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John D. Feerick: The Dean of Ethics and Public Service

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John D. Feerick: The Dean of Ethics and Public Service

Cover Page Footnote

Louis Stein Professor, Fordham University School of Law; Director, Louis Stein Center for Law and Ethics.

JOHN D. FEERICK: THE DEAN OF ETHICS AND PUBLIC SERVICE

*Bruce A. Green**

Over the past fifteen years, I have had the extraordinary privilege of working closely with Dean John Feerick on numerous occasions. The first was in early 1988, when I had just arrived at Fordham and he had just completed his fifth year as Dean. A few months earlier, in the wake of public corruption scandals, Governor Mario Cuomo had appointed him to chair the New York State Commission on Government Integrity. Since the Commission's funding was limited, it drew on pro bono assistance from various quarters, including members of the Fordham faculty. Over the next few years, therefore, I had the chance to work with the Dean on two reports, an investigation, and, after the Commission completed its work, an edition of its collected reports.¹

You can observe a lot just by watching John. One lesson he taught was how to bring out the best in the people you work with. Step one: Believe that what you are doing is important. Step two: Work harder than anyone else. John was a deliberate analyst, a thorough investigator, a precise writer, a careful reader, and an astute (though tactful) editor. He was vigilant to avoid overstatement and unfair inferences. He was personally involved in every act and decision of the Commission. This is the Dean's general approach to the tasks he undertakes. The result, of course, is that when John invites you to do something, it is exceedingly difficult to say "no." You cannot say "this isn't important" to someone who has absolute conviction in the importance of his work. Nor can you credibly say "I'm already working too hard" to someone who is working much harder than you are.

Another, probably more important, lesson that the Dean taught me during our first collaboration: Just do what you know is right, and don't worry about what others think of you. That was John's consistent attitude toward the work of the Commission. It would have been easy for the Commission to structure its investigations or draft

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1. Government Ethics Reform for the 1990s: The Collected Reports of the New York State Commission on Government Integrity (Bruce A. Green ed., 1991).

its reports to call attention to itself and to win acclaim from the press. But under John's leadership, the Commission resisted pressure to conduct a public hearing when there was not enough credible evidence to justify one, or to publish a report on a matter that had already received sufficient public attention. In the early going, the Commission was criticized by those who thought it should take a more prosecutorial stance. But as John later reflected, "the Commission resolved from the outset to do its work fairly and thoroughly, and then to let the chips fall where they may."² This sums up the Dean's approach to public service, and his work on the Commission helped raise a standard to which the wise and honest in civic life can aspire.

The Dean's work on the Commission, and much of his other work outside the Law School, such as his service as President of the Association of the Bar of the City of New York and as Chair of the Professionalism Committee of the ABA Section on Legal Education and Admission to the Bar, reverberated within the Law School. He served as a model, encouraging faculty to undertake work that engaged them with the legal profession and with the social problems of our times. Moreover, his demonstrated commitment to two ideals, ethics and public service, left little doubt about his receptiveness to specific projects within the Law School that would build upon these ideals.

And so it was that in October 1991, fully anticipating a warm response, a handful of junior law faculty proposed to the Dean that the resources of what was then the Stein Institute of Law and Ethics be committed toward new initiatives in the area of public interest law and public service. Most significantly, they proposed that the Law School establish a program for students who would be designated as Stein Public Service Scholars and who would receive stipends to work in public interest settings in the summer, take specialized courses in ethics and public interest law, and participate in roundtable discussions with practitioners. To be sure, even John, who has abundant faith in those around him, was not immediately a true believer. He questioned and probed and listened. But he soon arranged for us to meet with Louis Stein, an alumnus of the class of 1926, who was won over less because he was persuaded by a few young professors whom he had not yet come to know than because the Dean, whom he had known for years, stood behind us. The Stein Scholars Program enrolled its first class the following year, and this year it will celebrate its tenth anniversary.

Of course, John would say that the Stein Scholars Program and the many other programs that express the Law School's commitment to ethics and public service owe their existence to the initiative of others. But in many cases, the impetus came directly from the Dean. And in

2. John D. Feerick, *Introduction to id.*

all cases, these programs originated and thrived because the Dean established a supportive environment, a "culture of commitment"³ to ethics and public service. This culture is fully expressed by the credo, "In the Service of Others," adopted by the Law School during the Dean's tenure, and by his decision to inscribe "Louis Stein Center for Law and Ethics" on the facade of the Law School building. The Dean's pivotal role in developing and nurturing a public interest ethic at Fordham led in 1996 to his designation as the first recipient of the "Outstanding Law School Dean of the Year" award by the National Association of Public Interest Law ("NAPIL").

Consider just a few of the other developments at Fordham during the years of John's leadership. There has been an explosion of programs enabling students to engage in public service during the summers between academic terms, during the academic year, and after graduation. In 1988 law students organized the Fordham Student Sponsored Fellowship to raise funds for summer fellowships for Fordham students working in public interest settings. This became one of the most successful programs of its kind in the country, and it won awards on three occasions from NAPIL. Under the aegis of the professionally staffed Public Interest Resource Center, founded in 1991, students have created more than ten other public interest organizations at the Law School, including the Amsterdam Houses Children's Law Project, the Death Penalty Project, the Domestic Violence Advocacy Center, the Family Court Mediation Project, the Housing Advocacy Project, and the Immigration Advocacy Project. And the Law School has established a loan forgiveness program for recent graduates who take low-paying public interest jobs.

John has also fostered extraordinary academic and curricular growth in the areas of public interest law and ethics. Today, seventeen faculty members teach in the Law School Clinical Program, which affords students the opportunity to serve low-income clients in such areas as children's disability and special education, civil rights, domestic rights, foster care, housing rights, and welfare. In conjunction with Fordham's School of Social Services, the Law School has established an Interdisciplinary Center for Family and Child Advocacy. It has developed a half dozen courses in the area of international human rights and established the Crowley Program in International Human Rights, which hosts dozens of panel discussions and other programs throughout the academic year and has sponsored fact-finding missions during the summer to Turkey, Hong Kong, Mexico, and Ghana. And with financial support from the Keck

3. The phrase is Deborah Rhode's. Deborah L. Rhode, *Cultures of Commitment: Pro Bono for Lawyers and Law Students*, 67 *Fordham L. Rev.* 2415, 2418, 2443 (1999).

foundation, the Law School has developed a legal ethics curriculum that is perhaps the richest and most varied in the country.⁴

Moreover, during the Dean's tenure, Fordham publications have increasingly oriented their focus towards ethics and public interest law. In 1992 the *Fordham Urban Law Journal* began to publish an annual symposium issue in conjunction with the Stein Center. The symposia have addressed such topics as welfare reform, environmental justice, privatization, the changing role of the federal prosecutor, and forgiveness and the law. A few years later, the *Fordham Law Review* undertook a commitment to devote an annual issue to legal ethics, for which it recently received the Sanford D. Levy Award from the New York State Bar Association Committee on Professional Ethics. In addition, the Law School's Legal Writing Program introduced a publication, *The Common Good*, dedicated to publishing seminar papers by students on subjects relating to ethics and public interest law.

Over the years, there has also been a vast array of conferences, symposia, colloquia, and other events at the Law School on themes relating to John's core concerns of ethics and public service. Recent programs open to the public have addressed such topics as the child welfare system, bioethics, and Holocaust restitution. The Law School has also hosted a number of multi-day invitational conferences organized by the Stein Center to develop recommendations for lawyers serving vulnerable client populations such as older clients, children, and low-income clients generally. In recognition of its work in designing these conferences, which have served as national models, the Stein Center recently received the American Bar Association's E. Smythe Gambrell Professionalism Award.

This is only a partial list and it does not begin to do justice to the Dean's contributions. Indeed, it does not address what may well be the Dean's most important contribution, not as an administrator but as a teacher. In every aspect of his life, the Dean has taught by example. He has served as a model of professional integrity and of commitment to the public good. In doing so, he has set a tone within the Law School that has pervaded this institution and shaped the lives of its students from orientation through graduation and beyond. And in the broader academic and professional community he has given personal expression to the two ideals that are most central to the Law School. Although his remarkable tenure as Dean of Fordham Law School is drawing to a close, John Feerick will forever be the dean of ethics and public service.

4. See Mary C. Daly et al., *Contextualizing Professional Responsibility: A New Curriculum for a New Century*, 58 *Law & Contemp. Probs.* 193 (1995).