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Dean Mary Daly: A Tribute

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DEAN MARY DALY: A TRIBUTE

*William Michael Treanor**

I met Mary Daly for the first time on the day I began work at Fordham Law in 1991. I had an office on the second floor of the faculty corridor, and Mary's office was a few offices down the hall. Mary was already a well-established member of the faculty, a star at the U.S. Attorney's Office who had become a star in academia. I was new to Fordham and anxious as I began my career in teaching. Characteristically, and not surprisingly, Mary was the first one to come to my office to greet me. It has been almost twenty years since that day, but I still remember her warmth, her sense of humor, her boundless enthusiasm, and how welcome she made me feel.

From that moment forward, Mary was my mentor, as she was for so many of us on the faculty. She counseled us with insight and a wonderful sense of balance and judgment. She provided each of us with a great role model of how to balance personal and academic commitments, as she told us with pride about her children, Anthony, Stephen, and Meg, and as we saw her with her wonderful husband, Tony. And she inspired us, because she was the model of a great educator, a scholar-teacher-public citizen who touched lives in countless ways.

Mary's career, although much too short, was one of remarkable achievement. An honors graduate of Thomas More College and Fordham Law School, she was book review editor of the *Fordham Law Review*. She studied at the University of Paris, where she was a Zichkla Fellow, and she received an LL.M. from New York University Law School. After beginning her legal career at Rogers & Wells, she worked for eight years at the U.S. Attorney's Office for the Southern District of New York, and she held the posts of Chief of the Civil Rights Unit, Deputy Chief, and finally Chief of the Civil Division. While on the Fordham Law faculty, she led our ethics program, serving as Co-Director of the Louis Stein Center for Law and Ethics, as well as our graduate program, and she was named James H. Quinn Professor of Legal Ethics. She went to St. John's University School of Law in 2003 and was both Dean and John V. Brennan Chair of Law and Ethics.

But any listing of positions, however impressive, doesn't capture the core of Mary's life in the law. What was most inspiring about Mary's career—what made her such a powerful role model and such a powerful force for

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change—was her deep conviction that lawyers should lead lives shaped by a commitment to service and a dedication to ethics. Her career embodied that conviction, and she worked tirelessly to help others lead lives of service and to promote ethics in the profession.

Mary was a pathbreaking legal scholar who left what will be a profound and lasting impact on the field of legal ethics. Over the years, I have always been impressed by the wisdom and insight of her articles. They are consistently thoughtful, well-reasoned, and innovative. Mary was a legal scholar who knew that scholarship had the capacity to make a difference in the world of the law and who worked to realize that potential. She was a leader in the field of the ethics of corporate law, and she helped move the study of ethics beyond its traditional focus on litigation. In addition, as legal practice became global, she was in the vanguard of people who realized that ethical questions had to be analyzed from a cross-border perspective, and she wrote a series of influential articles on multidisciplinary practice. She also lectured on these subjects to the legal community. I particularly remember the fact that, in 2002 and 2003, she went with delegations of the New York City bar and lectured in Chile, Brazil, and Rwanda on legal ethics and pro bono obligations. Mary was recovering from cancer at the time, and I was concerned about her trip to Rwanda, which still was recovering from its devastating civil war. But Mary knew that what she had to say was important, and she was courageous in her belief that she should deliver these lectures, despite health concerns.

Just as Mary was a pathbreaking legal scholar, she was a pathbreaking legal educator. Because of her, Fordham Law became preeminent in the field of legal ethics. Guided by her leadership, we hired Bruce Green and then Russ Pearce; no school in the country could match this extraordinary team of ethics scholars. Together, Mary, Bruce, and Russ pioneered the contextualized approach to the teaching of legal ethics. As they wrote in 1995,

> Contextual courses explore ethical dilemmas in the context of a single practice area (such as corporate, public interest, or criminal law) and in multiple employment settings (such as law firm, in-house, government agency, or prosecutors' offices). . . . [C]ontextual courses bring a sense of immediacy and coherence to professional responsibility that too often is missing from the traditional survey courses in which practice and substantive-law settings change from page to page.[1]

Students often fail to engage with traditional legal ethics survey courses, finding them arid and irrelevant. The contextualized approach is a brilliant alternative, one that draws the student into careful reflection and that serves to promote ethical engagement when she or he enters practice. Because of

1. Mary C. Daly, Bruce A. Green & Russell G. Pearce, *Contextualizing Professional Responsibility: A New Curriculum for a New Century*, LAW & CONTEMP. PROBS., Summer/Autumn 1995, at 193, 193.

Mary, Bruce, and Russ, Fordham established a model that schools across the country studied and embraced.

Mary's commitment to teaching legal ethics well was reflective of her deep commitment to teaching. I can testify from many conversations with students and alumni how important Mary was to her students and how much they valued her courses. It is no surprise that, in her final year at Fordham Law, she was selected as teacher of the year.

She was also committed to improving the quality of legal education at schools across the country. In accord with her innovative thinking, she was a member of the Out of the Box Committee of the ABA Section on Legal Education. She was a leader among law school deans, someone whose counsel and wisdom was universally sought, and when the news of her death was announced, there was an outpouring of grief on the deans' listserv, as one dean after another paid tribute to her.

Given Mary's dedication to legal education and her commitment to the profession, I was not surprised that she decided to become a dean, and St. John's and its mission spoke to Mary, just as Fordham's had. When she was deciding whether to go to St. John's, she told me of how she found St. John's to be a school that shared Fordham's commitment to ethics, to professionalism, and to service. She also treasured the way in which St. John's had historically opened doors to the legal profession. When Mary accepted the Teacher of the Year Award at Fordham, she spoke very movingly of growing up in a family of limited means and of how Fordham had provided her opportunities. She saw in St. John's a school that, like Fordham, provided people the chance to realize their dreams. She spoke to me, on more than one occasion, of how St. John's had been started, in large part, because the Jewish community of Brooklyn had appealed to the Vincentian Fathers to open a law school because other law schools would not admit Jewish students or would only admit a handful. From its first days, St. John's, like Fordham, had been open to students of all faiths and no faith, and both schools continue to see providing opportunity as central to their mission. That was very important to Mary.

In every way—as a legal scholar, as a teacher, as an administrator, as a lawyer, as a citizen—Mary was dedicated to helping others realize their full potential, to being the best people they could be. All of the different aspects of her career—as a lawyer, scholar, administrator, and teacher—reflected her commitment to helping others live fully human lives, ones dedicated to the service of others and to morality, and her commitment to helping them realize their dreams.

Mary knew how important dreams were. Sitting in Mary's office the day I met her, I saw a poster I have never forgotten. It had on it the picture of a clown—I always think of it as the opera character Pagliacci, though I am not sure why—and it said: "To be good is not enough, when you dreamed of being great." That poster, very fittingly, remained on her wall throughout Mary's Fordham career, and hung on her wall at St. John's as well. Mary set the highest standards for herself and others, and she wanted

all she came into contact with to set their standards high and to realize their dreams. She wanted each of us to be truly great. It is an aspiration few can realize. But Mary mentored us, inspired us, and taught us as we pursued our dreams. And she set an example for all of us. She was a dreamer, and she was truly great.