



THE HONORABLE MARK A. SULLIVAN

FOREWORD

JUSTICE MARK A. SULLIVAN

The contribution of Justice Sullivan to the Judiciary—and to the State—is best measured by the number of years he has been a judge. When I review the statistics I am always amazed to be reminded that he has served as a judge for thirty-six years and is, by almost a decade, the senior judge of the entire Judiciary. I am amazed because for the two years that I have been with him, he has never referred to his far greater experience to support his point of view. He is much too modest a man to have done so, and his arguments on the merits needed no such additional support. On occasion, however, his younger colleagues, including me, might have benefited from a gentle reminder that they were talking to someone who had served at practically every level of the court system for more years than they had been admitted to the bar and who personally knew the measure of the giants of our jurisprudence.

One would have to spend years of study in order to give full credit to Mark Sullivan's contribution to the people of this State. His published opinions are an important part of his judicial career; in terms of the development of our law, the most important part. But a judge contributes to society every day of the week, not just on the day his opinion may be published. For thirty-six years this dedicated man brought justice into the lives of thousands of people. He brought not only sense to the laws of this State in the valuable opinions he authored but also good common sense to evidence rulings, determinations of motions, and decisions on the merits. Those of us who know him have no doubt that they were sound, sensible, and just decisions, for Mark Sullivan is endowed with unerring good judgment and unrelenting common sense.

The requirements for the "collegiality" which is supposed to characterize a good appellate court are more than a willingness to exchange views and to sympathetically consider, and respond to, the views of one's colleagues. Good humor, kindness, and thoughtful consideration of the needs of others—not just intellectual—are just as important. Justice Sullivan's warmth and decency affected the entire Court. He has given it a tone that has been most helpful in its work, and most helpful to me.

One would actually have to participate in the Supreme Court's work to understand fully his value. Published opinions are just one part of our work. Disposition of motions, disciplinary matters, and petitions for certification by far outnumber our opinions. The variety

of questions, the kinds of situations involved, outstrip the knowledge of most lawyers and judges. It is not at all rare that a Justice will find a matter before him, or before the Court, which has to be decided fairly quickly, involving either a factual pattern, an unusual proceeding, or a question of law with which he has never been involved. What comfort, and more importantly, what enlightenment, for a Justice to be able to speak to a colleague who has handled numerous such proceedings, determined many similar if not identical questions, and who is completely at ease with the factual pattern before the Court!

Justice Sullivan is a man of enormous integrity, totally independent, and with a completely open mind. Justice Sullivan has compassion for those whose lives, views, desires, and values may be quite different from his. Justice Sullivan is always prepared for the work at hand. We have been lucky to have him with us so long, and lucky that he wants to continue to serve the Judiciary, in his retirement in any way that he can be of value. I only hope that the people of this State will someday know what they rarely know about any judge, how much good he has done for them, how hard he has worked, how devoted he is, and, in the case of Mark Sullivan, how willing he is to spend the rest of his life, with no benefit to himself, continuing to serve the cause of justice.

Robert N. Wilentz
Chief Justice
Supreme Court of New Jersey