Edwin Markham wrote:

“He held his place –
He held the long purpose like a growing tree –
Held on through blame and faltered not at praise.
And when he fell in whirlwind, he went down
As when a lordly cedar, green with boughs,
Goes down with a great shout upon the hills.
And leaves a lonesome place against the sky.”

Normally, what would have been a happy Valentines Day, 2010, was an extremely sad one for Pennsylvania and particularly Delaware County. Francis James Catania died that Sunday morning at 2:30 a.m. No one would quarrel with the observation that Judge Catania was, in the second half of the 20th Century, the most dominating judicial force in this region.

To have known him, to have worked with him or for him, or to have appeared before him in court were all uplifting and learning experiences. Even the unsuccessful lawyer knew he would have a prompt and decisive disposition from a jurist who possessed that very special talent of quickly seeing through all the smoke and mirrors and identifying and resolving, with dispatch, the core issues. On the other hand, to have known him personally and to have been fortunate enough to socialize with him was to love him.

Judge Catania was a Delaware Countian his entire life. He was born in Woodlyn on March 26, 1920. With the exception of two sisters who died as infants in the 1918 influenza epidemic, he was the oldest of eight children born to James V. Catania, a building contractor, and Mary Catania. He attended the Woodlyn Public School,
Swarthmore High School for one year, and graduated from Ridley Township High in 1937. He completed his undergraduate work at Temple University in 1941 with a B.S. degree. He was then admitted to Temple Law School, which at the time was located on the 13th Floor of the Gimbel Building at 9th and Chestnut Streets in Philadelphia. This was the era of World War II and Fran Catania found himself as one of only approximately 25 first year students at Temple Law in September of 1941. Most of his male classmates had entered special programs for enlisting students known as the V-7 and V-12 programs. He also applied, but was not accepted because he failed the Holmgren Yarn test for color blindness. As a result, he was drafted on October 17, 1941 and reported for duty at Camp Lee, Virginia. His military service spanned four and one-half years from October 7, 1941 to March 10, 1946. He was a member of the 14th Air Force and served in the China-Burma-India theatre. He was a veteran of “flying the hump” and spent 16 months in China as a statistical and personnel officer. Undoubtedly those facts bore heavily on his aversion to flying and Chinese food. He was honorably discharged with the rank of Captain in 1946.

The war time draft and the enlistments reduced his law school class to four, one of whom was Rosemary McMonigal, a long time member of this bar. Upon his return to Temple following his discharge from the service, he and the late former judge James H. Gorbey, of this bar, commuted by train to law school each day. He graduated Temple Law in 1949 and was admitted to the Delaware County Bar to begin practicing law on December 5, 1949.

On July 29, 1950, Judge Catania married Elizabeth Ann Frandsen. The ceremony took place at St. Michaels Church in Chester. Betty had been a legal secretary for
Chester lawyer, Archie Levy. Together Fran and Betty raised six children, two boys and four girls while residing in Woodlyn in a home built by Fran’s father. Betty Catania was an ideal partner for the Judge. She was gracious, kind and smart. The family life they created together produced an environment where they and their children, surrounded by love and encouragement, flourished. The Judge was able to accomplish so much in his professional life because his personal life at home provided contentment and purpose. The Catanias were wonderful parents. They raised their children in a happy, God fearing home, with Uncle Nick, the younger brother of Judge Catania who lived with them. Theirs was a home which had modest beginnings, but as more children came along additions were made and the walls bulged, but never cracked. It was known as the castle of Woodlyn and boasted of its own tennis court where all family members became proficient players. Judge Catania may have ruled the roost in the Courthouse but Betty was the monarch at home. We have been told that upon Betty’s command, the Judge took out the garbage.

As a practicing lawyer in Chester, Franny Catania was a generalist as were most lawyers in the 1950s. But his desire to contribute to a broader segment of the public than his personal base of clients, led him to seek a position in the political arena. He first became a Republican committeeman in Ridley Township serving in that capacity from 1950 through 1963. He was the Republican leader in Ridley Township for many years and was elected to his first political office as Coroner of Delaware County in 1957 and served in that office through 1963. He was Deputy Attorney General of Pennsylvania from 1951 through 1955, and an Assistant Attorney General serving as general counsel
for the Department of Revenue in 1963. During his tenure of service in Harrisburg, he earned the speed record for travel time to the Capitol. The record has yet to be broken.

Locally he was solicitor for: Chester Township, Brookhaven, Eddystone, Prospect Park and Folcroft Boroughs, and the County’s Sheriff and Controller’s offices. He served as solicitor for numerous civic and charitable organizations and participated in the activities of many other public service groups.

Of particular importance to Judge Catania, of which he was very proud, was his close affiliation with his alma mater, Temple. He served Temple as a Trustee from December, 1970 until shortly before his death. He also lectured at Temple Law abroad in Rome during one summer in the early 80’s.

On December 17, 1963, he was appointed by then Governor William Scranton to the Delaware County bench as a Common Pleas Judge and was sworn in 10 days later. He was elected to a ten-year term commencing January 1966 and was retained for another ten-year term commencing January 1976. He became Administrative Judge on December 1, 1970 and President Judge on January 5, 1976 in which capacity he served until mandatory retirement in 1990. Additionally, he was honored to have served as president of the Pennsylvania Conference of State Trial Judges in 1986-87 where he earned a resounding “thank you” from all of the Pennsylvania trial judges past, present and future for his efforts and those of his co-lobbyist, Judge Labrum, in seeking pay raises for judges throughout Pennsylvania. In addition to pay raises, Judge Catania led the battle for equality in pension benefits for all judges.

Judge Catania took great pride and interest in the people who worked with him in the Court House. He made it his business to know everyone and what they did; and
despite his sometimes stern countenance on the bench, he was known throughout the Court House as a pushover for a snow day. He missed no opportunity to boast about the Delaware County Courts and was delighted when the newly renovated Court House law library was dedicated and named for him in 1992. His human side is what made people so loyal. He was always supportive of others who worked with him. He knew everyone by his or her first name--what a gift. New lawyers walking down the hall would be greeted by name by the President Judge.

Some younger members, or perhaps, not so younger members of our Association do not realize the incredible legal legacy that Judge Catania left to this Association and to the Court system of Delaware County by programs that he initiated or implemented which are still in use today. Consider the following which are just some of his contributions to our Court system: the one-day, one-trial jury selection system; the construction of the court rooms on the first floor, numbers 7, 8, 10 and 11; the Domestic Relation Master system – a system which seems indispensable to the practice of law today was created by Judge Catania when he appointed the first Master in support court; the legal audio visual system; the electronic recording system which was the first of its kind in the Commonwealth of Pennsylvania; the appropriation of $25,000.00 a year from the Arbitration program to the Bar Association for “training purposes”; the creation of the modern day Court Administrator’s Office. Prior to Judge Catania, the Court Administrator was an office essentially staffed by attorneys on a part-time basis. The ARD program began in the early 70’s under the name PIP with the guidance of Judge Catania.
Certainly his personal work ethic should not be ignored. The clearest demonstration of this was when the Court Administrator would assign cases, if 25 were assigned to other judges, 35 would be assigned to Judge Catania.

It is exceedingly difficult to categorize or even describe his alliance with our Bar Association. On the one hand, he always treated his Bar brethren as brothers-in-arms, so that there was a fraternal element to his affiliation. On the other hand, he understood the long range goals and aspirations of the Bar and its interconnectedness with the needs of the Bench. To that extent, he exhibited a paternalistic involvement. He also demonstrated a filial aspect when he staunchly promoted the Bar and participated in its activities. Whatever cast is placed on his association, one thing is clear: he held the Bar in deep esteem as an institution and today’s unique and close kinship between the Bench and Bar is largely attributable to Judge Catania.

Judge Catania’s siblings, Dolores C. Willert, James V. Catania, and Josephine Catania pre-deceased him. He is survived by his two brothers, Nicholas F. and Charles J. Catania and by his six children: Francis J. Catania, Jr., Betsy Leighton, Nancy Gremminger, Mary Louise Esten, Christopher Catania, and Amy Kulper, their respective spouses, and 14 grandchildren. The Judge was very close to his brother Nick. Although Nick’s illness prevented him from participating in the daily scene, this never deterred the Judge from regularly spending time with his brother, encouraging him, caring for him, and seeing that all his needs were met.

This very kind and compassionate side to Judge Catania was not confined to his family. On one occasion, a district judge indicated he would have to resign because he did not make sufficient money to pay his child’s Catholic school tuition. When this fact
was reported to Judge Catania, he picked up the phone, talked to the sister who was the principal of the school (of course he knew her by name), and made arrangements to have the tuition waived for a year.

No account of Francis J. Catania would be complete without mention of the strength of his religious faith and the strong influence it had upon him. To quote his son-in-law, the Reverend Christopher M. Leighton, who delivered the eulogy at his funeral,

“Almost every day that he sat on the bench, he first visited Our Lady of Peace. Not only was he awed of Father Nall’s ability to recite the Mass in a single breath, he situated his judicial responsibility within the context of the holy. He knew that life and death hung in the balance and that he was entrusted with a fearsome authority, one that could open doors or lock them tight. He knew that listening required a big heart and not just a discerning mind. He was keenly aware that reason has its limits and judgments can be subtly and mischievously segued. He sought a strength and a wisdom beyond his own powers to make good on his commitments.”

In the early days of his judicial tenure, Judge Catania became a member of the Men of Malvern, a Roman Catholic retreat house and he was active in the activities of the retreat for many years. He served on the Board of Directors and served as the captain of the Delaware County Thomas A. Curran retreat group for over 30 years.

In addition to the law and religion, sports played a major role in his life. Judge Catania loved the game of golf. He was an enthusiastic player as a member of the Springhaven Club in Wallingford and the Jonathan’s Landing Club in Jupiter, Florida. Prior to his disabling illness, he played regularly and delighted in the competition of golf tournaments, particularly those sponsored by our Bar Association. Then there was baseball. After the retirement of his cousin, Danny Murtaugh, as manager of the Pirates, his enthusiastic love of the Phillies became legendary. Whenever given the opportunity,
he was at the ballpark cheering them on. He even attended Spring training games in Florida when the Phillies played near his Jupiter home. When not at the park, he was glued to a recliner watching the game on television, and even when the game was not televised, if he was home, he listened on the radio. No one dared to criticize the Phillies in his presence.

Although his temporal being is no longer with us, his spirit and dedication to our profession will never die. To again quote Reverend Leighton,

“He was convinced that hard work, bulldog determination, and personal integrity could carry you to the top. Obstacles were challenges to overcome. Roadblocks were minor detours. Dead-ends were opportunities for creative innovation. When confounded by an impasse that resisted the authority of his indomitable will, he knew that he could recruit the Pink Sisters of Philadelphia to break the stranglehold and subdue the impossible.”

The last few years treated the good Judge unfairly. His illness was debilitating. It prevented him from physically enjoying the many activities he previously pursued. Even talking on the telephone was challenging. But his will was indestructible and his mind was crisp and sharp to the very end. Others in the same situation would not have had the courage and spiritual strength to carry on. He even looked forward to the regular Friday evening dinners he enjoyed with some of his friends. But he never got over the loss of his beloved wife Betty. She left a void that could never be filled.

The Delaware County Bar Association is a permanent benefactor of the dynamic energy, wisdom, persuasiveness, enthusiasm, decisiveness, compassion, and vision of this giant of a man. His spirit will forever influence and watch over the practice of law in this County. May he rest in peace and may his memory be for a blessing.
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