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## The Boston Catholic Lawyers' Guild: A Profile

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## **CATHOLIC LAWYERS' GUILDS**

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THE CATHOLIC LAWYER does not ordinarily carry detailed articles with respect to the organizational phases of new Catholic lawyers' guilds. So unique, however, has been the meteoric rise to prominence of the Catholic Lawyers' Guild of the Archdiocese of Boston, we deem it appropriate to present in this issue an article briefly outlining the activities of its first year.

THE CATHOLIC LAWYER, through the services of this department, was instrumental in a small way in providing counsel for the establishment of this particular guild but the success which it has achieved can only be attributed to the enthusiasm and united efforts of its officers and membership.

Under the dynamic leadership of its President, Richard H. Nolan, and with the wholehearted assistance of Richard Cardinal Cushing, Archbishop of Boston, the Boston guild has done more, in a comparable period of time, than any other guild of which we are aware. We hope that the story of its success will serve as an inspiration to other guilds in meeting the problems which confront them.

# THE BOSTON CATHOLIC LAWYERS' GUILD: A PROFILE †

**I**N THE GLOWING DIADEM of America's great cities, perhaps none shines more brightly than Boston in the history of the nation's liberty under law.

It was in the Old State House in this city that James Otis delivered his famous plea against the writs of assistance. Patriots, grown disillusioned under the yoke of British taxes, gathered in Faneuil Hall — “the cradle of American liberty” — to discuss the ideas that burst forth into the Revolution. The red line of British troops marched out from Boston on the road to Concord and an appointment with the colonial militiamen that was to result in the first major clash of the war for independence.

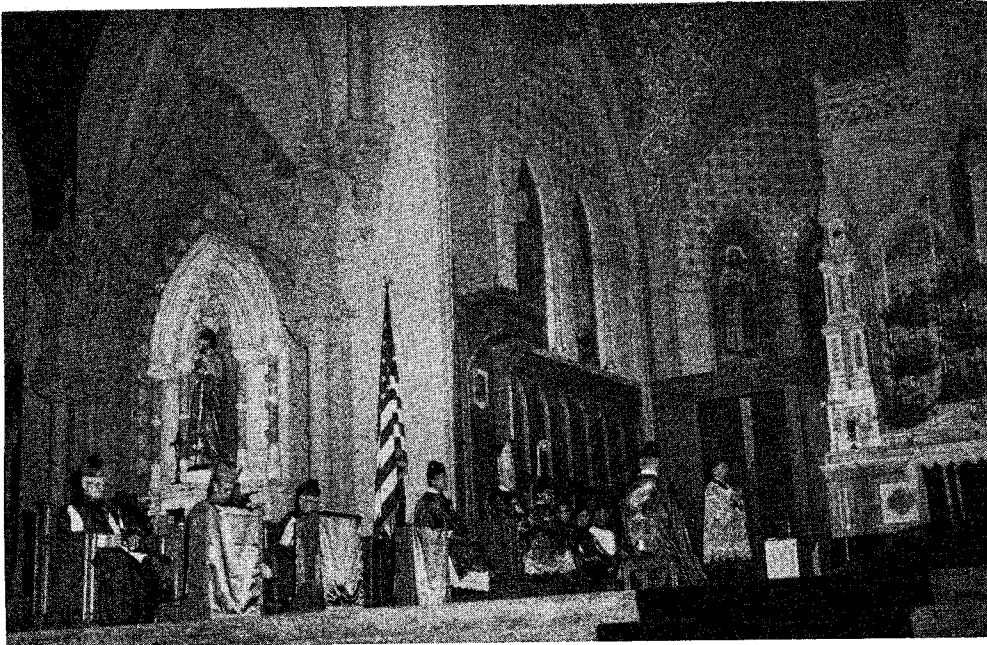
And yet, this was the same city where only a few years before John Cotton had thundered from his pulpit, “Democracy I do not conceive that God ever did ordain as a fit Government either for Church or Commonwealth.” And the city had listened. It had listened because Cotton was himself a man of God, and in Boston the twin currents of morality and government have always been the tide upon which the city moved. The two currents still are flowing.<sup>1</sup>

The latest expression of these forces which have so colored the intellectual life of Boston is an organization of lawyers which has recently celebrated its first anniversary, the Catholic Lawyers' Guild of the Archdiocese of Boston. Schooled in the law, and drawing on twenty centuries of Catholic tradition, the members of the Boston Guild under the able leadership of their president, Richard H. Nolan, are devoted to infusing into the practice of law in their city the ethical and moral principles without which no body politic can justify its existence.

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†Prepared by the St. Thomas More Institute for Legal Research.

<sup>1</sup> For a concise history of Boston and of John Cotton's influence in the city, see 4 ENCYCLOPEDIA AMERICANA 293.



*Within the sanctuary at the Guild's First Red Mass, October, 1958. At left: Bishops Jeremiah F. Minihan, Fulton J. Sheen and Eric F. MacKenzie.*

The constitution of the Guild succinctly states this worthy aim:

The purposes of the Guild shall be to disseminate Catholic principles relevant to the conduct of members of the Bar; to promote the practice of the traditional ethics of the legal profession; to encourage the study of the fundamental moral and legal principles which underlie American society; and to widen and deepen the intellectual and religious culture of its members; all in due conformity and harmony with relevant Catholic doctrine and teaching.<sup>2</sup>

The dual theme echoes too in the "Prayer for Lawyers," written for the Guild by the Most Rev. Richard J. Cushing, Cardinal-Archbishop of Boston.

O God, who didst ordain that Thy faithful people should submit to the authority of their earthly rulers, grant that we who are

charged with defending and supporting our agencies of justice may be supported in our deliberations by Thine Infinite Wisdom and strengthened in our decisions by the prudence which illuminates the pathways of virtue and holiness.

Help us to apply the precepts of Thy Eternal Law to the duties of our profession.

Inspire us to be Thy faithful servants in interpreting and applying the laws of our state and our nation.

Guide and protect us and our families so that we may be worthy to dwell together for all eternity in the heavenly mansions purchased for us by Thy Divine Son Christ Jesus, our Lord, Who liveth and reigneth with Thee and Thy Holy Spirit forever and ever. Amen.<sup>3</sup>

But as any lawyer knows or eventually learns, the written word tells only half the story. So, too, with the Boston Guild. To understand its function and achievements,

<sup>2</sup> Constitution of the Catholic Lawyers' Guild of the Archdiocese of Boston, art. II.

<sup>3</sup> The "Prayer for Lawyers" is reprinted from the appendix to the constitution of the Boston Catholic Lawyers' Guild.

and to find the spirit that gives vitality to its stated purpose, it is necessary to examine its activities and speak to its members.

Guild President Nolan recently summarized some of the organization's unseen assets. "Success," he said, "is based on one outstanding element, the unrestrained, enthusiastic co-operation of our members."

"But," Mr. Nolan said, "probably our greatest of all assets is the unusual and tremendously enthusiastic interest of Cardinal Cushing, whose only real direction to me was that he wanted this Guild to reflect in all its doings — spiritual and social — the highest degree of true Catholicism."

The Boston Guild in its formation relied heavily on the support and initiative of Cardinal Cushing and a group of prominent Catholic lawyers. Drawing on a population of more than 2,300,000 persons, whose high proportion of Catholics makes the Archdiocese the second largest in the United States, the Guild formally opened its activities with a Pontifical Low Mass celebrated by the Cardinal on May 27, 1958.

Evidence that the formation of the Guild filled a need ardently felt by many of the Catholic members of the Boston Bar came early, even before the formal opening ceremonies. Eight hundred Catholic lawyers responded to the first inquiries regarding the founding of the Guild and became charter members. In the year since then, an additional two hundred attorneys have joined the Guild, and the ranks are still growing.

Using the experience of Catholic Lawyers' Guilds in New York,<sup>4</sup> Brooklyn, Chicago,<sup>5</sup> Philadelphia, San Francisco, and

<sup>4</sup> See *The Guild of Catholic Lawyers of New York — A History of Twenty-Seven Years*, 1 CATHOLIC LAWYER 101 (April 1955).

<sup>5</sup> See *The Catholic Lawyers Guild of Chicago*, 3 CATHOLIC LAWYER 250 (July 1957).

other American cities, the Boston association rapidly made certain fundamental policy decisions that molded its thoroughly professional character.

At Cardinal Cushing's suggestion, the Guild decided not to participate in the charitable projects of the Archdiocese. At the Guild's first meeting, Cardinal Cushing told the members that they were fulfilling their charitable obligations through their many other affiliations, and that the Guild's activities should be directed elsewhere.

The Guild also avoids any political activity. "We steer clear of all political alliances or affiliations and neither subscribe to nor sponsor any outside causes, no matter how meritorious they may be," Mr. Nolan explained. "Ours is purely a law guild."

In activities other than these proscribed areas, however, the Guild during its first year of existence displayed outstanding vigor in achieving its stated aims.

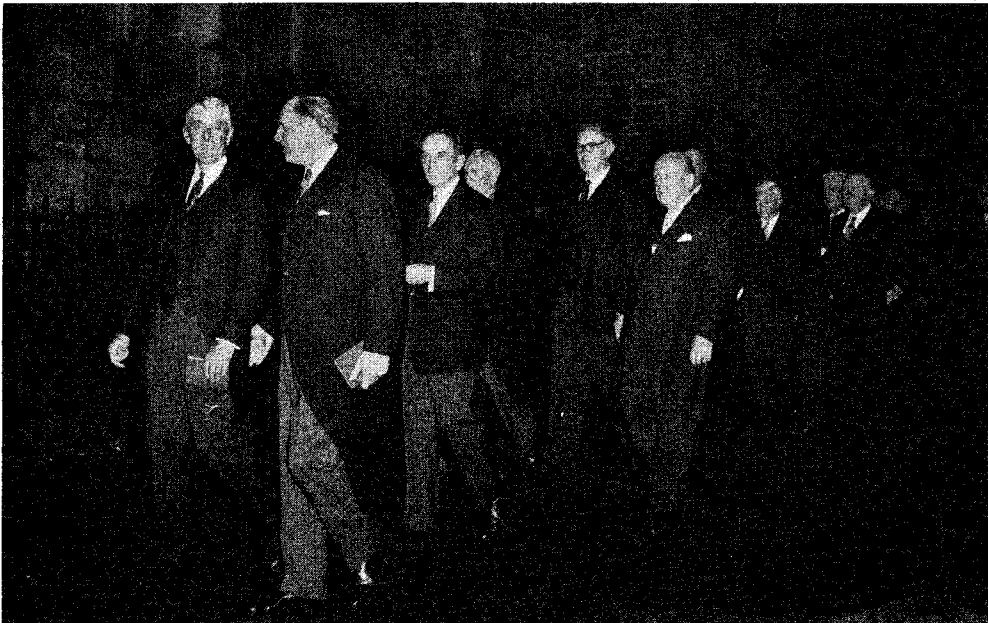
In common with the practice of many other guilds throughout the nation, the Boston Guild has adopted the custom of marking the opening of the fall session of the courts by the celebration of the Solemn Votive Mass of the Holy Spirit — the Red Mass. The Mass is celebrated in the Cathedral of the Holy Ghost under Guild auspices. The Red Mass, which derives its name from the color of the vestments worn by the celebrant, has traditionally opened the judicial year of the Sacred Roman Rota. Its purpose is to invoke the assistance of the Holy Spirit in the activities of the bench and bar during the ensuing court year.

The first Red Mass sponsored by the Boston Guild was celebrated by Cardinal Cushing on October 1, 1958, and attended by dignitaries of both Church and State. Among those attending were the Governor of Massachusetts and other high executive

officers of the Commonwealth; the Mayor of Boston and other ranking municipal authorities; members of the federal and state courts; members of the hierarchy and the diocesan tribunal; the United States Senators and Representatives from Massachusetts; the faculties and student bodies of all law schools in Boston; consuls representing thirty-five nations; county officials from all parts of the state; members of the state legislature; and high-ranking military officers. Every detail of the Mass was carefully planned under the personal supervision of Guild officers.<sup>6</sup> Rev. James A. O'Donohoe, J.C.D., Guild Chaplain, delivered the sermon, a brief talk geared especially to the professional character of the congregation.

<sup>6</sup> Members of the bench and bar entered the Cathedral after a procession from nearby Cathedral High School. Special marshals wearing easily-identifiable red neckbands led each group in the

Following the conclusion of the Mass, and the invocation of the blessing of the Holy Spirit, the Guild conducted its first annual St. Ives Award Dinner. The dinner was held in one of Boston's major hotels with more than 850 persons, including most of the dignitaries who attended the Red Mass, present. The St. Ives Award is to be presented annually to an attorney selected from any quarter of the globe who has established himself as internationally pre-eminent in a chosen field of law and unswerving in fidelity to Catholicism. The award itself is a handsome sterling silver procession. Each procession group had assembled according to plans worked out in advance and distributed in booklet form at the assembly point. The Cathedral altar was decorated with 500 red carnations for the Red Mass, which was sung by the choir of St. John's Seminary. Red-bound Mass missals were distributed to all. Five priests were on hand to distribute Communion to those who wished to receive.



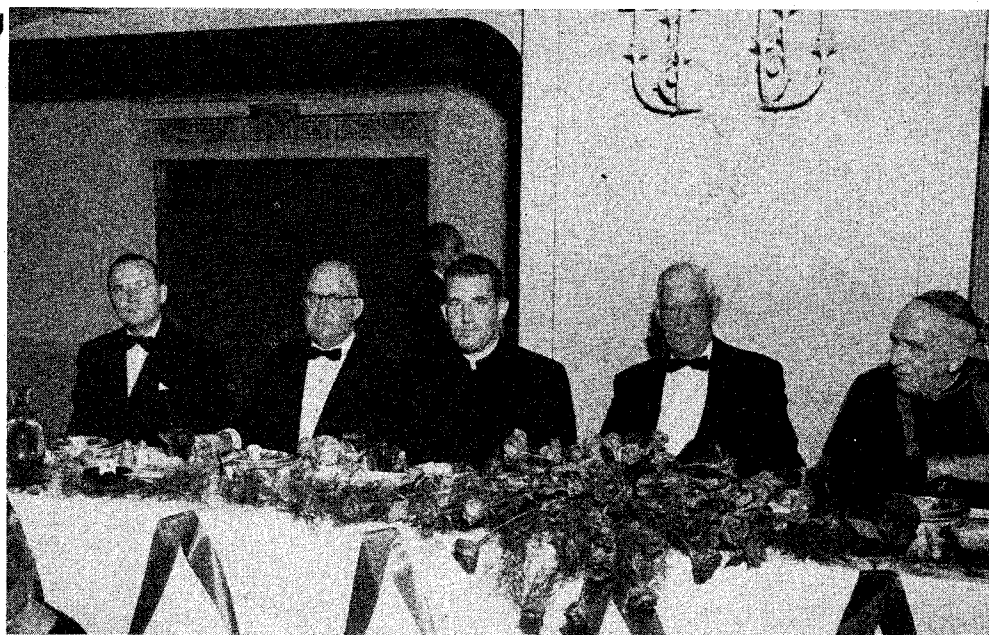
*Dignitaries in the line of march to the Red Mass: U. S. Senator Leverett Saltonstall, Hon. Robert Murphy, Guild President Richard H. Nolan and members of Supreme and Superior courts of Massachusetts.*

plaque mounted on polished ebony. It bears the seal of the Boston Guild, an engraved sketch of St. Ives, and an inscription tracing the achievements of its recipient. The recipient of the first award was the Honorable Robert D. Murphy, Deputy Under Secretary of State of the United States and a diplomat renowned for his success in serving as a mediator in trouble-spots all over the world. The Guild's plan for the dinner calls for an address by either the award-winner or by some other outstanding orator, Bishop Fulton J. Sheen being the principal speaker on the first occasion. The careful planning that marked the Red Mass carried over to the dinner, with a red motif linking both events into an interrelated whole.<sup>7</sup>

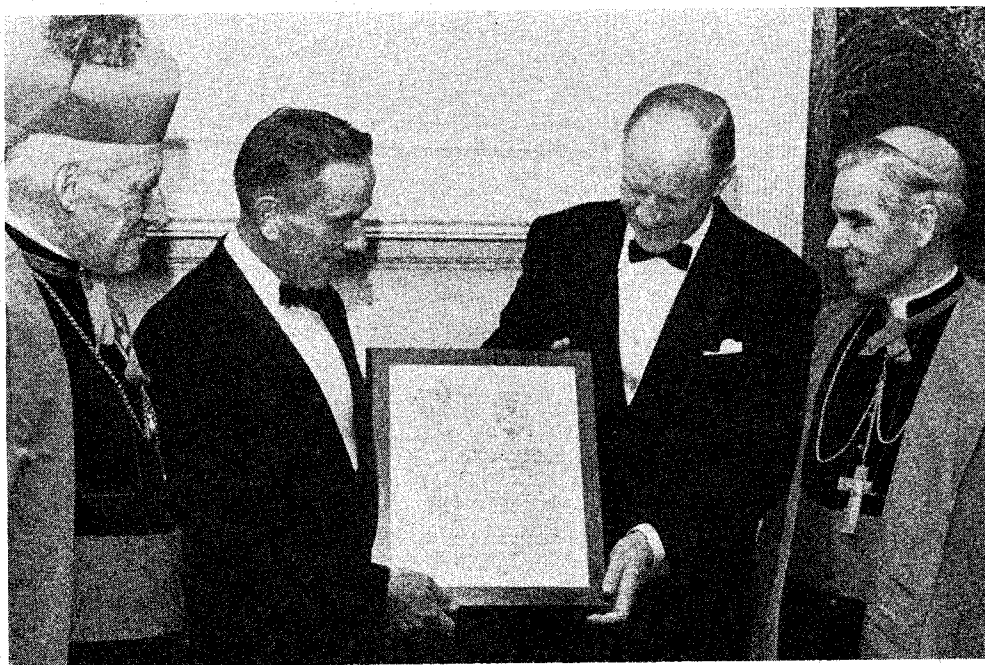
<sup>7</sup> Mr. Murphy, the award recipient, was met at the airport by a special committee headed by a Guild vice-president, and by a full police escort which

The dual aim of promoting the civic good while fostering the spiritual values of the members is exemplified in other activities conducted by the Guild during its initial year. The Guild sponsored a formal reception for Chief Justice Walter Cleary of the Vermont Supreme Court on May 23, 1958, in recognition of Judge Cleary's outstanding contributions as a member of the bench.

On January 18, 1959, an Ecclesiastical Moot Court Trial was conducted in John accompanied him throughout his stay in Boston. Mayor John B. Hynes and 75 prominent Boston leaders tendered Mr. Murphy a welcoming luncheon. At the St. Ives Award Dinner, only red wine was served with the meal and red floral pieces decorated each table. The seating plan for the dinner was distributed in a printed pamphlet, and speeches were held to a minimum. All arrangements were under the charge of a Guild vice-president. Music for the affair was supplied by a string ensemble playing only classical selections. The cost of the dinner above the \$10 ticket price was defrayed by the Guild as a good-will gesture.



*At the Head Table at the St. Ives Award Dinner: Vice Presidents Edward B. Henify and Henry M. Leen, Chaplain James A. O'Donohoe, Hon. Edward A. Counihan, Justice of the Supreme Judicial Court, and Bishop MacKenzie.*



*Hon. Robert D. Murphy receives the St. Ives Award from Guild President Nolan as His Eminence Richard Cardinal Cushing and Bishop Sheen look on.*

Hancock Hall, Boston, under the auspices of the Guild, for the purpose of acquainting Catholic lawyers with the procedure in the matrimonial courts of the Church. Most Rev. Eric F. MacKenzie, Auxiliary to Cardinal Cushing and the Officialis of the Archdiocesan Tribunal, presided at the trial. Priests of the diocese assumed the roles of advocate for the petitioner and the defender of the marriage bond and members of the Guild acted as witnesses. Rev. James E. Tierney, Secretary of the Archdiocesan Tribunal, served as commentator for the trial. The interest generated by the Guild in the Boston area was demonstrated at the trial, for an estimated 1175 persons filled the hall to observe the operations of the Ecclesiastical Court.

Again highlighting the interplay of morality and the law, the next item on the Guild's agenda, scheduled for May 6, 1959, was a

panel discussion between a Catholic lawyer and a moral theologian on the topic "The Catholic Lawyer and Problems of Domestic Relations." John F. Harvey, Register of the Middlesex County Probate Court, and Very Rev. Francis J. Connell, C. S. S. R., of Catholic University, Washington, D. C., were the panelists.

To enable it to carry out a full and active schedule, the Boston Guild has drawn upon the experience of similar guilds in other cities. The executive body is a 27-member Board of Governors, one-third of which is elected annually for a three-year term. The Board is augmented by the Guild's officers — a president, three vice-presidents, a secretary, and a treasurer — who are ex officio members of the Board. The current Board of Governors includes at least one judge from every court in the commonwealth, in addition to outstanding lawyers from every



section of the archdiocese.

In accordance with the theory that it is preferable to have a small number of well-attended meetings rather than a larger number of poorly attended gatherings,<sup>8</sup> meetings of the Boston Guild are scheduled only three times a year. One meeting is the Red Mass held in the early fall. The other two meetings are normally conducted in January and May, and feature events of interest to Catholic lawyers. Examples of this type of programming are the ecclesiastical trial and the panel discussion mentioned above.

Membership in the Guild is open to all Catholics who are members of the Massachusetts Bar and either reside or practice in the Archdiocese of Boston. In addition, Catholic members of the state and federal judiciary are eligible for membership whether or not their duties are within the confines of the archdiocese. All membership applications are subject to approval by the Board of Governors, which may also approve applications for membership from Catholics who are members of the bars of any of the New England States. Dues are set at ten dollars annually.

The officers of the Guild are elected annually by the membership. In addition to the president, vice-presidents, secretary and treasurer, the Guild has a supreme chaplain and a chaplain. Cardinal Cushing, who endeavors to attend every meeting, is the supreme chaplain. Father O'Donohoe serves as chaplain with the duty of advising the Guild on matters of Canon Law and Catholic doctrine. He also serves as a spiritual counselor to members of the organization.

<sup>8</sup> See McNIECE, *A Catholic Lawyers' Guild for Your Diocese?*, 4 CATHOLIC LAWYER 263, 267 (Summer 1958).

This completes the list of formal Guild offices. But, Mr. Nolan explains, the Boston Guild also has a "secret weapon," John C. Driscoll, a well-regarded public relations expert. Mr. Driscoll has assisted the organization in matters of publicity since its inception, has been in charge of press relations at all Guild functions, and through the medium of press releases to eighty newspapers throughout New England has kept activities of the Guild before the eyes of the legal profession and the general public.

The Boston Catholic Lawyers' Guild, in meeting the problems faced by any new organization during its beginning years, has displayed an unusual ability to adapt itself to the crowded schedules of lawyers. The first Guild-sponsored Red Mass, for example, was celebrated on a weekday afternoon. Guild officials sadly learned that while many judges and others with heavy schedules were able to attend, other lawyers who expressed a keen desire to be there found it impossible to rearrange their work in such a way that they could be at the Cathedral that day.

Profiting from this experience, Mr. Nolan has announced that in the future the Guild will sponsor the Red Mass on a Saturday at 5 p.m. to give the fullest possible opportunity for all to attend. The St. Ives Dinner will follow the Mass, as it did last year, and the late-afternoon celebration of the Red Mass is expected to be helpful in again securing maximum attendance at this important function.

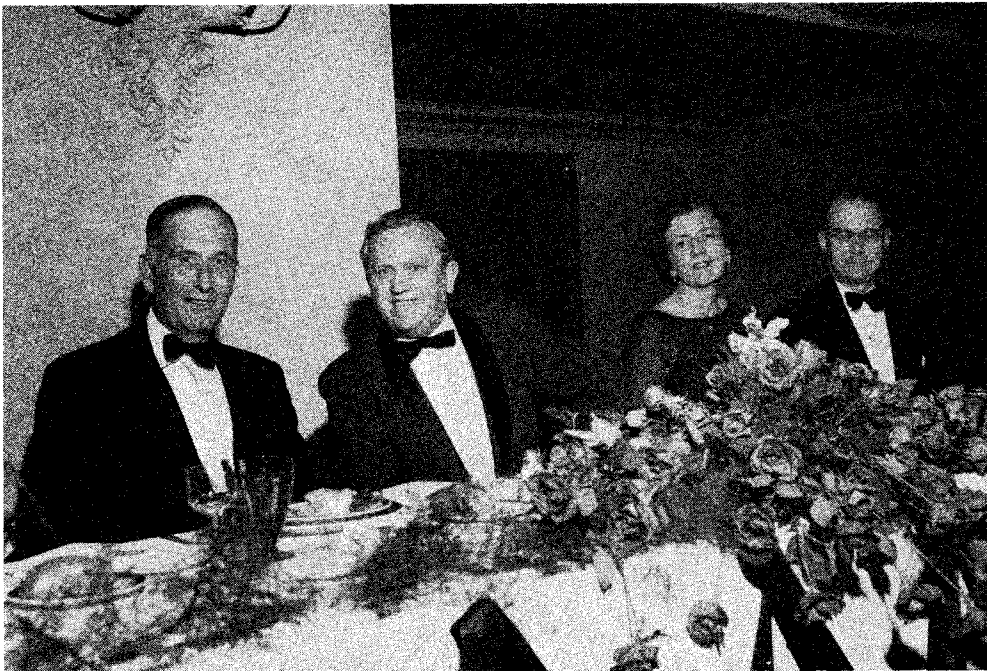
The active interest of Cardinal Cushing has sparked the Guild's successful first year. The Cardinal's attendance and participation in all Guild functions have given an impetus to the activities which might otherwise have been lacking. Of great significance also has been the work of President Nolan. His

achievement in bringing the Guild to a position of national pre-eminence within a brief space of time is probably unprecedented in the history of Catholic lawyers' guilds in this country.

Special credit, too, should be given to Guild Secretary Miss Mary W. Fidler, who has taken a great deal of time from her practice as one of the commonwealth's finest trial attorneys to serve the organization. Treasurer John Clarke Kane's efficiency in managing the Guild's financial affairs has also been a great asset. Daniel A. Lynch and William M. Hogan, who handled a

great deal of the work entailed in the Red Mass and St. Ives Award Dinner preparations, also contributed greatly to the success of the fledgling organization.

The tremendous work the Boston Catholic Lawyers' Guild has done during its first year augurs well for its future and for the future of the city which it serves. With its loyal membership and excellent officers, the devoted guidance of Cardinal Cushing, and the seasoning of one year behind it, the Guild is rapidly becoming a fixed part of the Boston scene whose influence is certain to grow with each passing year.



*At the Head Table: Hon. Paul C. Reardon, Chief Justice, Superior Court, Vice President Michael J. Dray, Guild Secretary Miss Mary W. Fidler and Treasurer John Kane.*

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