

MEMORIAL PRESENTED TO THE IOWA JUDGES ASSOCIATION
June 18, 2003

On July 4, 1826, on the fiftieth anniversary of the Declaration of Independence, Thomas Jefferson died at Monticello, his mountain top home in Virginia, and John Adams died at his home in Quincy, Massachusetts. They were founders of our nation and our way of life. Because of them our lives are different and better.

On July 4, 2002, another founder died. On that day, Lynne Ellen Brady died in Cedar Rapids, Iowa. She was not and will not ever be as famous as our former presidents, but she was, nonetheless, a founder of our way of life as lawyers and judges in Iowa. Because of her our lives are different and better.

Lynne was born Oct. 23, 1946, to George and Bertha Alice Skuster in Osage, Iowa. She graduated from high school there in 1964 and attended the University of Northern Iowa, which awarded her a Bachelor of Arts degree in 1968. She then briefly attended the University of Iowa College of Law, but--in her words--wanted more of an intellectual challenge, so transferred to Drake University College of Law. In 1972 Drake awarded her a Juris Doctor degree, and appropriately so, since she was a member of Order of the Coif and ranked third in her class.

Nowadays such a law school graduate would be besieged with offers from the best firms and most elite agencies. Not so in 1972. She was, after all, a woman, and the new order of the legal profession that Lynne and others would create did not yet exist.

Lynne accepted a job--and honest and decent work it was--as an assistant in the office of the Cedar Rapids City Attorney. In 1973 the Iowa Legislature passed the Unified Trial Court Act, which, among other things, abolished municipal courts and converted the incumbent judges into District Associate Judges. When a Cedar Rapids Municipal Judge was promoted to the District Bench in June, 1973, Governor Robert Ray, on June 30, 1973, appointed Lynne to the municipal bench, making her the first woman in Iowa's history to be a full-time judicial officer. At midnight the same day, she became--by operation of law--a District Associate Judge.

Lynne served as a DAJ for twelve years in one of the busiest courts in Iowa. Locally, the court was known simply as "First Avenue", because of its location in the City Hall Building on that street. "First Avenue" was barely controlled chaos, and most of the control, and virtually all of the good sense and order came from Lynne. Those were the days when preliminary hearings were actually held; the Alcohol Safety Action Program brought hundreds of new cases to the court; and the litigation explosion that is still with us began.

In 1985 Governor Terry Branstad appointed Lynne to the District

Bench, where she served honorably and well until her death.

As a judge Lynne was smart, fair, knowledgeable, and most important, in the words of one lawyer who practiced before her often, a hero for what she did for women in the legal profession. As a colleague, she was equally smart, fair and knowledgeable, but also extremely willing to share her well-considered opinions, and to critically examine her colleagues' opinions and comment freely on their folly--if warranted.

Lynne was a member of the National Association of Woman Judges, past president of Discovery Living, chair of the Women and Minorities Study Committee, Foundation Fellow of the Iowa State Bar Association and Governor on the Iowa State Bar Association Board of Governors. She was also instrumental in creation of the Cedar Rapids Community Dispute Settlement Center.

Her service to the Iowa Judges' Association is well known and culminated in her service as president. The association awarded her its highest honor, the Order of Merit, in August, 2001. That award recognized not only her accomplishments as a lawyer and judge, and her service to the organization, but especially the courage with which she faced cancer. For four years she battled the disease's attempts to ravage her brain, but her mind never succumbed. She was alert and lucid to the end. Cancer finally killed her, but it never defeated her.

Lynne is survived by her husband, Tom Neuhaus, whom she met in 1992 at the First Congregational Church in Cedar Rapids, where Lynne was a valued and active parishioner. They married at that church on September 3, 1993. Tom was the love of her life, except perhaps for the six cats who shared their home. She is also survived by her mother, Bertha Alice Skuster, of Osage; by Robin Brady of West Des Moines, who in the eyes of the law was a step-daughter, but in Lynne's heart was a daughter; and by two siblings, Liz Dickson of Oakland, CA; and Mark Skuster of Victorville, CA.

Lynne was a founder of our way of life as lawyers and judges in Iowa. Our professions are now open, when before they were closed. Now, gender and color, while perhaps not yet irrelevant, are no longer insuperable barriers. May we be attentive that these gains are not lost; may we face our days and works with courage modeled on her example; if we do these things, we will be worthy of her legacy.

Mister President: I move that the Judges Association adopt this resolution, that it be spread upon the records of the Association and that a copy of the resolution be sent to Lynne's surviving husband, Tom, as well as to her mother, Bertha.

Iowa Judges Association

IOWA JUDGES ASSOCIATION MEMORIAL RESOLUTION

The Honorable Don A. Petruccelli, retired District Associate Judge of the Seventh Judicial District, died January 7, 2003, at the age of 89. Don Petruccelli lived the American Dream. He was the son of immigrant parents. His father and uncle operated a shoe and shoe repair business in Davenport. Don graduated from Davenport High School, St. Ambrose College, and the University of South Dakota Law School in 1940.

After a short period of private practice in Davenport, Don became a member of our Armed Forces. Being fluent in Italian, the Office of Strategic Services placed him behind enemy lines in Italy. There he served as a spy and was the Allied liaison for the Italian partisans fighting the Fascist Italian government and the German Nazi Army. Following the fall of the Italian government, the Nazis retreated taking with them all the essentials necessary for life. Don returned to a village near where his mother was born. He arranged for the Allied Forces to provide food, medical supplies, and other necessities so the residents could survive. He was not only a war hero in the conventional meaning, but a hero and savior to the Italian people of this village.

After the war, Don returned to his law practice in Davenport. His desire to serve the community resulted in his election for two terms to the Iowa General Assembly. In 1957, Don was elected to fill the remaining term of the Mayor of Davenport, who had died in office. He was subsequently elected to two additional terms. Following his service as Mayor, Don became an Assistant Scott County Attorney.

In 1971, Don was elected a Davenport Municipal Judge. Following judicial reorganization, he became an Associate District Court Judge with duties primarily in



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Juvenile court. Don retired due to reaching age 72 in 1985. He remained as a Senior Judge for six additional years.

On a personal note, Don was a close and personal friend of my father's. My paternal grandfather was an immigrant from Lebanon in 1904. He too was a shoemaker. My grandfather would provide the Petruccellis with custom-made shoes for sale in their shoe business. My father and Don, as a result, became friends at a very early age.

In 1985, I replaced Don as a District Associate Judge. Although Don and I had our disagreements as lawyer and judge and judge to judge, we also worked well together. I also have fond memories of him visiting my parents in my home. In later years, both of my parents suffered from severe paralysis. Don would visit my parents on a regular basis. To entertain my parents, Don would read to them. On one occasion, I returned home about the dinner hour and wondered why the television was on so loud in my parents' room. When I entered their room, I found the television was not on, but that Don was reading so artfully the characters of a book, it appeared to those listening that it was the television. I am grateful to Don for his interest in entertaining my parents and easing for them what might otherwise have been the doldrums of difficult days.

Don was preceded in death by his wife and mother of his children, Carol, and his second wife, Edna. He is survived by daughters and sons-in-law, Amy and Dr. Jack Fistler of St. Paul, Minnesota; Reverend Dr. Linda Petruccelli and her husband Gary Hoff of Hilo, Hawaii; and son and daughter-in-law Vincent and Nora Lee Petruccelli of



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Iron River, Michigan.

BE IT THEREFORE RESOLVED by the members of the Iowa Judges Association assembled this 18th day of June, 2003, that the Association and its members extend their sincere sympathy to the family of Don A. Petruccelli, and be it FURTHER RESOLVED that a copy of this Resolution be spread upon the records of this Association and a copy of the Resolution be sent to his family.

