TRIBUTE

A TIME-HONORED MODEL FOR THE PROFESSION AND THE ACADEMY

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Many years ago, an eager young law student sat in the back row of an oversized classroom at Yale Law School seeking to master the nuances of civil procedure. He found it to be an immensely complicated subject. Like many of his classmates, his most immediate concern was that he not be called on by his distinguished—and famously demanding—civil procedure professor. The teacher had a serious and penetrating style that deeply challenged the class and brought the subject matter to life through a sustained focus on the esoteric issues of doctrine and practice. Of equal interest to the student, however, was how this approach—both stylistically and intellectually—contrasted with the manner of several other faculty members. The seventies were a time of rapid transformation in political attitudes and academic approaches to law and legal education. Law schools were at the beginning of a revolution in interdisciplinary scholarship and teaching. And the student was (unabashedly) fascinated by and attracted to these developments. Yet, with all these changes, the legal novice could not help but appreciate in a deep and fundamental way the timeless approach of his civil procedure professor. The class explored the essential issues in civil procedure without overt reference to fashionable doctrines in economics, philosophy, or political science. The discussion nonetheless seemed to end in much the same place as courses that overtly embraced a more abstract and political world.

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Over the years, the student's formal relationship with his teacher evolved. The former student chaired the appointments committee that oversaw his professor's move to Penn Law School in the early nineties. He served as a colleague (and occupied the office next door) of his former teacher. And finally he became the dean of Penn Law School, where the legend continued to serve as a faculty member. With all these changes, his formal association with the teacher evolved—but he was always in some sense his student, learning from his former teacher's timeless approach and attitude toward the profession and the academy. He also marveled at the profound impact his professor continued to have on the profession as academic styles evolved. Over the years, the student who resisted the approach of his former instructor came to appreciate many of its fundamental precepts.

As should be obvious to the reader, I was that young student, and Geoff Hazard was my professor—as he has been in some sense throughout my entire career. In this collection of tributes in the *University of Pennsylvania Law Review*, a cross section of academic and professional colleagues comment on Geoff Hazard as the professional responsibility luminary, the international civil procedure guru, and the unique and authoritative leader of law reform in the United States and abroad. As someone who has not cohabited an academic field with Geoff, I will speak not directly of his academic and professional contributions but from a somewhat different vantage point—that of a former student and current dean who has come to appreciate more than ever those vague impressions I had about his approach more than thirty years ago.

The legal profession has undergone a rapid transformation since I, and others in my generation, enrolled in the first-year contracts and civil procedure courses. The older view of law as an autonomous discipline has given way to a broader variety of intellectual approaches that employ an interdisciplinary lens to illuminate the causal and normative underpinnings of our legal system. This movement has drawn law schools closer to other divisions of their universities and has populated their faculties with J.D./Ph.D.s from almost every field within the intellectual firmament. Indeed, Penn Law, with the encouragement of the author of this tribute, has become a leader in this trend, with half of its current faculty holding an appointment at another school at the University of Pennsylvania and with well over a third possessing a Ph.D.

Yet, with all of these exciting changes, the legal academy remains qualitatively different from the rest of the university. Our sisters in

the arts and sciences are focused on learning for the sake of learning. The distinguished law schools in our nation are equally focused on great ideas, but we have a different ultimate purpose—to appreciate how these ideas play out in the real world of law and legal institutions. Some within our tribe begin their exploration in other disciplines, while others, like Geoff, start with the substantive nuances of doctrine. But the quality of our efforts is ultimately measured by how they illuminate our knowledge of legal institutions and legal doctrines. In other words, the insights of other disciplines are a means to an end, not an end in themselves. For this reason, the legal academy must retain its ultimate grounding in the profession and support academics deeply connected to an understanding of the legal enterprise.

That is the genius of Geoff Hazard—something I only vaguely understood when I first enrolled in his class more than thirty years ago but something I have come to appreciate more and more over the years. While Geoff's approach, in class and in his academic work, began with a deep understanding of our legal institutions, his mind has ranged broadly in unpacking the foundations of those institutions and legal reform. In this sense he possesses the time-honored lawyer's ability to think through problems from multiple perspectives—drawing ideas from a variety of fields and approaches.

These qualities have all been apparent in Geoff the teacher, Geoff the scholar, and Geoff the institutional citizen. His friends and intellectual sparring partners have been drawn from across the faculty. He has always spent extensive time engaging with a wide variety of institutions and projects outside the law school, whether that be running the American Law Institute (ALI) or other professional endeavors. These diverse activities have been, of course, a major source of his influence and insight. He has served as a distinctive bridge.

His interest in increasingly engaging over the years with faculty from outside his professional and intellectual focus has been noteworthy. Perhaps because he has not defined himself by a particular discipline, Geoff has been more willing over time to pick and choose among intellectual styles to see what best illuminates the problem at hand. Indeed, just last month, he came into my office to announce an exciting new course he was teaching in political philosophy. He was reading the classics, trying to understand what insights they offered for his various projects. In this regard, Geoff has served as a mentor and colleague to a variety of younger colleagues on the faculty who may have had different intellectual styles but who understood and appreciated *his* special insights. Sue Sturm, Cathie Struve, and Tobias Wolff, young civil pro-

cedure faculty members at Penn over the years, as well as Ed Rock, from corporate law, have all benefited from his wisdom, advice, and support. His relationship with Steve Burbank, a civil procedure luminary in his own right, has also been a distinctive pleasure to observe. One measure of the greatness of professionals in every field is the quality of the succeeding generation that they choose to nurture and promote. By that measure as well, Geoff has indeed been a major figure.

Speaking as a dean, I should record one final quality of Geoff—his genuine concern for disadvantaged students. It is not something I would have necessarily understood thirty years ago as I sat in the classroom anxious that I would be called on. He had seemed to so many students to be the personification of the legendary Kingsfield. But, as dean, I have seen him take up the cause, at significant personal cost, of individual students who were from disadvantaged backgrounds and needed institutional and collegial support. His concern is real and deep.

Over the past few years, the relationship between the profession and the academy has been challenged. Most recently, the Carnegie Foundation Report has questioned how we are training and educating the next generation of professionals and leaders.[1] Unlike our sister profession, Medicine, which incorporates hospitals as part of the educational program, law schools are not as directly linked to practice and do not uniformly have their students serve real clients. It is that chasm that Geoff has served to bridge over thirty years. In that sense, what I, and others, have found and appreciated in Geoff is his constant focus on what we all are ultimately about—understanding the legal profession and making it a wiser and more just calling. While we employ different means toward that goal, Geoff is as committed to that effort today, and in much the same way, as he was when I sat in his civil procedure class.

There are a number of quotations from Sir Edward Coke on the walls and ceilings of Penn Law, but one famous observation reflects the timeless quality of Geoff: "No man can be a complete lawyer by universality of knowledge without experience in particular cases, nor by bare experience without universality of knowledge; he must be both speculative and active, for the science of the laws, I assure you,

[1] WILLIAM M. SULLIVAN ET AL., EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW (2007).

must join hands with experience."[2] That was the lesson that Geoff taught me when I was a first-year law student and the lesson that he continues to teach me to this day. Our faculty and students at Penn, and the profession more generally, have been its deep beneficiaries.

[2] EDWARD COKE, *Preface* to A BOOK OF ENTRIES (London, 2d ed. 1671), *as reprinted in* MICHAEL LOBBAN, A HISTORY OF THE PHILOSOPHY OF LAW IN THE COMMON LAW WORLD, 1600–1900, at 31 (2007).