

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

IN RE: :
MEMORIAL RESOLUTION : CV-21-0004
HENRY W. "HANK" MITCHELL, ESQUIRE :

TRANSCRIPT OF MEMORIAL SERVICE held
before the Honorable Court of Lycoming County in Courtroom No. 1
of the Lycoming County Courthouse, via Zoom, 48 West Third
Street, Williamsport, Pennsylvania, on August 30th, 2021,
commencing at 4:06 p.m. and concluding at 4:57 p.m.

COMMITTEE MEMBERS:

Nicole Spring, Esquire, Chairman
Ryan C. Gardner, Esquire
Judge Kenneth D. Brown
Judge Dudley N. Anderson
Michael Collins, Esquire
Michael Dinges, Esquire

P R O C E E D I N G S

1
2 **PRESIDENT JUDGE BUTTS:** Good afternoon, everyone,
3 and welcome to this Special Session of Court. This afternoon we
4 have the honor and privilege of holding a memorial service for
5 Henry W. "Hank" Mitchell, long-time member of our law
6 association. There are a number of people here who have logged
7 in who aren't attorneys and so I thank and appreciate all of you
8 for your interest in this service here today and so I just wanted
9 to remind the attorneys and the Judges in the room that back on
10 May 28th, the Court appointed a Committee to prepare a Report and
11 Resolutions recognizing the life and accomplishments of Hank
12 Mitchell and the Chairman of the Committee is Nicole Spring, the
13 Chief Public Defender; the District Attorney, Ryan Gardner;
14 Michael Collins; Judges Ken Brown and Dudley Anderson and the
15 former District Attorney Mike Dinges were named as part of the
16 Committee. So I would call upon the Chair, Nicole Spring, Chief
17 Public Defender, to present the Committee Report and Resolution.

18 **NICOLE SPRING:** May it please the Court. Henry W.
19 Mitchell, commonly referred to as Hank by his family and friends
20 and colleagues was born February 21st, 1946 in Williamsport to
21 Percy David "P.D." Mitchell and Amelia (Ellison) Mitchell. Hank
22 has two brothers, Percy D. Mitchell, Jr. of Dayton, Ohio and
23 George Mitchell of Williamsport and a sister, Brenda Mitchell,
24 also of Williamsport.

25 Hank married the love of his life, Rebekah J.

1 (Ward) Mitchell, with whom he celebrated nearly 43 years of
2 marriage. He is survived by his siblings and his wife; a son,
3 Tai B. Mitchell of Milton and a daughter, Shannon Sprague of
4 Tennessee; four grandchildren, Evan, Armani, Devante, and Nola.
5 Hank is also survived by beloved nieces and nephews, including
6 Percy Mitchell, III; Nathan Mitchell, Nancy Mitchell, Tiffany
7 Fordyce, Amber Mitchell, Brenda Mitchell and Toni Mitchell.

8 Hank graduated from Williamsport High School
9 in 1964 where he along with his brother played football. He
10 graduated from Lycoming College in 1968 and matriculated to the
11 University of Toledo College of Law where he earned his law
12 degree in 1972.

13 Hank practiced with Pierce County Legal
14 Services in Tacoma, Washington from 1972 to 1973; he then moved
15 to Harrisburg where he worked for the Pennsylvania Human
16 Relations Commission until 1974; thereafter, he worked as the
17 Assistant Attorney General for three years; and from 1977 he
18 practiced law at Stone, Mitchell and Mitchell in Harrisburg until
19 1985 when he returned to Williamsport.

20 Upon returning to Williamsport, Hank
21 privately practiced law and accepted a position as a conflict
22 attorney for the Lycoming County Public Defender's Office. He
23 also served as law clerk to the Honorable Thomas C. Raup.

24 Hank represented the Commonwealth in Juvenile
25 Court in Lycoming County from 1998 until 2002, at which time he

1 became a full-time Assistant District Attorney and he served in
2 that capacity until 2010, leaving, again, for the private
3 practice of law.

4 During his years practicing law in Lycoming
5 County, Hank frequently gave up his lunch hours to engage with
6 the local judges and attorneys playing basketball games. Those
7 participants I'm told did not "play" they were serious
8 competitors. His love of sports originated with his father, who
9 played professional baseball and football in the Negro Leagues.

10 After leaving the District Attorney's Office
11 Hank was the Executive Director of the Board of Directors for The
12 Center, The Center originally known as Bethune-Douglass
13 Recreational Center or (BD). His father served as director at
14 BD for 33 years after moving from North Carolina in 1943. Hank
15 was proud of his heritage and included in a resume that his
16 father and mother were teachers in North Carolina, but were
17 forced from their home by the KKK because his father permitted
18 white and black children to play together.

19 As the Center's director Hank provided
20 leadership over an ever-open food bank and after-school program
21 for youth encouraging both education and recreation and he
22 inspired general community involvement and safety. Hank had
23 grown up in BD and considered it a "safe house" for all races
24 where he learned compassion and respect. Prior to his
25 directorship, Hank spent many years on its board of directors.

1 In 1958 Hank's family hosted the Reverend Dr.
2 Martin Luther King, Jr. when he visited Williamsport.

3 Hank was Deacon at Revival Tabernacle Church
4 and enjoyed a close relationship and friendship with his pastor.

5 In his final days, Hank's body failed him;
6 but his mind remained committed and strong; he enjoyed luncheons
7 with former judges and colleagues and his family and church.

8 Hank was raised by parents dedicated to
9 service to and concern for community. Hank carried on his
10 father's quest for racial equality and fairness with finesse.

11 Since Hank's death, in admiration for his
12 father's path, Hank's son, Tai, has expressed a desire to pursue
13 law as a career.

14 Henry Mitchell was a gentleman, a kind soul
15 dedicated to justice, who never held a grudge.

16 **AND NOW, THEREFORE, BE IT RESOLVED** that as a
17 result of the passing of Henry W. Mitchell, the Bar of Lycoming
18 County has lost a member who exemplified the traditions that the
19 legal profession should emulate; his pursuit of fairness, equity,
20 and inclusivity will be greatly missed.

21 **BE IT FURTHER RESOLVED**, that we, the
22 undersigned, joined by the Lycoming County Bar, do recognize and
23 mourn the passing of Henry W. Mitchell, Esquire.

24 **BE IT FURTHER RESOLVED**, that these
25 resolutions be spread upon the minutes of the Court of Common

1 Pleas of Lycoming County and be published in the Lycoming
2 Reporter.

3 **AND FINALLY**, be it resolved that this Court
4 and Committee and the entirety of the Lycoming County Bar extend
5 to his family our deepest and heartfelt expressions of sympathy.

6 **PRESIDENT JUDGE BUTTS:** Thank you very much. Did
7 you want to say a few words about Hank?

8 **NICOLE SPRING:** I did. I met Hank in May of 1986.
9 He was in a parking lot at Lycoming College and so was I. He was
10 looking for a normal person and fresh eyes to read a trial
11 transcript from a young, black man in Harrisburg who had been
12 convicted of murder and Hank was convinced that that conviction
13 resulted in part because of racial inequities and I don't recall
14 the facts of the case; but I'll never forget Hank's compassion
15 and concern over what he saw as that miscarriage of justice.
16 When he was an ADA he told the greatest stories and I remember
17 sitting, listening to his closings and I'd be on the edge of my
18 seat. He was a great lawyer, a great story teller; but beyond
19 that, that compassion and that concern shown through. I had a
20 client who was horribly addicted, her teeth were actually
21 starting to rot from her drug use and in those days we would meet
22 with the clients in the juror's lounge and we'd meet with the
23 ADA's in Courtroom No. 4. I returned from the jury lounge
24 sobbing hysterically, throwing my arms in the air and those of
25 you who know me know that's what I do yelling somebody has to

1 help me save her life crying and the men in the room were a
2 little bit nervous; but Hank stepped forward and helped me
3 arrange a plea agreement, which included treatment for her. And
4 I have kept in contact with her. She has been clean for over 20
5 years at this point. And that's in part due to Hank's compassion
6 and concern. When Hank left the DA's Office I also -- he went to
7 be the Executive Director for the board at the Center and I
8 joined the board for a short period of time and one of the things
9 that struck me was he would go to local restaurants and he would
10 solicit donations so not just for his food pantry; but the kids
11 could take home food at night and it was like Panera, he would go
12 get their bread at the end of the day and send it home with the
13 kids. That compassion that he always had had spread out to his
14 community and I'm blessed to have worked with Hank. I'm sorry to
15 have missed his final days, but while I was preparing resolutions
16 I had the opportunity to speak with his pastor and with Miss
17 Rebekah, the love of his life. We made each other cry and laugh
18 and I had never gotten to meet her and that was a joy. She was
19 willing to fly here from Tennessee if we were having the Memorial
20 Service in person. And finally, one of the greatest things that
21 happened was Ryan Gardner found one of Hank's old resumes and in
22 those days resumes were more than one page and nobody minded
23 that. So much of the information in the resolutions came from
24 the things that Hank was most proud of. I didn't have a clue,
25 despite I'd known him for so long about the KKK chasing his

1 family out and the reason they ended up here; but I am blessed to
2 have done that and to have gotten my hands on that resume. Thank
3 you, Mr. Gardner. Hank was proud of his heritage, he was proud
4 of his parents, he was proud of his accomplishments and the words
5 of Miss Rebekah he's most like them. I'm honored to have served
6 on the Committee and worked with such a gentleman and a good
7 person. Thank you.

8 **PRESIDENT JUDGE BUTTS:** Thank you very much.
9 District Attorney Gardner, I believe you're here.

10 **RYAN GARDNER:** I am, Your Honor.

11 **PRESIDENT JUDGE BUTTS:** If you would like to say a
12 few words.

13 **RYAN GARDNER:** Yes. Thank you. I had the
14 opportunity to meet Hank a few years after Nicole circa 2005 in
15 my then capacity as a new ADA. Then District Attorney Mike
16 Dinges assigned me to Hank so that Hank could show me the ropes.
17 It was hard not to recognize immediately Hank's personality, his
18 cheerfulness and his kindness. Currently I'm in an unique
19 position where I have access to employee files and former
20 employee files. I want to share from his employee evaluation the
21 following comments that I think describe Hank perfectly.
22 Starting with a few bullet points. His greatest strength is his
23 personality. He is well liked by everyone. He has an engaging
24 personality that wins him trials. His engaging personality draws
25 both staff and juries. He consistently provides a high quality

1 of work. He truly cares about victims. He has a great team
2 spirit. He's always willing to encourage and help others in the
3 office. He maintains the highest standard of professionalism and
4 is truly dedicated to his job. He does a great job at promoting
5 a harmonious work environment. He's respected by the ADAs as an
6 experienced attorney with solid legal abilities. These comments
7 and evaluations stretched a span of almost 10 years and were
8 always very consistent. I think they captured the essence of
9 Hank perfectly. My condolences to his family. I appreciate the
10 opportunity to speak here today. He will certainly be missed.
11 Thank you.

12 **PRESIDENT JUDGE BUTTS:** Thank you very much for
13 sharing that information and your own personal experiences. It's
14 going to be a difficult memorial service, I think, because of the
15 type of person that he was. So I now call upon Judge Brown and
16 my understanding is Mr. Collins, Mike Collins, who is on the
17 Committee was unable to be here; but that Judge Brown would also
18 have some words from him to share as well.

19 **JUDGE BROWN:** I first want to read a statement
20 that Mike Collins sent to me. Mike is on vacation in New York
21 and he's at some lake that doesn't have good internet so he sent
22 me an email and I'll read his statement.

23 May it please the Court, family, and friends.
24 Hank and I both clerked for Judge Thomas Raup, however, we spent
25 considerable time on the basketball court at Lycoming College

1 along with other attorneys and judges. This noon hour club was a
2 healthy reprieve from the practice of law. Hank was quite
3 proficient in his younger years in football, basketball and
4 tennis. He was quite the player in our noon hour group who
5 exhibited a relaxed, but competitive demeanor. He always
6 appreciated the teammates pass before hoisting up a shot, which
7 went in more often than not. He showed that appreciation by
8 saying to the passer, this is a quote, nice pass D end quote.
9 Off the court he fulfilled his duties as an attorney, citizen and
10 church member in a way that continued the fine legacy initiated
11 by his father P.D. Mitchell. He will be missed. That's the end
12 of Mike's statement.

13 I also want to make my own statement. I had
14 a friendship with Hank over 40 years. I've tried to remember
15 where we first met, maybe on the basketball court, Mike Collins
16 felt probably when Hank was clerking for Judge Raup. Hank was a
17 talented and competitive athlete. He was a football player in
18 high school and he was a running back and unfortunately what I
19 had heard is that he suffered a pretty significant leg injury
20 that ended his football career; but he went on to basketball and
21 tennis and baseball. In basketball I preferred Hank being on my
22 team. He was a very hard competitor and sometimes the lunch
23 basketball sessions were more pleasant when he was a teammate as
24 opposed to somebody who was guarding me on the court. I remember
25 in softball there was one summer that George Lepley and his

1 father, who had a fast pitch league in the church league, invited
2 Hank and I to join the team and we both were happy to do that and
3 they played their games at Heshbon Field and if any of you have
4 been to Heshbon Field they've got this very high center field
5 fence. When Hank got up to bat he smacked a home run over the
6 center field fence and I kinda said to myself, wow, I've never
7 been able to do that; but, again, very talented athlete at every
8 sport that I participated with him in. He showed the same
9 competitive spirit as an attorney. He was a conflicts attorney
10 where he defended criminal cases and he was an Assistant District
11 Attorney where he prosecuted criminal cases. Like sports he
12 worked his cases hard and competitively. He was an eloquent
13 speaker. When he would make a closing argument in a criminal
14 case there is some attorneys where as a judge you would kind of
15 sit back and say I'm going to enjoy this, you know, there is
16 going to be a very eloquent statement and with Hank it was
17 enjoyable. He was emotional, but very candid and effective. He
18 was a good trial attorney.

19 We had a strong and lasting friendship
20 outside of the courthouse. Typically we talked about sports, we
21 rooted for some of the same teams and more often we talked about
22 family. I can say Rebekah, Shannon, and Tai, Hank talked a lot
23 and often about you and always with love and admiration. He was
24 proud of you and I can tell how much he cared for you. At Hank's
25 funeral Tai spoke about his dad, made a statement that kind of

1 stuck with me. He said especially in the later years every day
2 Hank would tell Tai that he loved him. Hank was completely
3 dedicated to his family. Hank was also passionate about religion
4 and benefits of prayer. He was a deacon in his church and when I
5 would talk to Hank, if I would talk about some kind of problem or
6 family problem he would tell me he would pray for me or that
7 family member who was having a problem. When Hank told you this
8 you believed it. You didn't get a feeling that he was just
9 saying it, but you felt that he meant it and sure as heck he
10 would be that night praying for you or your family member. There
11 was a time a few years ago where I had a granddaughter going
12 through a difficult custody case and divorce case and just in
13 talking to Hank I would occasionally mention that situation, it
14 was tough and stressful and he would always say he would pray for
15 me and each time we'd talk about that and he would say that and I
16 must tell you it made me feel a lot better that he was thinking
17 about her and offering prayers on her behalf. In Hank's time and
18 illness I would talk to him over the phone, every few months I
19 would give him a call and I was aware of his Parkinson's and the
20 difficulty he had walking and he told me that he could go out and
21 walk and suddenly he would lose his balance and he was kind of
22 afraid to go out. But when I would talk with him what would
23 impress me was his enthusiasm. He never sounded depressed. He
24 never sounded down. He always sounded like he was enjoying life
25 and caring about people and he was fun to talk to. When I would

1 call him he'd initially say Kenny, which was what I was called on
2 the basketball court or sometimes Judge. In the last year I was
3 able to go out to lunch a few times with Hank. I traveled up to
4 his home in Milton and I would take him out to lunch and that was
5 tough for him because he was a little hesitant to go out. The
6 last time we did that was probably about three, four months
7 before his death and Jack Rupert, who also played basketball with
8 us over the years, came to the lunch and we had a great lunch.
9 Mostly Jack talking about his basketball heroics, but then a few
10 months later we were trying to set up another lunch with Hank and
11 he acknowledged to me that he just didn't feel like he could go
12 out, he didn't feel that he had the stability. So I talked to
13 him a few more times, but that was the last time that I actually
14 physically saw Hank. One last point I want to make is, again,
15 about his kindness that Nicole mentioned. In many of the phone
16 conversations with him he would make a point of saying to me or
17 telling me that I was a great Judge. Now, I'm not sure he always
18 felt that way. There were times when he was an attorney where he
19 might come to my office and grumble a little bit about a
20 decision, but he made a point of saying that and in all candor I
21 don't think that was necessarily his opinion; but I think it was
22 his desire to make me feel better, to make me feel good about the
23 conversation and it did. I believe this was a gift that Hank had
24 with people and with his friends and after many years of
25 friendship I'm going to miss that camaraderie, that energy, the

1 friendship I had from Hank. He was a great friend to me. Thank
2 you.

3 **PRESIDENT JUDGE BUTTS:** Thank you, Judge Brown.
4 Judge Anderson.

5 **JUDGE ANDERSON:** Thank you. Greetings to
6 everybody that is there. I'm sorry I could not make the court
7 proceeding. Henry and I go back even further than the previous
8 speakers. We were classmates together at Lycoming. We knew each
9 other socially. We enjoyed each other's company. We graduated
10 on the same day, on the same stage. I attended his wedding. We
11 grew up together in the practice of law. As has been stated,
12 where I really knew the measure of the man was from -- and I
13 don't think I'm exaggerating when I say I spent hundreds of hours
14 over 35 years with Henry on the basketball courts. I will tell
15 you this, the number one -- he was, I think, the most pleasant
16 man I've ever met. He never greeted me without a smile. He was
17 always upbeat. This is going to sound odd, but over all those
18 years, over all those games, I never heard Henry -- I never heard
19 Hank swear once. Now, cursing is to basketball what a basketball
20 net is, it is part of the game and yet, I never heard him utter a
21 curse word either on the basketball court or otherwise. He was a
22 man of great faith and family and that was his dedication and his
23 life. He adored his family. He was one of the kindest men I
24 ever knew. I never heard him really berate or degregate any
25 other attorney, whether it be a defense attorney or a colleague.

1 I never heard him put down a defendant or a client. He in all
2 respects rose above the fray. I wish I could be more like him in
3 that respect. I wish I could go through life without harboring
4 any kind of animosity towards folks. If he did have animosity he
5 really held it -- he really hid it well. I think he was a credit
6 to our profession. I think he was a credit to our community and
7 I will miss him sorely. Thank you.

8 **PRESIDENT JUDGE BUTTS:** Thank you, Judge Anderson.
9 Mike Dinges.

10 **MIKE DINGES:** You know, Hank was a true gentleman.
11 It's been said several times, but it really is who he was. I
12 first got to know Hank when I was a young Assistant District
13 Attorney and he was a conflicts attorney so we were on the other
14 side of cases and, you know, he was always polite, he was always
15 cordial. We always got along even though I was on the other side
16 of the case, you know, things always were good whether we had a
17 trial or whether we had to work something out, it was all done in
18 a cordial manner and, you know, when you have breaks and stuff
19 you kind of get to talking and you start to get to know somebody
20 and that was when I first realized that, you know, even though
21 Hank was a lot older than me I had a lot of connections with Hank
22 in a weird way. We both went to Williamsport High School and we
23 both played football there and that was a big part of our younger
24 years so we talked about that a lot. And then I didn't realize
25 it, but, you know, his father, you know, Bethune Douglass Center,

1 I spent a lot of time there when I was a kid and I played
2 basketball there when I was young and it was kind of neat to
3 learn that, you know, his dad was really behind all that. So
4 that was kind of cool getting to know Hank and realizing that.
5 He talked a lot about his dad and he was very proud of his father
6 and all the accomplishments of the Center. Then, you know,
7 ultimately then Hank started working in the District Attorney's
8 Office and I got to work there with him and, again, that was just
9 a lot of fun, it made coming to work a lot better and he was
10 always like everybody said, he was always so cheerful and, you
11 know, just fun to get along with and he used to call me Mikey and
12 he'd come in and say Mikey this and kind of back and forth. He
13 was just a great guy and, you know, when I ended up leaving the
14 District Attorney's Office and going into private practice, you
15 know, I would occasionally met up with Hank and we'd talk about
16 cases, things like that; but I didn't have as much contact with
17 him then after that and, you know, here several years ago my
18 oldest son had a medical issue where he went into cardiac arrest
19 in high school and he was in the hospital for an extended period
20 of time and, you know, out of the blue Hank reached out to me and
21 called me and, you know, spent a lot of time talking to me and,
22 you know, told me he was praying for my son and praying for our
23 family and it really meant a lot to me, it really did, and I'll
24 never forget that. As far as -- as far as everything, you know,
25 Hank was just a great guy. I mean I was really proud to know him

1 and he was just the epitome of a gentleman and I think more of us
2 should be that way.

3 **PRESIDENT JUDGE BUTTS:** Thank you very much. The
4 Court approves the Report and Resolution of the Committee and
5 will enter the following order: Now, this 30th day of August,
6 2021, in consideration of the Resolutions presented by the
7 Committee appointed to draft resolutions in the Death of Henry W.
8 "Hank" Mitchell, the said Resolutions are adopted and it is
9 ORDERED AND DIRECTED that the Resolutions herewith submitted and
10 attached be adopted as an official expression of the Lycoming
11 County Law Association and this Court and that the same be spread
12 upon the records of the court and the copies of this Resolution
13 be delivered to the family of Henry W. Mitchell and it is further
14 ORDERED AND DIRECTED that the Resolution be entered at large upon
15 the record of the Court and that it be printed in the Lycoming
16 Reporter.

17 Now, I know that all of the Judges today were
18 very busy pretty close to the time for this hearing and I did see
19 Judges McCoy and Linhardt here. So Judge McCoy, did you wish to
20 make a statement?

21 **JUDGE MCCOY:** Yes. And actually I'm going to
22 start with Judge Lovecchio sends his apologies. He is involved
23 in a jury trial at this point and was anticipating dealing with
24 some questions and some issues with the jury. So he sent me an
25 email and asked me to read that and I'm going to do that first.

1 So this is from Judge Lovecchio. I apologize for not being able
2 to join this memorial. I'm tied up in a trial. I had known Hank
3 for many years as both an ally and adversary. I'm not sure of
4 what he wanted his legacy to be or what he would have liked his
5 colleagues to remember most about him. I think he would have
6 preferred not to talk about the law so I won't. He was a fine
7 gentleman and a great -- with a great sense of humor, a great
8 prospective on life and a man you could count on to do what he
9 said. Spending time with him discussing everything but the law
10 was fun, entertaining, and educational. He was a renaissance
11 man. I will miss him along with the far too many colleagues that
12 have passed in recent years.

13 I myself, surprisingly, did not really know
14 Hank. I'm not sure that I ever even had a conversation with him.
15 And after hearing everything that everyone has said thus far
16 today I'm very saddened by that. The one thing that I can say
17 that it's clear to me that we need more people like Hank Mitchell
18 practicing law. So my condolences to the family.

19 **PRESIDENT JUDGE BUTTS:** Thank you. Judge
20 Linhardt.

21 **JUDGE LINHARDT:** Thank you, Judge Butts. I'm so
22 grateful that we have this opportunity to do this memorial
23 service so that we have a chance together as colleagues to talk
24 about somebody that we knew and loved for so long, but more
25 importantly I'm really grateful that we have this opportunity

1 through Zoom to have Hank's family here with us because,
2 obviously, they know and love Hank; but they don't necessarily
3 have the opportunity to know how he's impacted his colleagues who
4 he works with in his legal and professional capacity and so I'm
5 grateful that they have the opportunity to hear how he has
6 touched so many people and the many, many years that he has been
7 practicing law. Obviously I knew Hank when he was a practicing
8 attorney and I had the pleasure of knowing Hank for a number of
9 years when he worked for me at the District Attorney's Office and
10 I agree with everything that has been said beginning with Nicole.
11 He is -- the words used to describe him are exactly right,
12 compassionate, kind, sincere, pleasant. He had a warm and
13 powerful and magnetic personality that just drew people to him.
14 It is literally true that everyone, everyone loved Hank. I
15 don't -- I can't think of a single time that I ever heard anybody
16 say anything disparaging about that man and he was a rare and
17 special person and the power of his personality, his sincerity
18 and his kindness was not only known to the people who knew him
19 well; but he had an ability to convey that to the juries that he
20 appeared in front of him. He through the power of his
21 personality had so much credibility with him that made him such
22 an effective trial attorney, that it's not something that can be
23 taught, it's just -- it's just who he was. I'm going to miss
24 Hank a great deal and I'm so sorry for Rebekah and Tai and
25 Shannon for your loss as well.

1 **PRESIDENT JUDGE BUTTS:** Thank you very much. I
2 would echo Judge Linhardt's comments in that it's a wonderful
3 opportunity that the family is here. I think as of just
4 connecting with the Zoom call we weren't sure if anyone was going
5 to be able to join us so I'm grateful that you are able to be
6 here and I think that for me I came here when Hank was returning
7 back to Williamsport. So my whole time here practicing either as
8 an attorney or as a Judge I was familiar with Hank in many
9 different capacities; but I think it's -- what we're -- what the
10 trend is here and what is most important to remember about Hank
11 is who he was as a person and the things that I remember about
12 him is that he always seemed to know how to place people at ease.
13 That he could sense the right word, the right non-word, just the
14 silence that would allow someone to gather their thoughts and to
15 be able to then testify or share how they were feeling about
16 something and that through that process he was very kind and very
17 compassionate. Even when judges made mistakes he was
18 understanding and I don't think forgiving is the right word, but
19 it was just gentle in the kind of feedback that he would give
20 expressing the fact that everybody has difficult times and that
21 he was very understanding of that. But two things that really
22 struck out to me or stuck out to me were he was a man of very
23 strong faith and that he -- I always felt he wanted to be of
24 service, that it was the situation where he believed in those who
25 were to whom much is given much is expected of in return and it

1 seemed like in any position that he had he wanted to provide the
2 best service that he could provide, support he could provide; but
3 humanness that he could provide, compassion, and I think that
4 whether that was as an attorney or serving at Bethune Douglass or
5 in just being a human being to those of us going through
6 difficult times, and I believe it was Judge McCoy who said, we
7 need more people like that generally; but also within the
8 practice and there is a huge loss that we have suffered by the
9 fact that he's no longer with us. So I appreciate everyone's
10 comments that were on the Committee and my colleagues. Was there
11 anyone here in attendance who would like to say a few words on
12 behalf of Hank? First, I would look to see if any member of the
13 family wishes to speak? Okay. Judge Kieser, did you want to
14 unmute and say a few words?

15 **JUDGE KIESER:** Yes. Thank you very much, Judge
16 Butts and hello to everyone. You know Hank -- you've all said
17 who Hank is and what he has done. I had a little bit different
18 prospective sitting on the bench in Juvenile Court than what some
19 of you did, but Hank in Juvenile Court, you know, was a star. He
20 had an understanding of the kids involved and he effectively
21 called them kids. Once the youth admitted his involvement in a
22 crime or was tried in Juvenile Court and Hank obtained a
23 conviction, if you will, when it came time for disposition Hank
24 really showed a great understanding and a knowledge of how kids'
25 minds work and what might work or not work and sometimes I'd

1 suggest something and Hank would say that will work great and
2 other times he would say that's not going to work and he'd give
3 me his reasons and, you know, I was often swayed by those reasons
4 and it was just his kind of insight and understanding in the way
5 people were and that just speaks to the great life experiences
6 that you all talked about that, you know, Hank could base that
7 on. But my favorite memory of Hank was in shortly after I went
8 on the bench in '92, my wife and I were out, as I recall, it was
9 kind of a cold evening, a Friday, and, you know, probably
10 beginning of February, something like that. We went into Arthur
11 Treacher's Fish & Chips on the Golden Strip down there and there
12 was Hank and his family and I don't think they first -- I don't
13 think Hank anyway saw us when Ginny and I first came in; but, you
14 know, we just set there and just enjoyed watching him relate with
15 his family and the kids and it was just really something, you
16 know, you can say now there is a guy and a family that really has
17 it altogether and we remembered that. Well, at some point he
18 recognized that I was there and he brought all the kids over and
19 everything and just introduced them and you could just see him
20 beaming and while he always had a smile on his face whenever I
21 was with him as was noted, I'll tell you when he was with his
22 kids and he was presenting them his beam was wider than you could
23 ever imagine. So, Hank, he was a good guy and we just really
24 respected him.

25 **PRESIDENT JUDGE BUTTS:** Thank you, Judge Kieser.

1 Let's see if there is anyone else that would like to say a few
2 words.

3 **JENNIFER AYERS:** I'd like to say a few.

4 **PRESIDENT JUDGE BUTTS:** Okay. Ms. Ayers.

5 **JENNIFER AYERS:** Now, because I was a member of
6 Legal Services when I first met Hank and wasn't doing any work on
7 the criminal side, I really didn't have the occasion to run into
8 him all that often; but I did have the occasion where I was
9 representing a PFA plaintiff and there was a contempt filed
10 against the defendant and the contempt happened in the
11 courtroom -- in the courthouse outside of the courtroom and Hank
12 was there when he heard the defendant call me a not very nice
13 name that I will now wear as a badge of honor; but at that point
14 then Hank was assigned to prosecute the contempt and ever since
15 that time anytime he saw me in the courthouse, on the street, I
16 was always greeted with a huge smile and he always addressed me
17 as counselor. To this day I'm not sure that he remembered my
18 name, but I was always, Counselor, how are you doing? Nice to
19 see you, Counselor, and he just made me feel as a baby attorney
20 in 2003 like I was on par with attorneys that had practiced in
21 this county for decades, top attorneys, and I will never forget
22 the feeling that he gave me and acknowledging me and being so
23 affable and I have a feeling that the same feeling of respect and
24 admiration and friendship is what he extended to every person
25 that he met and I'm sure every person on this Zoom and so even

1 though I did not know Hank very well I was very, very, saddened
2 to hear of his passing and he absolutely was one of the absolute,
3 best members of this profession and of the Lycoming Bar and he is
4 severely missed.

5 **PRESIDENT JUDGE BUTTS:** Thank you very much.
6 Mr. Petcavage, I think you were waving your hand?

7 **PAUL PETCAVAGE:** Yes. I didn't know how else to
8 say I wanted to speak. Before Mike Dinges spoke I thought maybe
9 I was the one who knew Hank the earliest, but since Mike said he
10 was at Bethune Douglass Center, maybe we played basketball
11 together down there. But that's where I first met Hank as a
12 young man who ventured to the Park Avenue, Bethune Douglass
13 Center and played many a game of basketball on those courts under
14 the tutelage of P.D. Mitchell and Hank and his brother were
15 there. I gained respect from Hank at that point. Years later we
16 came back together as attorneys to do battle, him being an
17 Assistant District Attorney, myself being a conflicts attorney
18 and as everyone said, those battles were, as we all know, they
19 can be often contentious; but they were some of the most pleasant
20 experiences of my career as a defense attorney against Hank
21 because he treated me who was green at the time with total
22 respect and total appreciation for what we were doing there and
23 how we were trying to resolve these cases. Years later I think I
24 actually played against him as Judge Brown mentioned the Lycoming
25 College lunchtime group so we got to play a little more

1 basketball in our older ages over there. The last time I really
2 saw him was in Sunbury where he was practicing and saw him
3 representing a young man and once again, gave a very eloquent
4 speech at this young man's sentencing. At one point Roan Confer,
5 Hank and I were going to share some office space at Old City
6 Hall. That kind of fell through. I think it would have been a
7 great experience to have -- well, at least two of us together,
8 I'm not sure about Roan; but it didn't work out unfortunately so;
9 but I've always appreciated Hank. For some reason my nickname is
10 Peck on the basketball court. He used to always call me Pecker
11 as a joke, I guess; but he always was very pleasant and I'll
12 never forget him. Thank you.

13 **PRESIDENT JUDGE BUTTS:** Thanks very much. Anyone
14 else?

15 **MICHELLE WARD:** Hello.

16 **PRESIDENT JUDGE BUTTS:** Hi. Could you identify
17 who you are, please?

18 **MICHELLE WARD:** I'm sorry. My name is Michelle
19 Ward. I am Rebekah's sister-in-law.

20 **PRESIDENT JUDGE BUTTS:** Okay. Go ahead.

21 **MICHELLE WARD:** I'm sorry I don't have a photo. I
22 told her daughter, Shannon, we're baby boomers not media zoomers
23 so I'm not sure how this works; but I wanted to say thank you to
24 the Courts for doing this. I met Hank the year that he met his
25 wife, came to Milton, they got engaged right away, they got

1 married, then a few years after that we started traveling and
2 singing together as a quartet with our children in churches. We
3 got so busy that one year we traveled 52 weeks in the year. We
4 were very busy so that explains how close we were and I thank
5 everybody for the beautiful things they said because that
6 captured who he really was. So thank you for this privilege and
7 thank you for doing this. Thank you.

8 **PRESIDENT JUDGE BUTTS:** Sure. You're very
9 welcome. Thank you. Ms. Shipman.

10 **TRICIA SHIPMAN:** I'm not really sure when I met
11 Hank. I arrived here in Williamsport in 2004 to practice law and
12 I met him sometime around that. I, like Jennifer, my practice of
13 law did not overlap with his at all; but we knew each other and I
14 can't remember how or when we met. I absolutely miss his smile.
15 I loved seeing him in the courthouse, loved talking with him and
16 I was working in Old City Hall, my office was there when he and
17 Mr. Petcavage were going to have an office there and I was so
18 excited to be able to work that closely to him and really learn
19 from him, just be around him; but also learn from him because I
20 knew he had a lot to teach me. So I haven't seen him in a couple
21 of years and I miss him. I do. I have very little connection to
22 him, but I know exactly what everyone is talking about how
23 wonderful he was and he was a great person and I miss his smile.

24 **PRESIDENT JUDGE BUTTS:** Thank you. Anyone else?
25 Okay. Ms. Sprague.

1 **REBEKAH MITCHELL:** I'm Hank's wife. I'm so
2 excited for being here. You don't know how many times he has
3 brought up your names. Some of you I'm seeing for the first
4 time, but I notice a lot of the names. He was so thrilled to
5 work with you. You talk about him just being the type of person
6 he doesn't -- he never held grudges. He just thought everybody
7 was just a beautiful person and I am just so thrilled to be able
8 to see your faces and I thank you so very much for this honor
9 that you bestowed on him. And like him he's probably somewhere
10 saying yeah, I told you. I told you it was going to be okay. So
11 I appreciate that.

12 **PRESIDENT JUDGE BUTTS:** Well thank you very much.

13 **SHANNON SPRAGUE:** Thank you all for being here.
14 Thank you for the invitation and allowing us the opportunity to
15 hear the stories. We thank you all for your kind words and just
16 being so great to my father AND he really -- he really did adore
17 you and we're just so grateful. Thank you.

18 **PRESIDENT JUDGE BUTTS:** Well thank you both.

19 **SHANNON SPRAGUE:** One other thing. You'll notice
20 that my brother is missing. This morning my brother did go on to
21 join my father and so he did pass this morning. So I would feel
22 awful if I didn't share that with you all, but he is here in
23 spirit, but he was unable to attend the meeting.

24 **PRESIDENT JUDGE BUTTS:** Oh, wow, I'm so very sorry
25 for your loss. Thank you both even in this difficult time for

1 spending even just a few moments with us and just being able to
2 share your experiences, too. So thank you. I can't imagine what
3 you've been going through today.

4 **SHANNON SPRAGUE:** Thank you.

5 **PRESIDENT JUDGE BUTTS:** Would there be anyone else
6 who would want to share a few words on behalf of Hank? All
7 right. Well, it would appear there's no one else who wishes to
8 share. So ladies and gentlemen, this now would conclude this
9 Special Session of Court and Memorial Service for Hank Mitchell.
10 Once again, I would like to thank everyone, members of the
11 Special Resolution Committee, members of the Law Association,
12 family and friends for attending today's service and this session
13 is adjourned. Thank you.

14 (Whereupon, the Special Session of Court adjourned at 4:57 p.m.)
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C E R T I F I C A T E

I hereby certify that the proceedings and the evidence are transcribed fully and accurately from the notes taken by me on the hearing of the above cause to the best of my ability and that this copy is a correct transcript of the same.

Roni Lynn Kreisher
Official Reporter
Lycoming County, PA

The foregoing record of the proceedings upon the hearing of the above cause is hereby approved and directed to be filed.

DATE

JUDGE