

2018

Remembrances of Dean F. Leary Davis: Friend, Colleague, Mentor, and Visionary

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Recommended Citation

Patrick K. Hetrick, *Remembrances of Dean F. Leary Davis: Friend, Colleague, Mentor, and Visionary*, 40 CAMPBELL L. REV. 1 (2018).

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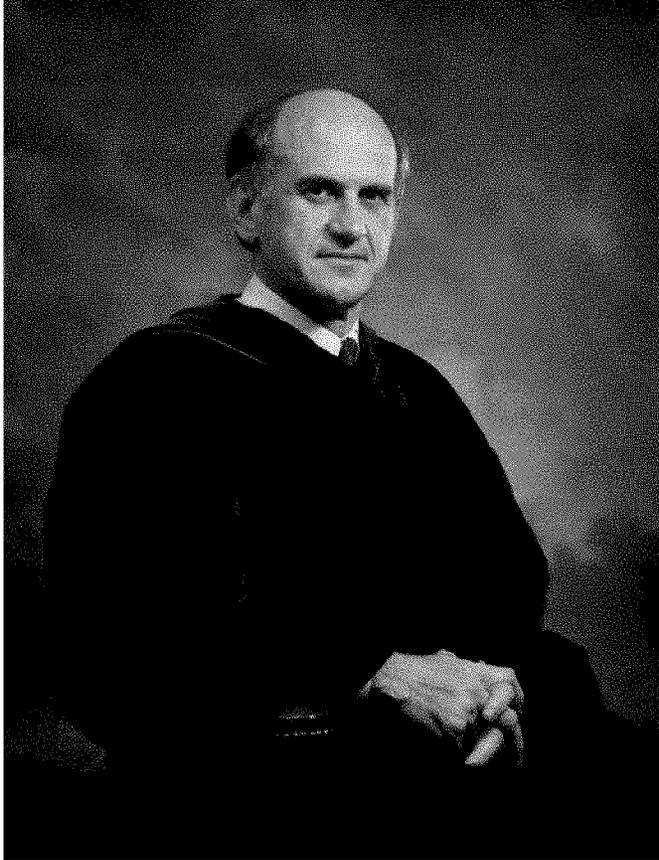
Campbell Law Review

Volume 40

Winter 2018

Number 1

Tribute to Founding Dean F. Leary Davis, Jr.



F. LEARY DAVIS, JR. (1941–2017)

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Remembrances of Dean F. Leary Davis: Friend, Colleague, Mentor, and Visionary

PATRICK K. HETRICK*

Creativity is just connecting things. When you ask creative people how they did something, they feel a little guilty because they didn't really do it. They just saw something. It seemed obvious to them after a while. That's because they were able to connect experiences they've had and synthesize new things.

Steve Jobs

Six months prior to the commencement of the third academic year of a fledgling law school, the new venture located at the seemingly unlikely location of Buies Creek, North Carolina, I received a late-night phone call from Founding Dean F. Leary Davis. Indeed, the call came so late that, assuming one of my five brothers was calling, my answer was a blunt greeting lacking the basic “hello.”

“What do you want at this time of night?” I shouted.

(If the caller had hung up at that point, I wouldn't be writing this remembrance.)

Dead silence for a brief, but uncomfortable number of seconds, then, a soft spoken, calm response.

“This is F. Leary Davis, dean of the Norman Adrian Wiggins School of Law, calling.

You recently wrote a letter to President Wiggins inquiring about joining our law faculty.”

Trying to salvage any slim chance I then had of being seriously considered for the position, I hastened to explain.

“Sorry about my lack of phone manners, but I thought you were one of my brothers. Only they call me this late at night.”

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Unfazed, and after a muffled but distinct chuckle, Dean Davis proceeded to summarize the mission of the new law school, the primary goals he envisioned for legal education, his background as a practicing lawyer, and, because I was a native of Milwaukee and teaching law there at Marquette University, he made several references to the “rural” location of Buies Creek. Indeed, his emphatic and drawn out pronunciation of the word caused me to keep repeating it after he ended our conversation with an invitation to visit Campbell. Hanging up the phone, I looked at my wife, Bernadette, smiled, and informed her that we would be traveling to Buies Creek to interview for a faculty position at Campbell law school, where, apparently, the area was “rural.”

Several months later, we visited Campbell for interviews with Dean Davis and President Wiggins, a tour of the law school building and campus, and a chance to check out the community. Dean Davis (“Leary” for the rest of this remembrance) and his kind and gracious wife, Joy, devoted an entire weekend to our stay, demonstrating hospitality in a fashion that gave us the feeling of fellowship with good friends. We were guests at their home for dinner, met their young children, guests for dinner another evening at a Raleigh restaurant, and the beneficiaries of guided tours of the campus, Buies Creek, and, 30 miles away, Raleigh, the capital city, a location that would three decades later become the new location of Campbell’s law school.

Radiating the pride of a father of a newborn, Leary eagerly conducted a guided tour of Kivett Hall, an unassuming century-old brick structure in the mid stages of remodeling. Compared to contemporary law school buildings, it was frankly not a strong selling point for attracting prospective faculty members. At the time, it contained the college hamburger grill and bookstore. Leary’s tour was, of course, not limited to the present physical layout; rather, he convincingly described what was soon to be and what might be in future phases of remodeling. His optimism, vision, and enthusiasm during the tour figuratively provided a reinforcing mortar for the building’s ancient bricks.

During our one-on-one discussions of the mission of the new law school, Leary, in a straightforward and serious tone, described in detail his vision of a different kind of law school: a small, friendly, yet academically and professionally demanding school. Faculty members were to be in their offices with open doors, were to serve law students as teachers, advisors, and counselors. The first-year course schedule included Saturday classes. Just as lawyers stand to address the court as a matter of professional courtesy and tradition, students were to stand to recite.

In an era when national trends in legal education were moving rapidly in opposite directions, Leary described a heavily required curriculum

emphasizing courses designed to prepare students for the practice of law; a curricular center of gravity that emphasized what he called “the noble traditions of the legal profession.” He envisioned the Campbell law graduate as a community lawyer and leader, and a faculty culture that welcomed trial advocacy and other skills-course professors as integral to the law school mission and equal members of the faculty. Significantly, however, the practical was to coalesce with the theoretical, not replace it. To opine that emphasis on one must be to the exclusion of the other was simply a glaring fallacy in the legal education theory of the time.

We hit if off so well that Bernadette and I returned to Milwaukee having accepted a faculty position offer made at the end of our visit, and we moved to Buies Creek in June of 1978, with our two sons, Paul (age 4) and Mark (age 2), and Bernadette’s mother, Frances. (By the way, the small, unincorporated town of Buies Creek, and the sincere, genuine, and welcoming residents who live there, combined to deliver a refreshing quality of life far superior to the hassles of big-city living. The college’s picturesque championship golf course and residential development provided the frosting on the cake at the “rural” location.)

Leary worked tirelessly during those early years of the new law school and throughout his long tenure there. At first, his seven-days-a-week schedule was necessarily immersed in achieving full American Bar Association (ABA) accreditation to the provisionally-approved law school. Achieving this mission was, of course, crucial to the law school’s reputation and future success. He was astute in his frequent communication with the ABA consultant on legal education, and willing to regularly fly to the consultant’s national office to proudly update the leadership there and seek advice. The first three academic years were dominated by annual inspection visits by the ABA, and the preparation of detailed reports and self-studies. As would be the case with so many of his responsibilities as dean, Leary achieved success: full national accreditation, in the shortest amount of time possible under ABA rules.

During that third academic year, Leary remained focused on the time-consuming task of recruiting and interviewing additional faculty members necessary to bring the faculty team to full strength. While a law faculty committee structure existed, Leary followed a practice of almost daily communication with faculty members. He shared the names of possible faculty prospects, sought advice, asked questions, and received input with an open mind.

In those early years, the coffee pot was strategically located in a room adjacent to the open door to his office, and Leary engaged in a personal approach to leadership. He regularly shared possible plans, ideas for improving legal education, and challenges and opportunities facing the law

school mission. A unique bonding of faculty and dean developed. We were one team, and an atmosphere of full confidence, trust, and open-mindedness permeated historic Kivett Hall.

While Leary's method of convincing the faculty to embark on one of his many new and often original ideas was far afield from Professor Harold Hill's "trouble in River City" approach, he was an equally effective salesman. We willingly became invested in many of his ideas and proposals simply because we believed in him, and his personal conviction in each was eventually, if not immediately, infectious. At times, this process became akin to a roller-coaster ride of "Leary ideas," because he was constantly throwing out new ones for the law school and legal education in general. As his next-door neighbor, I became a sounding board, often a late-night one, reminiscent of his first phone call to me.

The time: Around 11:00 p.m. The phone next to our bed rings. Leary. "Pat, have you guys gone to bed?"

I suggest a Socratic method approach in response.

"Leary, all of our lights are out and it's past eleven o'clock. What's your analysis?"

After a faint sigh, he proceeds. "Do you have a few minutes? I have an idea for creating a new center at the law school."

After assuring Bernadette that no dire family emergency existed, I retreat downstairs to the family room to receive a methodical description of what he had in mind.

You see, Leary was a dreamer, a moon walker, a thinker. The phrase "thinking outside of the box" is too confining a description; indeed, there often was no box. Occasionally, he presented an idea isolated from reality—most often confined by the ever-present, sobering roadblock of unavailable human resources and finance. His response to a faculty member presenting that critique was often the following: "We must think creatively and freely. Thinking only of current resources puts the cart before the horse and stifles effective planning."

During his four-decade career in legal education, Leary became a pioneer in many areas, including, and as lawyers are apt to say, "but not limited to," strategic planning, leadership, the socio-economic development of law firms, the study of the practice of law, and what he termed "futurism." I will summarize just one of these areas, strategic planning.

Early in his deanship, Leary focused on his conviction of the urgent need for law schools and law firms to engage in comprehensive strategic planning. He ordered continuing education materials on the topic, shared his enthusiasm one-on-one with members of the faculty, and eventually presented a proposal that members of the faculty should become certified as strategic planners. As became the norm, most of the faculty bought in.

Leary's enthusiasm and rationale for the idea simply became too hard to resist. In addition to leading law school strategic planning sessions and retreats, Leary and some faculty members began sharing the concept at law firm planning retreats.

Leary's emphasis on the need for strategic planning presaged a reform in legal education and the legal profession. Today, all law schools are required to engage in extensive strategic planning under ABA law school accreditation requirements. Today, most law firms engage in periodic strategic planning meetings and retreats, and follow a process with roots based on the one Leary first presented to the profession decades ago.

CONCLUSION

Leary Davis was first and foremost my friend and mentor. He made countless suggestions, big and small, for the improvement of my professional career. We were next-door neighbors, running and weight lifting buddies, and golf partners. Leary was a leader, a person capable of prophetic and sometimes bewildering ideas; a complex man with a touch of genius. He could be practical and well grounded, and he could also travel to the clouds at a location known by friends, family, and colleagues as "Leary-land." He feared professional stagnation, and his idea of a law school mission evolved over time. He was "the dean who thought different."¹

1. Quotation adapted and taken from KAREN BLUMENTHAL, *STEVE JOBS: THE MAN WHO THOUGHT DIFFERENT* (2012).