

Duquesne Law Review

Volume 47
Number 3 *The Pennsylvania Issue: Honoring
Chief Justice Ralph J. Cappy*

Article 10

2009

Tribute to Chief Justice Ralph J. Cappy

Mark A. Nordenberg

Follow this and additional works at: <https://dsc.duq.edu/dlr>



Part of the [Law Commons](#)

Recommended Citation

Mark A. Nordenberg, *Tribute to Chief Justice Ralph J. Cappy*, 47 Duq. L. Rev. 543 (2009).
Available at: <https://dsc.duq.edu/dlr/vol47/iss3/10>

This Comment is brought to you for free and open access by Duquesne Scholarship Collection. It has been accepted for inclusion in Duquesne Law Review by an authorized editor of Duquesne Scholarship Collection.

Tribute to Chief Justice Ralph J. Cappy

*Mark A. Nordenberg**

Ralph Cappy and I began partnering in the mid-1980s—when he was a young, but already accomplished, trial court judge, and I was a brand-new law school dean. Over the course of the last twenty years, there were few important events in his professional life, or in mine, that we did not, in some way, share. And for the past six years, I had the uncommon privilege of working closely with him as the Chair of the University of Pittsburgh's Board of Trustees.

In the ways that he regularly expressed himself, Ralph Cappy almost seemed more proud of the place from which he had come than he was of the lofty destinations to which he traveled. He was the “kid from Brookline” who became the Chief Justice of the Supreme Court of Pennsylvania—not only the highest court in this Commonwealth but the oldest appellate court in our nation.

It was interesting to hear Ralph talk about one of the early legs of that journey—his trip from Brookline to Pitt, a distance that was short in miles but not in certain other ways. Ralph arrived ready to “take on the world,” with his priorities apparently aligned to place social success first, with academics to follow.

His own first impressions as a freshman were not encouraging. Ralph judged his new college classmates to be more stylish and sophisticated than he was. Rising to that challenge, he pursued his social agenda with levels of energy and effectiveness that later would characterize his approach to important professional undertakings. One of his undergraduate friends reported to me, admiringly, that Ralph fit more of a social life into any single Pitt weekend than he had been able to muster in all four of his undergraduate years combined.

That, of course, is the way that Ralph was. He had a personal appeal that drew people to him. And he had an enviable combination of qualities that held those people close, as friends and as allies, and that contributed to his many successes. Those qualities included an active and agile mind, a principled commitment to

* University of Pittsburgh Chancellor.

worthy causes, the courage of his convictions, good judgment, common sense, and—most important of all—a caring heart.

Ralph was one of the kindest, most considerate, and genuinely empathetic individuals I have known. As a jurist and as a person, he was the embodiment of what Justice Frankfurter called “dominating humility”—which includes the ability both to form and to unform habits of mind, the capacity for detachment, and the temperament for putting one’s passion behind his judgment instead of in front of it.

He built his career by doing good work extraordinarily well in each and every job he held—public defender, trial court judge, Supreme Court justice and, most recently, private practitioner. And the list of honors that he was accorded—not because of the positions he held but because of what he did from those positions—reflects the breadth and impact of his accomplishments.

Among the honors presented by his professional peers, Ralph was recognized by the National Center for State Courts for work of national significance in the field of judicial administration; he was one of only nine people ever to receive the Pennsylvania Bar Association’s Bar Medal; he received the highest honors bestowed by the Philadelphia and Allegheny County Bar Associations; and he received the Susan B. Anthony Award from the Women’s Bar Association of Western Pennsylvania for his efforts to promote equality in the legal profession.

The range of other groups honoring him included the Pennsylvania State Police, the Fraternal Order of Police, Mothers Against Drunk Driving, and, of course, the Sons of Italy. Here at Pitt, he was recognized as a Distinguished Alumnus of the School of Law, as a University Distinguished Alumni Fellow, and as a Pitt Legacy Laureate. And the “people of Pitt” always will be indebted to him for his leadership in our drive through this period of historic progress.

To that impressive list of past honors, those of us who knew him might add by acclamation a well-deserved citation to Ralph for being such an all-around good person. In any occupational setting dominated by vertical relationships—and both the judiciary and the academy are examples—an inflated sense of self-importance can become an occupational hazard. But, perhaps because of his Brookline background, Ralph never suffered from that problem. Instead, he always was able to take his responsibilities seriously without taking himself too seriously—a wonderful combination of qualities in any person, but especially in a judge.

Reflecting his lifetime commitment to public service, Ralph never thought that his role as our Board chair entitled him to anything other than the privilege of doing important work. And in all of our many meetings—sessions that too often focused on either the difficult or the disagreeable—Ralph never spoke in terms that were disrespectful of any another person. Instead, he always seemed able to see the best in them.

During private moments, in fact, he often was hardest on himself, sometimes muttering, when he thought he had fallen short, “Come on, Ralphie!” I found even that form of self-address to be telling. “Ralphie” may be an endearing nickname. But it is hardly a label likely to have been chosen for himself by someone who perceived that he was positioned on a pedestal.

In dealing with the deep sense of loss triggered by Ralph’s sudden and untimely death, some comfort may be found in tragically prophetic words attributed to Abraham Lincoln: “In the end, it is not the years in your life that count. It is the life in your years.” No one fit more life into his years than Ralph Cappy.

One year ago, when the University of Pittsburgh honored Ralph as a Distinguished Alumni Fellow, we praised him as “an individual of uncommon compassion, commitment, and courage” and we celebrated his “distinguished career in the law,” his “many contributions to the greater good,” and “his leadership in helping to elevate Pitt to a place among the country’s strongest and most productive public research universities.”

In paying tribute to this exceptional person, his extraordinary accomplishments, and his enviable human qualities, we might express our respect and gratitude somewhat more simply. Chief Justice Cappy, through your many achievements, your countless contributions and your inspiring example, you earned our highest respect. And, Ralphie, for the kind of person you were, for the special friend you have been, and for the ways that you added richness to our lives, we always will remember you with gratitude and love.

