

# In Memoriam

## Harold Schmittinger

1928—2008

By Nicholas H. Rodriguez, Esquire

**M**any prominent members of the Delaware Judiciary and the Delaware Bar have expressed their sincere sympathy and admiration for the passing of one of our most outstanding members of the Delaware Bar—Harold Schmittinger, Esquire, who died on March 22, 2008.

Harold was admitted to practice on January 10, 1955, and announced his retirement approximately 50 years thereafter. He started his practice in Dover, Delaware, with the Honorable William J. Story. When Judge Story became a member of the Delaware Superior Court, Harold formed the law firm of Schmittinger and Rodriguez in 1961, a firm consisting of two lawyers and three secretaries at that time. Harold had the foresight to believe that a medium-sized law firm was needed for Kent County, and over the years he increased the number of lawyers to 20 and offered a full service general practice with offices expanding from Dover to Wilmington (subsequently Newark), Odessa and Lewes. During this entire time, Harold was the managing partner of the firm.

Harold's love in the practice of law was trial work, and he was the first attorney in Kent County to actively try any number of civil jury trials. This basically was his career in practice, although later in his life, he had the desire to try criminal cases; and he successfully tried two high profile capital murder cases. Harold was always proud to be a member of the Delaware Bar and considered it a privilege and honor to be able to practice in Delaware with such an excellent Judiciary and so many competent attorneys who you could feel free to call to try to resolve cases or to seek advice on cases and legal issues.

He served on many Supreme Court Judicially-appointed Committees, such as the Trustees of the Lawyers' Fund for Client Protection, the old Censor Committee, and the Delaware Bar Foundation, of which he was a founding member and first President of the Board of Directors. He was active with the Delaware Trial Lawyers Association and often worked with committees that spent a lot of time with the members of the Delaware General Assembly in sponsoring and passing legislation to protect the civil rights of injured victims in opposing so called tort reform legislation. In 1977, Harold became a Fellow of the American College of Trial Lawyers, an honor which he greatly cherished.

Harold had the innate ability to talk to his jury panels in clear, simple, and convincing language without emotion, which allowed him to gain the undivided attention of his jurors, and which usually lead to successful results. He was loved and admired by all of the members of his firm and I, Nicholas H. Rodriguez, his original partner, often and always said that not only was Harold the finest attorney I ever knew and his best friend, but during the entire 45 years that we practiced together there was never a disagreement or a harsh word between the two of us. Harold was truly one of the giants of the Delaware Bar and he set an excellent example for all young members of our Bar to emulate and try to accomplish the high ideals that he followed in his practice. ☞

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