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## John D. Feerick: A Man for All Seasons

### Cover Page Footnote

Professor of Law, Indiana University School of Law, Indianapolis, Indiana, and former ABA Consultant on Legal Education.

## JOHN D. FEERICK: A MAN FOR ALL SEASONS

*James P. White\**

I am honored to contribute to this dedication issue of the *Fordham Law Review* in honor of Dean John D. Feerick. Dean Feerick is a dear friend who has made outstanding contributions to the legal profession, legal education, and the public good. I have been privileged to be associated with Dean Feerick for over twenty years.

Dean Feerick represents that very special individual in our legal system. He is a man of thought and creativity, which he is able to convey without bravado or belittlement of others. He is a true gentleman who advances his agendas purposefully but sensitively. He is a kind and compassionate individual. Bluster and confrontation are not in his nature. The art of gentle persuasion is. When John Feerick speaks the entire legal education community listens.

My initial contact with Dean Feerick was not brought about by the most auspicious of circumstances. In 1979-80 the American Bar Association's Accreditation Committee had some serious concerns about Fordham Law School. These concerns related to the needs of the School and the paucity of resources made available to the School by the Fordham central administration. The then president of Fordham University and the Accreditation Committee of the American Bar Association had become very confrontational on this issue. The president of Fordham asked a lawyer member of the Fordham University Board of Trustees to come to Fordham and meet with the ABA Consultant on Legal Education. The trustee was John Feerick. John Feerick and I had a non-confrontational meeting and agreed that the Fordham Law School had certain needs, which should be supported by the central administration so that the Law School could meet both its challenges and its aspirations. Thus began over twenty years of association, collaboration and friendship.

I was familiar with John Feerick because of his instrumental work as one of the authors of the Twenty-Fifth Amendment to the United States Constitution providing for presidential successions, his seminal work, *From Falling Hands: The Story of Presidential Succession*, his partnership in Shadden, Arps, and his activities in the Association of the Bar of the City of New York and the American Bar Association.

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\* Professor of Law, Indiana University School of Law, Indianapolis, Indiana, and former ABA Consultant on Legal Education.

As a result of our initial meeting, I asked him to undertake several activities in the ABA Section of Legal Education and Admissions to the Bar. He has undertaken a number of activities on behalf of the Section, always willingly, even though the time might be inconvenient, and he always achieved great success.

The leadership of the Section and I were delighted when the President and Trustees of Fordham Law School named him dean in 1982. Thus began a remarkable record of progress and success where Fordham Law School flourished under his leadership, and became one of America's preeminent law schools. And, this leadership was accomplished in the Feerick manner: quiet and effective.

One of his first initiatives as dean was to implement a Board of Visitors for the Fordham Law School. As a result of this activity the Section called upon him in 1985 to chair its first workshop relating to Boards of Visitors entitled *The Challenges and Responsibilities of a Law School Board of Visitors*. In opening the program Dean Feerick noted that only half of all law schools had a Board of Visitors, many of which only had limited functions, and he emphasized that such Boards are valuable in assisting law schools with their missions. Dean Feerick explained that his vision for the workshop was to provide information to law school deans on how to establish and utilize a Board of Visitors.<sup>1</sup>

Participating in that program was Theodore St. Antoine, the former dean of the University of Michigan Law School; Robert Bruce, President of Widener University; Henry Miller, President of the New York State Bar Association and myself. As I observed in my closing remarks:

Justice, the topic upon which Dennis Archer eloquently spoke this morning, justice for all, the American ideal, is something we have not achieved, and law school[s] can go far in realization of justice for all. There are many people who should be going to law school, who could go to law school, who upon graduation would go out and serve the general public. We know there are many members of the American public who are not adequately served by the legal profession. I believe visiting committees are important and helpful for law schools, and I would urge law schools that have not yet created such a committee, to give careful consideration to the creation of one.

Dean John Feerick is chairing a committee of the Section of Legal Education on the Boards of Visitors. As Dean Feerick reported, about three years ago, my office sent out a survey and collected and distributed information about visiting committees. We are about ready to distribute another survey to report current

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1. ABA Section of Legal Educ. And Admissions to the Bar, ABA, *The Challenges and Responsibilities of a Law School Board of Visitors* 1 (1985).

information about boards of visitors. Much of the information you heard presented here today will be reported in that survey.<sup>2</sup>

As a result of the ensuing efforts of Dean Feerick and his committee almost every law school today has an effective functioning visiting committee.

In June, 1994, the Council of the Section of Legal Education and Admissions to the Bar created the Commission to Review the Substance and Process of the American Bar Association's Accreditation of American Law Schools, to conduct a thorough, independent review of specific identified areas covering all aspects of law school accreditation. This Commission chaired by Justice Rosalie E. Wahl of the Minnesota Supreme Court, a former chair of both the Council and Accreditation Committee was composed of academics, practicing lawyers, public members and judges. A key member was Dean Feerick, who chaired one of the two Commission subcommittees, one that focused on the accreditation Standards, including the content of the existing Standards and the processes by which the Standards and their Interpretations are adopted. The final recommendations of the Committee included the following recommendations emanating from Dean Feerick's subcommittee, reflecting his commitment to ethical responsibility, academic excellence and public service.

Recommendations relating to the content of the Accreditation Standards

(1) The Standards should be amended to add the following preamble:

The Standards for the Approval of Law Schools by the American Bar Association should be and are designed, developed, and implemented for the purpose of advancing the basic minimal goal of law school education. That minimal goal is to ensure that every law school graduate:

- (a) Understands his or her ethical responsibilities as a representative of clients, officers of the legal system, and a public citizen having special responsibility for the quality of justice.
- (b) Has mastered a core curriculum through which he or she:
  - (i) Understands the theory, philosophy, development and ramifications of law as well as its institutions;
  - (ii) Develops analytical and critical legal thinking skills, oral and written communication skills, and obtains familiarity with legal research; and

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2. *Id.* at 19.

(iii) Knows the fundamental principles of public and private law.

(c) Understands that law is a public profession requiring the performance of *pro bono publico* legal services.<sup>3</sup>

The report of the Commission came at a difficult time for the accreditation process. The American Bar Association had been sued by a law school denied accreditation, which had prompted a civil investigation by the Anti-Trust Division of the United States Department of Justice. The tensions between the Section, including the deans of ABA approved law schools, and certain members of the ABA House of Delegates and the Board of Governors were at a breaking point. Dean Feerick's careful, calming influence as a member of the Wahl Commission and as a leader in the legal profession was critical in the amelioration of these tensions.

In 1996 Dean Feerick was appointed to a two-year term as chairperson of the Section's Standards Review Committee. This is one of the two most important Section committees, the other being the Accreditation Committee. Under Dean Feerick's leadership the Committee undertook a total review of the Standards for Approval of Law Schools and their Interpretations. Numerous public hearings and requests for comment took place. I particularly remember one occasion when I asked Dean Feerick to leave a family gathering in Vermont to come to Washington to conduct a public hearing. In his usual unselfish and caring way, he made the trek to Washington, D.C. to conduct the public hearing at which, to my chagrin, no one appeared. Yet, Dean Feerick with his usual aplomb said it was important that it took place. He then went back to the family gathering. This unselfish, caring devotion to duty exemplifies the John D. Feerick whom we honor in this law review issue.

I have commented on Dean Feerick's activities in legal education and the ABA Section of Legal Education and Admissions to the Bar. I have not discussed his contribution as President of the Association of the Bar of the City of New York or his many initiatives as Fordham's dean, such as the Stein Center for Legal Ethics, the Fordham Public Service Resources Center, the Joseph Crowley International Human Rights Program, the Fordham LL.M. Program for Foreign Lawyers, the highly successful Fordham annual conferences on international anti-trust and intellectual property, or indeed, Fordham's improvements in physical facilities, technology and clinical legal education. He is well known for his tolerance, his openness to new approaches and ideas, and his efforts to diversify the faculty and student body. New courses, new centers, new initiatives

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3. ABA Section of Legal Educ. And Admissions to the Bar, ABA, Report of the Commission to Review the Substance and Process of the American Bar Association's Accreditation of American Law Schools 51 (1995).

have been the hallmark of his deanship, all accomplished in his gentle form of leadership. While I leave these to his Fordham colleagues, I must comment on his influence at Fordham.

Fordham Law School has a commitment to values, to professionalism for caring. It is a law school whose faculty instills in its future graduates a sense of professionalism, public responsibility and public service. Its graduates are inculcated with the belief that law is a profession, not a business, and that the goals of justice, honor, and human decency must be the hallmark of its graduates.

Twenty years in the life of a law school is a short time in the span of legal education, but has been a period of remarkable progress in the life of Fordham Law School. Dean Feerick's leadership made it all happen.

In a Symposium entitled *Leadership in Legal Education Symposium II*, in the Toledo Law Review, Dean Feerick concludes his article by stating:

[A] deanship at an United States law school is a unique experience. It is not a place for someone looking to relax or paddle in calm waters. It is demanding beyond belief but the rewards are many, making it an interesting challenging and even exciting way to live part of your life as a lawyer!<sup>4</sup>

Compassion, hope and faith are necessary elements to the lawyer's behavior in an ethical and professional manner. John Feerick possesses these elements in abundance. He is truly a man for all seasons. This tribute is an acknowledgement of gratitude, respect and admiration for his remarkable services and contributions to Fordham, the legal profession and legal education, but most especially for his support and warm friendship for so many years.

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4. John D. Feerick, *A Few Reflections on a Long Deanship*, 33 Toledo L. Rev. 25, 29 (2001).

*Notes & Observations*