

American College of Bankruptcy
Distinguished Service Award
Remarks by
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March 10, 2017

Becoming a member of the College twenty-one years ago was a privilege for which I was, and am, most grateful. Receiving the Distinguished Service Award is much more than I deserve, for I do not consider myself in the same league as, among others, Harvey Miller, Ken Klee, and Rich Levin.

Those who know me well know also my reluctance to receive awards. My reactions range from awkward to uncomfortable. Those reactions are not unique, as there are many others who react the same way. One was a former colleague of mine (and of Midge Rendell), Judge Joseph Weis, after whom the federal courthouse in Pittsburgh is named. Joe received many awards in his 90-plus years of life, including the Devitt Distinguished Service to Justice Award, the highest a federal judge can receive. Joe's acceptance of awards often would confound his son—Joe Jr. Instead of thanking his co-workers, family and friends, or perhaps referring to the deeds he did that merited the award, Joe Sr. would go in a different direction. He would talk about the importance of law or of family, but at all times he would leave a lesson.

Thus, at the courthouse-naming ceremony 16 months ago, Joe Jr. gave a simple message in honor of his recently deceased father—do good deeds to others. He began by noting one of his father's favorite films—It's a Wonderful Life. As many of you know, George Bailey, played by Jimmy Stewart, got to see what would have happened had he never lived.

But here the protagonist was not Joe Weis himself, it was Chester Wernecke. Who was this person whom Joe, on receiving an award, often would ask the sponsoring organization to save a seat?

Go back to November 1944. Lieutenant Joe Weis was in the Lorraine region of France. His unit was given the all-clear sign by forward observers (as Joe once told me, “We should have known then that there was going to be a problem.”) A major fight broke out, and Joe was hit and badly wounded by a mortar shell. Hot mortar went through Joe’s low back and out his front abdomen. You can only imagine the damage done.

Across the battlefield, on its fringe, was a 20-year old Jeep driver—Chester Wernecke. He saw Joe laying in a ditch, temporarily paralyzed and bleeding to death. Though out of the way, Chester did not hesitate and drove his Jeep across an active battlefield, pulled Joe out of the ditch and onto his Jeep, and took him to a medical tent behind the lines.

Joe was in and out of VA hospitals for four years, and yet he was not repaired sufficiently until a 1954 operation at the Mayo Clinic. Amidst all this, Joe got his undergraduate and law degrees, was an exceptional attorney, and subsequently became a state judge, later a federal district judge, and ultimately a judge on the United States Court of Appeals for the Third Circuit.

At the courthouse-naming ceremony, Joe’s son noted that Chester Wernecke, then 91, was unable to attend. He was, however, watching by closed-circuit from his assisted living facility. Joe Jr. asked his sisters, their children, and his sons to stand and face the camera. “Chester, in front of you right now are ten descendants of Joe Weis who but for your good deed . . . would not be alive today. Thank you.”

Joe Jr. then asked his father’s former law clerks to stand and face the camera.

Chester, this special group of law school graduates was given a great start to their own distinguished legal career[s] by clerking for Judge Weis. They call themselves the Weis Guys and Gals. In addition to teaching them about the law, Judge Weis tried to teach them as much by example how to make the right decision, to take the correct path, because often the right path is a tougher decision. But for your good deed, Chester Wernecke, they would not have received th[at] strong dose of morality, honor, and integrity.

Joe Jr. then noted that there were many other law students taught by Joe Sr. whom he benefitted. And he chaired a national committee at the request of Chief Justice Rehnquist to propose changes to federal courts for the next half-century. “Because of your good deed, Chester, the entire United States Federal Court System is better off.”

Indeed,

[e]veryone is here in these three courtrooms . . . because they or their spouse was affected and touched in some special way by that soldier that you saved on the battlefield 71 years ago.

Chester, your larger than life heroic deed . . . saved the life of a man who contributed so much to the legal community, both professionally as well as personally, that they want to name this great, grand building after him. If not for you, Chester, none of this would have happened.

So my family would be thankful if all of you left this celebration today thinking about doing a good deed for others.

I only add amen and thank you.