

Public defender Mark D. Gagnon of our Barnstable office died at the age of 46 on Saturday evening, January 22, 2000, at the Dana-Farber Cancer Institute. For months, Mark had battled the acute leukemia which attacked his body last summer. He underwent chemotherapy treatments followed by a bone marrow transplant, which succeeded in repulsing the cancer, but left Mark vulnerable to the virus which caused his death. Mark's wife Cynthia was at his side throughout his struggle, to the very end. Cynthia and their three young children Amelia, Charles and Julia have lost a wonderful husband and father.

Mark's death is also a tragedy for us. We have lost an extremely skilled and tenacious trial lawyer, and a gracious and humble colleague. Let me tell you a little about Mark's career with CPCS. In April, 1985, while he was a third-year law student at Western New England College at night, and a full-time pharmacist during the day, Mark applied for a summer internship with our Springfield office. In his letter, Mark said that:

my present employment, although steady, secure and remunerative, does not advance my goals with regard to practicing law. My aim is to be an effective litigator in the public interest. Your office typifies the practice of law to which I aspire.... I would greatly...appreciate the chance to present myself for your evaluation.

This first letter is so typical of this remarkable man. It demonstrates his seriousness of purpose; his compassion for the less fortunate, his crystal clear sense of his own values, his humility, his erudition.

Mark spent his entire senior law school year with the office, earning the praise of attorney-in-charge Mary Lou Rup. After graduation in 1986 he was hired as a public defender in the Barnstable office.

From the day he began until the night he died, Mark was an integral part of that remarkably collegial office. His long-time office mates--Bill Robinson, Charlie Johnson, Lynda Lamb and Peter Donley--supported him and Cynthia throughout his medical battles. Bill was with them at the very end.

Mark was determined to become not just a good public defender, but an excellent one. He was an indefatigable worker who, as Bill once observed, "consistently gives more of his time in preparation of his cases and consulting with clients than any other attorney I have worked with." Always eager to hone his skills and improve his performance, Mark took advantage of every training opportunity, whether as student or, increasingly in later years, as teacher. Mark worked and worked until he had assembled the full public defender package: superior trial skills, sophisticated motion practice, total commitment to the client, deep-seated intolerance for injustice. Mark defended every case hard; he represented every client with impressive energy and zeal. Long before the onset of his illness, Mark's prowess as a trial lawyer had been firmly established, by his recognition as one of the top criminal defense attorneys on the Cape, and by his inclusion on the CPCS murder case certification list.

Mark was just entering his prime years as lawyer, as home handyman, as rock-solid husband and father. His death seems almost unbearably tragic. Yet each of us would do well by emulating Mark's qualities. New attorneys can learn so much from his example of total commitment and determination to succeed. Old hands can find rejuvenation in his refusal to indulge in self-satisfaction, and his constant search for new ways to learn. All of us can follow in his footsteps as fighters in court, but caring friends to our officemates and fellow employees.

Mark Gagnon's career with CPCS was a model of excellence. We are better lawyers and

better people for his too-brief involvement in our lives.

A funeral Mass will be conducted at Our Lady of Victory (Roman Catholic) Church in Centerville this Saturday, January 29, at 11:00 a.m. Following the burial at Mosswood Cemetery, there will be a reception to celebrate Mark 's life at the Cotuit Highgrounds Golf Club.

Donations in Mark's memory may be sent to:

The Gagnon Family Fund
c/o Allison Lowe
Attorney-at-Law
20 School Street
Cotuit, MA 02635