU.

MR. CHIEF JUSTICE, MEMBERS OF THE COURT PAST AND PRESENT, FRIENDS OF ALAN SUNDBERG. ON THE WAY HERE THIS MORNING, I COMMENTED TO LYNN. WE WERE DRIVING DOWN THROUGH THE FOG, THAT THIS WAS PROBABLY GOING TO BE, WITHOUT QUESTION, THE TOUGHET CLOSING I HAVE EVER GIVEN, AND IT IS. I MET ALAN AND SUNDBERG IN THE MID 1960s, WHEN BOTH OF US WERE STILL YOUNG AND IT WAS THROUGH THE, WHAT WAS CALLED, AT THAT POINT, THE JUNIOR BAR. NOW THE YOUNG LAWYERS SECTION OF THE FLORIDA BAR, AND WE BOTH HAD THE GOOD FORTUNE OF SERVING TOGETHER ON ITS BOARD FOR A NUMBER OF YEARS. I LEARNED AND MET AND CAME TO LOVE ALL OF HIS CHILDREN. AND GREW WITH THEM THROUGH TODAY. IN 1975, I HAD THE PLEASURE OF SERVING ON THE JUDICIAL NOMINATING COMMISSION, DURING A TUMULTUOUS TIME IN OUR COURT'S HISTORY, AND DURING THAT TIME, THAT COMMISSION MET THREE TIMES IN THE SPACE OF ONE YEAR, WHICH WAS KIND OF UNHEARD OF AT THAT POINT AND STILL IS, I THINK. AND OUT OF IT CAME JUSTICES OVERTON, HATCHET, AND SUNDBERG. AND GOVERNOR ASKEW, YOU DID YOURSELF PROUD WITH THOSE SELECTIONS, SIR. AND ALAN CAME TO THE COURT FULL OF LOVE AND FULL OF LIFE, AS ALL OF HIS FRIENDS WHO TALKED ABOUT HIM BEFORE HAVE SUMMED UP. ONE OF THE NICE PARTS ABOUT COMING WHERE I COME ON THE PROGRAM IS ALL THE GREAT THINGS THAT HAVE BEEN SAID ABOUT ALAN SUNDBERG AND COULD BE SAID, MOST OF THEM HAVE BEEN, BUT THERE IS ONE THING I DO WANT TO TALK TO YOU A LITTLE BIT. SANDY MENTIONED IT. ARTHUR ENGLAND MENTIONED IT. AND THAT WAS THE ELECTION. I THINK IT WAS JULY OF 1976 OR THEREABOUTS, WHEN I GOT A CALL FROM ALAN SUNDBERG, AND ALAN SAID, BOBBIE, WE HAVE GOT OPPOSITION. [LAUGHTER] AND I SAID, HAT IS

THE "WE" STUFF? HE SID, SOMEONE HAS QUALIFIED AGAINST ME, AND WE ARE HAVING TO RUN A STATEWIDE CAMPAIGN. AND I DON'T KNOW WHAT TO DO, AND I SAID, WELL, HE SAID, SO I AM ASKING YOU TO BE MY CAMPAIGN MANAGER STATEWIDE. AND I SAID I DON'T THINK YOU WANT TO DO THAT. AND HE SAID, WELL, I THINK I DO, AND OFF WE WENT. WE PROVED THAT, DESPITE NO POLITICAL EXPERTISE WHATSOEVER, AND VERY LITTLE POLITICAL AC MEN AT ALL -- AC YOU MEN AT ALL, TWO HARD -- ACUMEN AT ALL, TWO HARDWORKING, RELATIVELY INTELLIGENT LAWYERS CAN MAKE A MESS OF THINGS, AND IT WAS, INDEED, A MESS. ALAN CAME TO DADE COUNTY, SANDY, FINALLY, WHEN I GOT HIM OUT OF QUINCY AND GADSDEN COUNTY AND ALL OF THE PLACES UP HERE, BECAUSE I SUGGESTED TO HIM THAT THERE WERE AN AWFUL LOT OF FOLKS DOWN THERE THAT VOTED AND HE OUGHT TO COME DOWN. HE DID COME DOWN, AND WITH HIM HE BROUGHT ABOUT \$10,000' WORTH OF CAMPAIGN LITERATURE, AND I OPENED IT UP AND I KNEW AT THAT POINT THAT WE COMMITTED AN I AM PARDONABLE SIN -- AN IMPARDONABLE SIN, NOT ONE THING HAD THAT SEAL ON IT, AND IT COULDN'T BE USED, AS A PRACTICAL MATTER, WITHOUT THAT SEAL. SO I SAID THAT IS LESS ONE ONE, JUSTICE. WE CAN'T USE THIS, AND HE DIDN'T UNDERSTAND IT THEN AND DIDN'T UNDERSTAND IT, THROUGH THE LAST TIME I TALKED WITH HIM. ON THE MORNING OF ONE OF HIS SPEECHES, MIDDLE PART OF THE STATE, ALAN SUNDBERG WAS STAYING WITH ME. WE HAD A VERY, VERY EARLY MORNING FLIGHT TO GET. WE GOT UP LATE. WE GOT INTO MY CAR TO TAKE HIM TO THE AIRPORT, TO MAKE THE FLIGHT TO MAKE THE SPEECH. I HAD A 240 Z, WHICH, IF ANY OF YOU KNOW MUCH ABOUT CARS, IS AS SMALL A CAR AS A 6 FOOT 6 INCH ANYBODY CAN GET INTO. IT WAS A HATCH BACK, BRIGHT ORANGE. SO IT WAS EASY TO FIND. AND IN THE BACK OF THE HATCH BACK, I THREW ALAN'S LUGGAGE. HE HAD WAY TOO MUCH. HE GOT IN THE FRONT. I WAS ALREADY IN THE CAR. THE ENGINE WAS RUNNING AS HE SAT DOWN, AND I PULLED OUT OF THE DRIVEWAY. I HEARD THIS LOUD TARRYING NOISE AND ALAN SAID OH, GOD -- THIS LOUDTARYING NOISE, AND ALAN SAID OH, GOD, BOBBIE, HE SAID, I HAVE TORN MY PANTS, FROM THE WAISTLINE ALL THE WAY DOWN, AND I SAID, WELL, WE ARE JUST GOING TO HAVE TO GET UP, BECAUSE YOU ARE GOING TO MISS YOUR PLANE IF I STOP, AND HE SAID, WELL, AND I SAID, DON'T WORRY ABOUT IT. GET TO THE AIRPORT. AND TAKE CARE OF YOUR CHANGE THERE. BUT ALAN'S INORDINATE SENSE OF APPROPRIATE WOULD NEVER ALLOW HIM TO -- OF PROPOSE RIGHT WOULD NEVER ALLOW HIM TO -- OF PROPRIETY WOULD NEVER ALLOW HIM TO WALK INTO THE MIAMI AIRPORT SHOWING FROM STEM TO STERN. HE SAID YOU KEEP DRIVING. I MADE SOME GREEN LIGHTS AND THE REST OF THEM, I HAVE NO RECOLLECTION ABOUT, AND HE SAID I AM GOING TO GET IN THE BACK OF THIS CAR AND CHANGE CLOTHES. AND BEFORE I COULD SAY A WORD, HE DID. AND IT WAS A SCENE THAT WAS NOT PRETTY, BUT IT WAS DEFINITELY UNIQUE. [LAUGHTER] AND IT WAS PURE VINTAGE ALAN! AND I SAID HOW ARE YOU DOING, AS I WATCHED THE SPEEDOMETER WHOEVER AT 80 MILES AN HOUR DOWN LEGEUNE ROAD AT SIX IN THE MORNING, KNOWING FULL WELL THAT I WAS GOING TO GET PULLED OVER, AND HE SAID I AM DOING FINE, BUT HE SAID, IF YOU DON'T GET ME TO THE PLANE ON TIME, YOUR APPELLATE CAREER IS HISTORY! [LAUGHTER] WELL, MANY OF YOU KNOW, MY APPELLATE CAREER WAS NEVER VERY MUCH ANYWAY, SO THAT REALLY WASN'T MUCH OF A THREAT, BUT I SAID, ALLEN, LET -- ALAN, LET ME TELL YOU SOMETHING. IF I GET STOPPED DOING 80 MILES AN HOUR WITH A HALF-CLOTHED SUPREME COURT JUSTICE IN THE BACK OF THIS 240-Z, WE ARE BOTH HISTORY! [LAUGHTER] WE HAD MANY, MANY GREAT TIMES. THE EXCRUCIATING PAIN I FEEL, HOWEVER, IS ONLY COMPENSATED BY THE GREAT JOY I FEEL FOR HAVING KNOWN HIM, HAVING LOVED HIM, AND HAVING BEEN LOVED BY HIM. IT IS A JOY THAT ALL OF US, IN THIS ROOM, AND ELSEWHERE, WHOSE LIVES WERE TOUCHED BY ALAN, SHOULD FEEL, BECAUSE WE ARE SO MUCH BETTER OFF FOR HAVING THIS MAN TOUCH US IN WHATEVER WAY HE DID. I SUPPOSE ALL OF US, AT SOME POINT IN JR. HIGH OR MIDDLE SCHOOL OR WHATEVER -- IN JUNIOR HIGH OR MIDDLE SCHOOL OR WHATEVER, HAVE COME ACROSS THE POEM BY RUDYARD KIP LINK CALLED "IF" AND OUR CHILDREN RECITED IT -- RUDYARD KIPLING, CALLED "IF" AND OUR CHILDREN HAVE RECITED IT IT. THERE ARE TWO MEASURES OF THAT POEM THAT DESCRIBE ALAN LIKE NO OTHER CAN. "IF YOU CAN WALK WITH KINGS YET KEEP THE COMMON TOUCH." ALAN SUNDBERG WALKED WITH KINGS. I KNOW OF NO GOVERNOR WHO SERVED THIS STATE SINCE HE WAS PUT ON THE BENCH AND AFTER, WHO HAS NOT CALLED UPON HIM FOR LEGAL SERVICE AND ADVICE, FOR COUNSEL, WISDOM, AND COMMON

SENSE, BUT HE ALWAYS KEPT THE COMMON TOUCH. HE WAS A KING. HE HAS WALKED AMONG US. WE ARE BETTER FOR IT. THANK YOU.

I THINK MY FATHER GOT TO DO THIS A FEW TIMES. THANK YOU EVERYONE, FOR BEING HERE. IT IS VERY IMPORTANT TO ME AND MY FAMILY. A COUPLE OF THINGS I WOULD LIKE TO SAY. FIRST OF ALL, MR. SMITH, I DON'T RECALL LOSING A TENNIS GAME! [LAUGHTER] BUT I DO RECALL BEING SENT TO NICK BOLATARES'S ACADEMY SOON THEREAFTER. I WAS DRIVING HOME LAST NIGHT, FROM THE FUNERAL HOME, AND IT WAS FOGGY, AND THE MOON WAS BRIGHT, AND I WAS TRYING TO THINK OF A STORY TO TELL ABOUT MY FATHER, AND ONE OF THE THING THAT IS CAME TO MIND WAS IT IS AWFULLY FOGGY, AND THAT REMINDED ME OF A STORY WHEN I WAS IN COLLEGE, AND WE HAVE HEARD A LOT OF TALK ABOUT HOW BRIGHT MY FATHER WAS AND INTELLIGENT IN HIS DECISION-MAKING. WELL, SOMETIMES THAT WAS A LITTLE DIFFICULT TO LIVE WITH. HE WAS RIGHT PRETTY MUCH 99.9 PERCENT OF THE TIME! AT THE DINNER TABLE AND WHATEVER DECISIONS HE MADE. SO I WAS AT COLLEGE IN VIRGINIA, AND I HAD CALLED MY FATHER, AND I SAID YOU KNOW, I AM THINKING ABOUT COMING HOME TOMORROW NIGHT AND DRIVING HOME. I AM GOING TO START AT NIGHT SO I CAN GET THERE REAL EARLY THE NEXT DAY, AND HE SAID THAT IS NOT A GOOD IDEA. I SAID, WELL, WHAT ARE YOU TALKING ABOUT? I HAVE GOT TO COME HOME. I MEAN, I HAVE GOT A BREAK. I WANT TO SEE YOU. HE SAID IT IS GOING TO BE REALLY FOGGY TOMORROW. I SAID EXCUSE ME. HOW DO YOU KNOW THAT? AND THIS WAS PRIOR TO THE TIME THAT THE WEATHER CHANNEL WAS ON ALL THE TIME. [LAUGHTER] SO DESPITE THE FACT THAT HE WENT TO LAW SCHOOL, HE KNEW EXACTLY WHAT THE WEATHER WAS GOING TO BE LIKE IN VIRGINIA AND IN NORTH CAROLINA. AND I FINALLY SAID, YOU KNOW, DAD, I LISTEN TO YOU QUITE A BIT BUT I AM GOING TO GO AHEAD AND DO IT ANYWAY. I WAS A TEENAGER. AND IT WAS ONE OF THE RARE TIMES THAT I DIDN'T LISTEN TO HIS COUNSEL AND ADVICE. AND SO I GOT IN THE CAR THE NEXT DAY, STARTED DRIVING HOME, AND I HAD A 1979 YELLOW BLAZER THAT HE LOVED THE FACT THAT I DROVE THAT AND IT WAS A BEAUTIFUL CAR. BUT I WAS DRIVING DOWN A HIGHWAY FOR TWO HOURS, AND IT WAS BEAUTIFUL. IT WAS CRYSTAL CLEAR. NO PROBLEMS AT ALL. AND MAYBE FIVE MINUTES LATER, I WAS ENVELOPED, COMPLETELY SURROUNDED IN FOG, THE WORST FOG I HAD EVER SEEN IN MY WHOLE LIFE AND I JUST SAID TO MYSELF, I CAN'T BELIEVE HE KNEW THAT! [LAUGHTER] I COULDN'T BELIEVE IT. SO AS A RESULT OF NOT LISTENING TO MY FATHER, I SPENT THE NIGHT WITH LARGE MARGE IN A TRUCK STOP IN VIRGINIA. [LAUGHTER] MY FATHER'S DECISION-MAKING DIDN'T ONLY GET ME OUT OF THE FOG, IT, ALSO, GOT THIS SUPREME COURT OUT OF THE FOG OF IMPEACHMENT AND SCANDAL. AND IT, ALSO, HE ALSO HELPED AT FLORIDA STATE UNIVERSITY, WITH ONE OF HIS DEAR FRIENDS, SANDY DOWENBURG. I HAVE GOT ONE OTHER THING I WOULD LIKE TO READ TO YOU BEFORE WE ARE FINISHED, AND IT IS A LETTER WRITTEN 15 YEARS AGO. IT IS FROM MY FATHER TO ME. IT SAYS "JUST A NOTE ON THE DAY OF YOUR GRADUATION FROM HIGH SCHOOL. I WANT YOU TO KNOW HOW VERY PROUD I AM AND HAVE BEEN OF YOUR ACCOMPLISHMENTS. I HAVE ALWAYS BEEN PROUD OF YOU FOR JUST BEING YOU, BUT I AM ESPECIALLY PLEASED WITH THE MANNER IN WHICH YOU HAVE APPLIED YOURSELF TO YOUR ACADEMIC TASKS AND THE KNOWLEDGE THAT YOU HAVE ACQUIRED IN THAT PROCESS WILL BE REWARD UNTO ITSELF, BUT I WANT YOU TO KNOW THAT I UNDERSTAND AND APPRECIATE THE EFFORT YOU HAVE PUT INTO IT. YOU HAVE RECEIVED A FIRST-RATE SECONDARY EDUCATION, FAR SUPERIOR TO THAT WHICH I RECEIVED AT ANDREW JACKSON HIGH SCHOOL. IT WILL STAND YOU IN GOOD STEAD IN COLLEGE. WITH MY DEEP LOVE AND HEART YES, SIR CONGRATULATIONS, AS -- AND HEARTYES CONGRATULATIONS, AS EVER, DAD." AND THE REASON I READ THIS TO YOU IS BECAUSE OF ONE LINE. IT SAID "I HAVE ALWAYS BEEN PROUD OF YOU FOR JUST BEING YOU." AND THAT IS WHY WE ARE PROUD OF HIM. THANK YOU. MR. CHIEF JUSTICE

THANK YOU, BILL, FOR THOSE WONDERFUL WRDS, AND I AM GOING TO ABOUT CALL ON FATHER DOUGLAS, NOW, BECAUSE I KNOW WELL ENOUGH THAT WE WOULDN'T WANT FOR ST. PETER ONLY TO BE INTRODUCED TO ALAN SUND SUNDBERG ON THE WORD OF THESE LAWYERS OVER HERE. [LAUGHTER] BUT I WOULD ASK, AS WE DO, BRING THIS SERVICE TO AN END, AND I WOULD SAY, FIRST, THAT, CERTAINLY THROUGH THE TESTIMONY AND THE WONDERFUL SPIRIT OF THIS

BEAUTIFUL FAMILY, THAT OUR FRIEND, ALAN SUNDBERG, LIVES ON, AND CERTAINLY LIVES ON IN A DAILY, DAILY BASIS IN THIS COURT AND IN OUR STATE, AND WE, ALL, ARE SO PRIVILEGED TO HAVE -- PRIVILEGED, TO HAVE HAD HIM AS OUR FRIEND AND COLLEAGUE, AND SO AS WE DO ASK FATHER DOUGLAS TO PRONOUNCE THE BENEDICTION, AFTER THAT, THE MARSHAL WILL ATTEND TO THE FAMILY, AS THE FAMILY LEAVES, AND AFTER THAT, THEN WE WILL BE DISMISSED, SO FATHER DOUGLAS.

LET US PRAY. GRANT, OH, LORD, TO ALL WHO ARE BEREAVED, A SPIRIT OF -- BEREAVED, A SPIRIT OF STRENGTH AND COURAGE, THAT THEY MAY HAVE STRENGTH TO MEET THE DAYS TO COME WITH STEADFASTNESS AND PATIENCE, NOT SORROWING, AS THOSE WITHOUT HOPE, BUT IN THANKFUL REMEMBRANCE OF YOUR GREAT GOODNESS AND IN THE JOYFUL EXPECTATION OF ETERNAL LIFE FOR THOSE THEY LOVE. WE ASK IN THE NAME OF HIM, OUR LORD AND SAVIOR, AMEN. LET US GO FORTH INTO THE WORLD, REJOICING IN THE POWER OF THE SPIRIT.