

REMARKS OF JAMES P. BASSETT
ON TAKING THE OATH AS AN ASSOCIATE JUSTICE
OF THE NEW HAMPSHIRE SUPREME COURT
JULY 19, 2012

Governor Lynch, members of the Executive Council, Mr. President, Mr. Speaker, members of the legislature, Chief Justice Dalianis and Justice Conboy, judges and retired judges of the Supreme and Superior Courts, Justice Souter, judges of the federal court, colleagues at Orr & Reno, my former colleagues as Canterbury Selectmen, and friends, my thanks to each of you for taking the time out of your busy lives – especially on such a beautiful summer day – to join me and my family this afternoon to help me mark this special occasion.

Each of you is here today because you have been an important part of my life, but there are a few of you to whom I owe special thanks. First and foremost, to my wife, Ellen Bassett, thank you for your love, support and friendship for the last 30 years. There is no doubt in my mind that I would not be

standing here today had I not been fortunate enough to have met you, and lucky enough to have you agree – for some unfathomable reason – to marry me. Not only have you put up with my idiosyncrasies – which are many – you have been a great wife, a wonderful mother to our three kids, and at the same time you have been a hard-working and dedicated physician. Your patients and their families have benefitted – and continue to benefit – from your kindness, endless energy, wisdom, and unmatched dedication. On top of that, somehow you also find the time to take care of our dogs, cats, a horse, a pig, and a flock of chickens. We are a very lucky family to have you at the helm.

Our children, Jesse, Johnny, and Hannah, also deserve my thanks. Your mom and I are very proud of you. It seems like only yesterday when we wondered how we could survive with three children under 3, but watching you grow up and turn into

the impressive young men and woman that you have become has been an incredible joy for us. You were understanding during your childhood when all too often I missed your concerts, or your soccer or lacrosse games because I was in trial, getting ready for trial, or at a planning board or selectmen's meeting. You have always been forgiving of my hectic schedule and my foibles, and for that I am grateful.

I also want to thank my Mom and Dad, who raised me to work hard and to be committed to my community. I have tried to do that. My parents were my role models. When I was growing up, my mother and father both worked – my father as an insurance agent, and my mother raising my sister and me – while at the same time, they both volunteered in our community. My Mom, who is here today, continues to volunteer on an almost full-time basis. My parents put up with a lot – and I am sure they rolled their eyes at my detours through life. They were

incredibly supportive when I decided to leave law school after one year and travel around the world – with no particular plan as I set off. During that year, they would learn where I had been only when my aerograms would arrive a month later from some distant part of the world. Now, as a parent, I realize how hard that must have been for them. For me, it was a life changing experience.

One of my great regrets is that my Dad passed away in 2004, and that he is not able to be with us here today – but I know that he knows that I have this exciting new opportunity, and I hope that he is proud.

Next, I want to express my sincere thanks to Governor Lynch for nominating me, and to the members of the Executive Council for voting to confirm my appointment. I am aware that with this incredible opportunity comes great responsibility. I am deeply honored by the trust and confidence that you have placed

in me. I promise that I will work hard, and I pledge to you that I will justify your confidence.

I also want to take a few moments to thank my colleagues and friends with whom I have proudly worked at Orr & Reno during the past 27 years. I have been extremely fortunate to have worked with, and privileged to have gotten to know, the many lawyers at Orr & Reno, past and present, who have been accomplished attorneys, as well as pillars of our community. For more than 50 years, Orr & Reno has had an important impact on New Hampshire, both in the development of the law, and in fostering a vibrant non-profit community in Concord and throughout the State.

I recall my first day at Orr & Reno in 1985 when I had lunch with Dudley Orr, Bob Reno and Malcolm McLane. They were a great example to me in the way that they practiced law and lived their lives - and they had a profound impact on the

direction of my life. Also at that lunch were Ron Snow, Dick Couser, Bill Chapman and Howard Moffett – all similarly dedicated both to the practice of law and to civic involvement. I had the privilege of working with each of these lawyers, and I tried many cases with Ron, Dick and Bill. They taught me much, and I am indebted to each of them.

I am keenly aware that most of the interesting and challenging cases on which I have worked during the past quarter century came to the firm, rather than to me, and that I would not have had the extraordinary experiences that I have had if it were not for Orr & Reno's reputation for hard work and quality. But for those cases, many of which I argued before this Court, I am certain that I would not have this extraordinary opportunity.

The lawyers and staff at the firm have been like family to me, and during the past six weeks, they have made the difficult

task of unwinding 27 years of practice as easy and painless as possible. Just this morning, my secretary of 13 years, Janice Reed, helped me finish these remarks - the last effort of a great partnership. Just as it will take some time for me to get used to “Justice Bassett,” so too it will take quite a while for me to stop referring to the firm as “we.”

I would be remiss if I did not express gratitude to my new colleagues. The Justices of this Court and the staff who work here and at the Administrative Office of the Courts, next door. In the weeks since my confirmation, everyone here, and especially the Chief Justice, has made an effort to make me feel very welcome. For that, too, I am grateful.

Lastly, I want to express my appreciation to the members of the New Hampshire Bar with whom I have had the privilege to practice, and the trial and appellate judges on both the state and federal benches. It has been a pleasure to be a trial lawyer

in New Hampshire and to appear in these courts, where both the quality of practice and the level of camaraderie and civility between opposing counsel, and between the bench and the bar, is unmatched. It is satisfying and fun to practice law in this State, and I will miss it.

Indeed, it is a testament to the depth and quality of the bar and bench in New Hampshire that there are many, including many in this room, who are as well-qualified as I am to serve on this Court, and who would clearly serve the State with great distinction. Accordingly, I realize that I am very fortunate that Governor Lynch chose to nominate me.

I understand the important – but limited – role of the judiciary, and of the Court itself, and how our State Constitution carefully allocates power among three co-equal branches of our state government. I have argued the issues of separation of

powers before this Court. I appreciate that mutual respect between the branches – and an appreciation for their unique roles – is critical for the proper functioning of our government.

I have no personal agenda, political or otherwise. My role is to work hard and, together with my fellow Justices, to make the right decisions. We do not choose the issues or the cases that are presented to us – but our duty is to decide them.

Having represented clients for almost 30 years, I am acutely aware that every case that comes before any court – but especially before New Hampshire’s highest court – is of critical importance to the individuals involved. A timely, respectful, fair and legally sound resolution of issues is essential to the delivery of justice. All cases require and deserve thoughtful resolution by the best and most impartial judges that our system can provide. I am fully committed to doing just that.

I have had the opportunity to travel to areas of the world where the fundamental rights that we all too often take for granted are absent or suppressed. In March, I was in Burma, now known as Myanmar. It was only a few weeks before the first democratic elections in a generation. For the first time in 50 years, the government permitted the people to express their views about candidates, to post campaign posters, and to criticize their leaders. Having visited Myanmar only three years ago, when the mere mention of dissident Aung San Suu Kyi could result in an indefinite jail sentence, the contrast was remarkable. She is now a member of parliament, she is free to travel, and her voice is no longer silenced. Yet, at the same time, rights that we regard as inalienable, and which are enshrined in both the United States and New Hampshire Constitutions, such as freedom of speech, freedom of association, freedom of religion, the right to impartial justice,

and the right to vote in democratic elections are not yet fully realized in Myanmar. The recent gains are fragile, and the rights granted by the government can be easily taken away. Here, these fundamental rights are not granted by the government, but are inalienable, and flow from and belong to the people. Our government has only the limited power granted to it by the people through the Constitution. A visit to a land of limited liberty with an all powerful government serves as a stark reminder of the importance of our system based on individual rights, a government with only those powers granted to it by the people, and checks and balances among the independent and co-equal branches of our government.

In closing, I look forward to working with my colleagues on the Court to ensure that every citizen of New Hampshire has equal and timely access to justice, and that every person appearing before this Court is treated with dignity and respect,

and receives the most reasoned, just and impartial outcome as is humanly possible. The 106 justices who have preceded me on this Court have set a high standard, and I pledge to the citizens of New Hampshire that I will do all in my power to meet that standard, to promote justice, and to continue that proud tradition.

Thank you.