

Achievements of Note

As a Musician, Lawyer, or Judge, Sid Cooley Always Set a Positive Tone

By GEORGE O'BRIEN

Growing up, Sidney Cooley's first passion was music, specifically the piano, which he played in a host of area of clubs during the 1930s. Convinced by his mother that he couldn't make a good living as a musician, he instead ventured into law, and forged a career that lasted six decades, including more than 20 years behind the bench. As he looks back, he says his profession has been marked by change — not all of it positive.

Sid Cooley remembers attending law school classes in a tuxedo.

That was back in the late '30s, when Cooley was going to night school at Northeastern University Law School's Springfield campus — forerunner to what is now Western New College School of Law.

"I was the best-dressed guy in the place," he laughed, noting that the chosen attire was for one of his jobs at the time — playing the piano and leading his dance band in performances at area clubs, colleges, and social functions, which he often did after his law classes ended.

"I really enjoyed music and I was very good at it ... I made



money doing something I loved, and I never thought of it as work," he told *BusinessWest*, adding that it was his mother who convinced him that he wasn't quite good enough to make a living from tickling the ivory. Instead, she pushed him, along with his brother, Ed, into a career in law.

And he had a pretty good one, by nearly every account.

In fact, it's only quite recently that Cooley, who last fall turned 92, started actually using the past tense when referring to that career, which covered six decades, first as a partner with his brother in the firm Cooley & Cooley — actually, it had many names over the years — and, later, more than 20 years behind various District Court benches.

Still known as 'Judge' to friends, colleagues, and all those at Cooley Shair, the Springfield-based firm he still reports to every

day, Cooley recently talked with *BusinessWest* on the occasion of his firm's — and his career's — 60th anniversary.

He said that while he's proud of what he's accomplished with his firm and behind the bench, he's perhaps most proud of the fact that the administration building at the Willie Ross School for the Deaf, which he has served as a director for more than 25 years, now has his name over door.

He's also proud of his work with several other area organizations, from the United Way to the Boy Scouts to the Hampden County Assoc, for the Retarded, and of the four honorary degrees he's received from area colleges.

He's less proud, however, of some of the many changes that have come to his profession over the past 60 years. In fact, he said that word may no longer be suitable.

"More and more, it seems like

a competitive business rather than a profession," he said, referring to a combination of issues ranging from advertising to the sheer volume of lawyers in the Yellow Pages.

"We're churning out lawyers in huge numbers these days," he explained. "We don't need that many."

Meanwhile, he said the mandatory sentences for many crimes today removes large amounts of flexibility and imagination from work on the bench, and society suffers as a result.

"Now, the emphasis is all on punishment," he explained, noting that his liberal approach to sentencing would not be tolerated today. "There is no distinguishing between a guy you can salvage and a guy who's got to go down the drain. Everyone is treated the same, and that's not the way we should be doing things."

BusinessWest looks this issue at Cooley's long career in the law and at his reflections on the profession and its evolution.

Keys to Success

Cooley was supposed to go home with the other members of the 63rd Infantry Division, which had worked its way across France and to the German city of Beyreuth by the spring of 1945 and the end of hostilities.

But the Army had other ideas.

After getting a closer inspection of his background, especially his law degree, officials decided that Cooley would stay on in the capacity of deputy military governor in the city of 200,000, which had been a hotbed of Nazi activity.

In that capacity, it was his job to assist with the process of "de-Nazifying" the area, as it was called — in other words, removing Nazis from positions of power

and replacing them with those considered politically clean. He also worked to help rehabilitate hundreds of individuals liberated from concentration camps to the east of the Bavarian city.

"At first, I really didn't like it all — I wanted to go home and get married (which he did late in 1946)," he recalled. "But in time, I came to enjoy it; it was really very rewarding. If I live to a million I won't help as many people as I did when I was there."

Cooley said his experiences in Beyreuth helped instill a desire to give back to the community, especially to those less fortunate. And he has done so since he joined his brother, who had already been practicing law for several years, in a one-room office over the old 5 Cent Savings Bank on Main and Court streets in downtown Springfield.

Ed Cooley had a number of medical problems that kept him from enlisting in the service, said his younger brother, noting that during the war, he started his own private practice and began establishing a reputation as one of the region's leading labor lawyers.

The brothers Cooley operated a general practice — most law firms were in those days — and added other names to theirs over the years, including that of current managing partner David Shrair, who first served the Cooleys as an intern in 1958, joined as an associate in 1960, and became a partner in 1970.

Another of the firm's many partners over the years was an attorney from Longmeadow, Foster Furcolo. A Congressman in the early 50s, and unsuccessful candidate for Senate in 1954, he would eventually be elected governor in 1956. And during his last year in the Statehouse, he appointed Sid Cooley to the position of special justice of the District Court of Franklin County, a post he served for 13 years.

As a special justice, Cooley would travel the region, filling in at whichever area district court needed him, earning the then-

standard per-diem wage of \$15 per day.

The compensation levels are not the only things that have changed since then, he recalled, noting first that judges could maintain their private practices while serving on the bench — a policy changed in the mid '70s — and that District Court had a

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much broader range of responsibilities.

"It was known as the poor people's court," he recalled, adding that virtually all matters that didn't require a jury, including housing and most family matters were handled by the court. "

In 1973, Cooley was chosen by Republican Gov. Frank Sargeant to be the presiding justice of the District Court of Western Hampden in Westfield, a move that surprised him in many ways.

"He was a Republican and I had been a Democrat my whole life ... my brother was the founder of the Franklin D. Roosevelt Club in Western Mass.; that's not how you ingratiate yourself to a Republican governor," he recalled. Somehow, he was eventually chosen over several other candidates, including current State Supreme Judicial Court Justice John Greaney, who would soon be awarded a Housing Court seat instead.

"That was the best 10 years of my life," Cooley said of his time in Westfield. "It was a great court — there was no finer court in the Commonwealth — and it had great people; we accomplished a lot together as a team."

Striking a Chord

Cooley recalls that the Westfield court was a marvelous institution, known far more for its personnel and progressive programs than its facilities.

In fact, for most of his tenure on that bench, the court was located in City Hall, above the city's senior center.

"You'd be sitting there listening to important testimony from a key witness," he recalled, "and then, there would be a momentary lull, and you'd hear this loud voice from below: 'under the B ...'"

and then a little later, "under the I ...' It was a little unnerving, but we kept our sense of humor."

While suffering through Bingo and other senior center activities, Cooley was forging a reputation for fairness and innovative policies, while also cementing solid relationships between the court and the city's business and religious communities, education system, and even the Air National Guard unit based at Barnes Municipal Airport.

It was Guard personnel who, among things, participated in what became known as Cooley's war on graffiti. It was a battle waged through science — specifically chemists at Stanley Home Products (later Stanhome) which had its headquarters in the city — and waged by volunteers working side by side with those caught putting the graffiti on the walls.

Another initiative was the "Scared Straight" program, which gave young people a tour of the Hampden County jail (then on York Street in Springfield) with the hope that it would deter them from the criminal behavior that would make them a resident there. The program had been in operation for several years, but Cooley made extensive use of it, with a number of constituencies, before it was scaled back by funding and manpower challenges.

Scared Straight was one of many initiatives that Cooley, working in collaboration with

Hampden County Sheriff Michael Ashe, created or expanded to help keep people out of jail, reduce recidivism, and rehabilitate individuals when they got out of prison. The motivation was simple, he said, noting the many costs associated with incarceration.

"When a person goes to jail, something happens to them up here," he said, touching his temple. "They become anti-social, their home life breaks up and ends up in divorce, the kids go on welfare — the whole system falls apart," he explained. "We tried to help create these programs that worked not only to keep a family together while a person was jail, but on what we would do with those individuals when they got out of jail."

This philosophy extended to sentencing, said Cooley, noting he practiced what he called "constructive disposition."

"Not always, but when you could, you'd try to come up with something whereby the family was salvaged, perhaps the children were salvaged, and the system didn't break down," he said. "You had some people — and there were many of them — where you could see that they had learned their lesson and they would never, ever be found in a compromising position again."

Today, judges are far less able to practice construction disposition, he continued, noting that mandatory sentencing for several categories of crime has removed the critical element of subjectivity from the larger equation.

"If I were a judge today and I tried to do some of the things I did years ago — things that were not frowned upon — I'd be hung up my thumbs," he told *BusinessWest*. "The people who are getting 10 years today as a mandatory sentence ... some of them can be salvaged. When we put them away like that there is a great cost to society; I don't like how things are done now."

Nor does he like the proliferation of advertising in the legal community today — "years ago,

you had a sign on your door and that was it," — which he views as part of the evolution of law from a profession into a competitive business, a process accelerated by the large volume of lawyers entering the field.

The result is a perception about lawyers and the legal community that is much different from when Cooley joined his brother and created Cooley & Cooley 60 years ago.

"I was so proud to become a lawyer back then," he said. "I'm not sure too many people feel that same way today."

End Note

Upon retiring from the bench, Cooley went back to Cooley-

Shrair. He worked as an arbitrator for several years, and continued his work with area non-prof-

wisdom when and wherever it's required.

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it agencies, including those who offer services to the mentally challenged, the autistic, the elderly, and other groups.

Today, he continues to counsel attorneys at the firm and impart

opportunity to come to the office every day and talk with the lawyers and be a part of it," he told *BusinessWest*. "It's great to still be associated with the profession; I think I'd be dead if I

couldn't do that anymore."

After his retirement from the bench in 1982, Cooley rejuvenated his music career — sort of.

He spent considerable time playing the piano as a volunteer serving the incapacitated and elderly shut-ins. In so doing, he blended two of his passions; music and community service.

Those have been just of the few of the many achievements of note from a lengthy career that has touched thousands of people — from Beyreuth Germany to Greenfield, to the Willie Ross School for the Deaf.❖

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