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Cover Page Footnote

Professor of Law and William M. Raines Fellow, Loyola Law School, Los Angeles, CA. Fordham Law School, class of 1979. Fordham Law School, Faculty, 1981-1995; Associate Dean, 1987-1995.

THANK YOU, JOHN

*Georgene Vairo**

Thank you. Those were the first words that I ever heard John Feerick speak. Still Fordham law students at the time, Orin McCluskey,¹ Michelle Daly,² and I were members of the team that had just won the National Moot Court competition for the first time in Fordham Law School's history, and John wanted to meet the team. I had heard about John Feerick—that he was an important alumnus of the Law School; a partner at and was the first associate hired by Skadden, Arps, Slate, Meagher & Flom; author of a Pulitzer Prize nominated book about the presidential succession process,³ and co-drafter of the 25th Amendment⁴ on presidential succession. We were flattered that such an important man wanted to take some time out of his busy schedule to meet us.

For those of you who know me well, you may find it hard to believe that at the time I was somewhat shy, and tongue-tied around adults. And so, I was somewhat apprehensive about meeting the great John Feerick. Thankfully, I had not yet heard that among his nicknames were: "John the Good" and "St. John." How quickly though, he put me at ease when we did first meet. The purpose of the meeting was simply to thank us for the contribution that we made to the school. Immediately, I was impressed by his sincerity and great dedication to Fordham Law School. On the one hand, I felt humbled by his attention; on the other, he made me incredibly proud to be a member of the Fordham Law School family.

Since that day, sometime in the spring of 1979, as he did for so many others, John has served as my personal employment office, and mentor. First, after graduating from the Law School, he engineered for me a place at his distinguished law firm, Skadden, Arps. I practiced Antitrust law there, not Labor Law, but John always made sure to keep in touch and to make sure that I was having a great

* Professor of Law and William M. Raines Fellow, Loyola Law School, Los Angeles, CA. Fordham Law School, class of 1979. Fordham Law School, Faculty, 1981-1995; Associate Dean, 1987-1995.

1. Class of 1979.

2. Class of 1979.

3. John D. Feerick, *The Twenty-Fifth Amendment: Its Complete History And Earliest Applications* (1976; 2d ed. 1992); John D. Feerick, *From Failing Hands: The Story of Presidential Succession* (1965).

4. U.S. Const. Amend. XXV.

experience there. (I was!) After a year or so at Skadden, John called me to ask me if I were still interested in a federal clerkship. When I told him I was, he played matchmaker again, helping to arrange for me to become then Dean, now Judge Joseph M. McLaughlin's first law clerk. Next, John called me to tell me that he would become Judge McLaughlin's successor as Dean at Fordham, and, wanted to know if I would be his first faculty appointee.

Of course, I said yes. I learned what so many of us learned over the years. It is hard to say anything but "yes" to John when he asks for something. Lucky for me, however, John's question would put a salary in my pocket. More typically, his request resulted in money going from an alum's pocket into the Law School's Annual Fund.

When John made the call to invite me to join the Fordham faculty, I thought I would work as a professor at Fordham for a couple of years, and then go back and get a real job. I had been well-trained to be a lawyer as a student at Fordham; I enjoyed the practice of law at Skadden, Arps; and I was amazed by all I was learning during my year's clerkship with Judge McLaughlin. Working as a district court clerk made me appreciate the bench and the bar, and the practice of law even more. Nonetheless, I was really looking forward to working at Fordham for a while at least, and anxiously awaited John's next call, to iron out the details. Sometime later, I received that call. It seemed that there was a Faculty Appointments Committee that had some say on whether I would be hired. Although, John told me not to worry, something told me to worry.

Indeed, there was a bit of a problem. John was coming to the Law School from a practice background. Although a scholar and an erudite one at that, John was not practiced in the ways of faculty governance. And, as it turned out, Fordham Law School was in the incipient stages of transformation in some important respects. The Law School had a great local and even regional reputation. But, there were some members of the faculty who thought that by placing more of an emphasis on scholarship that the Law School could move to a place of national prominence. Therefore, a significant group of faculty members thought that it would be better not to hire a Fordham Law graduate, i.e., me, with no scholarly record to speak of except for the Note I wrote for the *Law Review*.⁵

Lucky for me, the faculty gave John the benefit of the doubt. Nonetheless, when I joined the Fordham faculty in September 1982, I quickly became aware of the difference of opinion on the direction of the Law School. Looking back, this hiring decision was a defining moment, not just for me (all I had to worry about was getting and keeping a job), but, more importantly for John. How was he going to

5. It just came to mind that John Feerick was the person who forwarded the idea for my Note—the Unionization of Law Firms—to the *Law Review*.

steer this boat, and manage all its crew, to ensure that the school arrive safely at the prominent place that it deserved in the legal academy? He would be great at raising money, (there are all the stories of John walking into breakfast meetings at prominent law firms, only to find all the partners standing there with their pockets already turned inside out), but how was he going to deal with a faculty whose members had very different ideas about the future of the Law School?

Characteristically, John made a great first move in that regard: He asked the beloved Professor Joseph Crowley to be his Associate Dean, the first person to hold that position at the Law School. By asking Professor Crowley to serve with him, John accomplished a number of important goals. Most importantly, he ensured the counsel of a long time, respected and loved faculty member who would help him understand the ways of faculty governance. Another thing that strikes me about Dean Crowley's appointment is that it showed John's lack of ego. He understood that it was not always possible for him to do everything that needed to be done, or that perhaps others were skilled at accomplishing some tasks, or could be instrumental in helping him accomplish his goals for the school. So, by forming a team, and working closely with his team, he would ensure that more could be accomplished for the school. His administration will be remembered for its teamwork approach.

That teamwork model epitomizes my working relationship with John, first as a fledgling professor for a few years, and later and especially as his Associate Dean for eight years. John was always busy doing things outside the school—serving as the head of Governor Cuomo's Commission on Government Integrity;⁶ as President of the Association of the Bar of the City of New York; on various important bar association committees and taskforces. Although he had to spend much time away from the school, there always was time for me to let him know what was going on at the school, what we should be doing about this problem or that; this program or project, etc. Many of our meetings would be during fast paced walks from the Law School to John's next meeting outside of the Law School. Others would take place in my office. Countless times, John would pop through the door from his office into my office, the old Dean's Conference Room. Generally, it would be seven or eight or nine o'clock at night. And we would talk and try to figure out how to tackle both the important and more mundane matters involved in running the Law School, or some project that either he or I was involved in. These chats were always interesting and fun. John served as an arbitrator for the NFL and NBA, and it was especially interesting to talk about those matters. He

6. His work there resulted in another book: Richard Briffault, John D. Feerick & Robert M. Kaufman, *Dollars and Democracy: A Blueprint for Campaign Finance Reform* (2000).

also was wonderful to talk to when various difficult issues arose in connection with my service as Chairperson of the Dalkon Shield Claimants Trust.

What was impressive about John, and what made what otherwise would have been an almost totally thankless job wonderful for me, was that he always made sure that I understood how much he relied on me, trusted my advice and valued my ideas. He didn't act like a boss. Rather he acted like a trusted friend who needed my help. Perhaps because we came back to the Law School together—he as the Dean; me as a junior professor—there was a special bond between us that made us value each other in a very unique way, as we worked with the Law School community to make our school the very best that it could be.

Working with John was an incredible experience. His energy and hard work were beyond belief. I know I always worked long and hard hours, but his schedule put mine to shame. Thinking about what was accomplished during his tenure is mind-boggling. During my thirteen years as a Professor and as Associate Dean of the Law School, there were amazing changes. But the changes were made in ways that best preserved the traditions of Fordham Law School. Numerous faculty members were hired. They all demonstrated the proclivity for engaging in the type of scholarship that would help improve Fordham's reputation in the eyes of professors in law schools throughout the country. At the same time, however, all new faculty members who were hired also showed an equally strong commitment to teaching and interacting with our students. There was no question that Fordham Law School would not deviate from its mission of educating excellent lawyers.

Indeed, under John's leadership, that mission was refined through his advancement of the ideals of ethics, professionalism, and public service. John relentlessly worked to raise money to support our growing efforts in those areas. For example, long before it became trendy, Fordham Law School took seriously the need to teach students about ethics and professionalism, and to develop scholarship in this area. Indeed, it is probably still true that Fordham Law School has more professors writing in the areas of ethics and professionalism than any other law school in the country.⁷ Similarly, it is no accident that Fordham's public service program developed under John's leadership.⁸ His career is a model of public service.⁹ He could never

7. The Stein Center for Law and Ethics was perhaps the first of its kind.

8. The Crowley Program is just one example of the public service programs developed under John's leadership.

9. John has received numerous awards for his support of public service, including the Ellis Island Medal of Achievement, the Gold Medal of the New York State Bar Association, the Whitney North Seymour Public Service Award of the Federal Bar Council, and the Law and Society Award of the New York Lawyers for the Public

say no to anyone who asked for his help, whether it was the Governor of New York, the American Bar Association, the Association of the Bar of the City of New York, or a student who needed help in getting a job. Watching how he worked helped to imbue in me, as well as thousands of students, our alumni, and faculty, a real commitment to public service and helping anybody in need.

Another tradition that flourished under John's leadership was our law school's commitment to diversity. Fordham always has had a long history of opening its doors to students who would be shut out of other institutions. During my time at the school, the number of women and minority students and faculty grew because of his commitment to that ideal. Additionally, our clinical program and our LL.M. programs were launched during that time.

And what of Fordham's reputation? Did that law school with a great regional reputation achieve national prominence? Undoubtedly it has. There are many indications that John's leadership has pushed the school to the highest levels of national prominence. Fordham is solidly within the first tier of American law schools, ranking as one of the best schools in the country.¹⁰ The faculty is among the most productive in American law schools, producing scholarship that is the envy of many, many schools. Fordham's ethics, human rights, European Community Law and other programs have brought the Law School great renown from across the world. Our students are offered clerkships from judges, law firms, and public service organizations all over the country. There are books and magazines that rank our school in many ways, and Fordham has reached a place of preeminence in all of them. There is one measure of a school's greatness, though, that is hard to measure. I am confident that it is fair to say that our alumnae and alumni are the most loyal to their school of any other school in the world, thanks to John's hard work.

Now, after twenty years in the job, John has decided that it is time for him to leave as Dean of the Law School. He has worked tirelessly for all of us. He leaves Fordham Law School, our profession, our country and our world in a far better place. And so, it is now time for me, and for all of us, to say, Thank You, John.

Interest.

10. U.S. News and World Report ranked the school number thirty-two last year, and the school has consistently ranked within the top thirty schools of the country over the last decade or so.

Notes & Observations