



ROBERT A. MATTHEWS

## IN MEMORIAM: JUDGE ROBERT A. MATTHEWS

*The Honorable Dorothea O'C. Wefing\**  
*John B. Wefing\*\**

On December 22, 1993 the State of New Jersey lost one of its distinguished citizens, Judge Robert A. Matthews, and it is fitting that the *Seton Hall Law Review* honor his memory. For many years New Jersey has been fortunate in having an outstanding judiciary whose reputation for excellence is recognized across the country. Robert A. Matthews, with his deep respect for the law and his concern for justice, strove to protect and enhance that reputation during his entire legal career.

He served the court system of New Jersey for more than twenty-five years. Many of those years were spent in the Appellate Division of the Superior Court and at the time of his retirement in 1985, he was the Presiding Judge for Administration of the Appellate Division. During all of those years, he served with distinction.

Always concerned for justice, he decided each and every case with care and with concern but never with a view to the popularity of his decisions; his focus remained on what was right and just in each particular case.

Judge Matthews was a member of a large family which has many ties to the law. His father, John, was a renowned lawyer, and two of his brothers, Elmer and John, are also members of the bar of New Jersey. That tradition has continued into the next generation with his daughter, as well as with many of his nephews.

Robert A. Matthews did not immediately take up the study of law upon completing his college career. After graduation from Notre Dame University in 1942, Judge Matthews served in the United States Navy in World War II in the South Pacific. After finishing his military service, he returned to New Jersey and commenced his legal education at Rutgers University School of Law. His record in law school was outstanding; he graduated at the top of his class and served as editor-in-chief of the *Rutgers Law Review*.

At the time of his graduation, New Jersey was at a turning

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point in its legal history for it was engaged in the immense task of implementing the provisions of the 1947 Constitution which had just been adopted. After completing his clerkship with Judge Alfred A. Clapp, he joined the office of the Governor's Counsel and had the opportunity to work upon many of the statutory revisions required by the adoption of this new constitution. When he did enter the private practice of law, several years later, it was at the firm of Toner, Crowley, Woelper and Vanderbilt. His practice was generally in the chancery courts, and he gained a reputation as an outstanding lawyer. He remained with that firm until his appointment to the bench in 1960.

At the time of his appointment, there was a distinction between the County Court and Superior Court.<sup>1</sup> He was first appointed to the County Court and in 1963 to Superior Court. As a trial judge, he presided over both civil and criminal matters with equal adeptness. He then served in the General Equity Division of Superior Court and was the chancery judge for Hudson, Bergen and Passaic Counties. Judge Matthews thus influenced the development of equity jurisprudence in three counties and was responsible for handling some of the most notable cases of the time, including much of the state litigation which resulted from the massive fraud perpetrated by Anthony DeAngelis, who had built a financial house of cards on the slippery foundation of nonexistent salad oil. His opinions as a chancery judge were models of analysis and clarity of thought, even on technical and abstruse subjects.

In 1969, Judge Matthews was named to the Appellate Division, where he served with distinction until his retirement in 1985. In 1979, he was named Presiding Judge for Administration of the Appellate Division and helped to create the framework which permitted this nationally recognized intermediate court to handle an explosive increase in its volume without sacrificing the quality which is the hallmark of its reputation. During these years, his influence spread beyond New Jersey, for he was one of the founders of the Council of Chief Judges of Courts of Appeal. It was only to be expected that on his retirement from the bench in 1985 that he would not retire from the law. He remained active, both in practice and in national judicial circles.

There was one particular aspect of his service on the bench that brought to Judge Matthews a deep joy and that was his relationship with his law clerks. To clerk for him was not just an oppor-

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<sup>1</sup> This distinction existed until the constitutional amendment of 1983 merged County Courts into the Superior Court.

tunity to work with an individual who possessed great legal talent, and who loved to share it; it was to become, in many ways, a member of an extended family of clerks. All were dear to him and he followed the lives of each with great personal interest and satisfaction.

But Judge Matthews was more than just an excellent judge who cared deeply about the law and its direction. He was a voracious reader and knowledgeable in many fields. He brought this knowledge to bear in his thoughtful and well-crafted opinions. He was also "a man of great joy and fun, a man of wit and humor."<sup>2</sup>

It is not possible to sum up the measure of a man in words, but Judge Matthews was marked by a deep and abiding sense of the pursuit of justice—a recognition that law is the ordering of relations among people and that when the law does not serve the proper needs of people, it does not serve justice.

Judge Matthews was asked to speak at the occasion of the presentation of the portrait of Sidney A. Goldmann, one of the legal giants in the history of New Jersey. In the course of his remarks, Judge Matthews stated: "Sidney was a genuine human being, and I think that's the highest thing you can say of any person." That remark bespoke Judge Matthews's constant focus that the cases he was called upon to decide involved not just dry words and narrow theories but real people. He recognized that the role of law is to enable individuals to live their lives freely and securely, confident in their ability to obtain justice from the courts. That is a focus which we must never forget.

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<sup>2</sup> Statement made by Chief Justice Robert Wilent, upon the death of Robert A. Matthews.