

# Tribute in Honor of:

PROFESSOR TED FINMAN  
PROFESSOR JAMES E. JONES, JR.  
PROFESSOR MARGO MELLI

*The Law Faculty is being reduced by the retirement of three senior and distinguished members. Let the words of their friends and colleagues salute them.*

► PROF. WILLIAM  
LAWRENCE CHURCH:

This spring brings the announcement that three of Wisconsin's most revered professors are retiring (or at least, semi-retiring, as, fortunately, they anticipate remaining at work on a part-time basis). Ted Finman, Jim Jones and Margo Melli will not easily be replaced.

On such an occasion, it is appropriate for us to take stock of what it is that the retirees have contributed to the Law School over the years. Most obviously, they have helped in the education of a very large number of students. Collectively, they have enriched the legal profession for about 120 years. More specifically, they have given more than 80 years of teaching service at Wisconsin. That likely means that they have taught more than 3000 courses, with a combined enrollment possibly in excess of 15,000 students. Their styles and approaches in the classroom, of course, are quite different, but no one can doubt the ultimate consequences of all of this teaching: a lot of accumulated wisdom and experience has been passed on to a major part of the profession in Wisconsin and across the nation. Who can measure the learning benefits of that endeavor?

Of course, there have been many other

ways in which the three have contributed to the law outside the classroom. Their influence has spread well beyond the walls of the Law School. Among them, they are responsible for dozens of articles, not to mention several casebooks and treatises. They have also served on many national and state institutes and commissions, and on an almost appalling number of Law School and University committees. Their guidance in these nearly endless duties has helped shape and direct the Law School and wider bodies as well, in innumerable ways.

For most of us on the faculty, however, and in the Law School community, the contributions of the three that may most be remembered are more immediate and direct. Though they are naturally as different outside the classroom as in it, there are some ways in which they are remarkably similar. None of them is known for personal or intellectual timidity. (I believe I can reveal this without fear of contradiction.) All three have been tireless advocates for the positions they believe in, and all three have repeatedly insisted that the lofty claims of idle theory be measured—impeached, often enough—by their effect on real people. But this persistence has always been characterized by a personal generosity and moderation, by persuasion, never confrontation. The persuasion has consistently been effective, probably in no small part precisely because of the general aura of civility in which strong arguments were made. In any event, as a result, the Law School may legitimately claim today to be in a much better position than most other comparable institutions to help respond to the issues likely to be impor-

tant in the coming decades.

The personal side of the three may not be obvious to those beyond the Law School itself. However, for those of us in the building, the examples set of forceful but restrained argument and determined but respectful advocacy may be their most enduring legacy; we have been the beneficiaries of their surprisingly gentle touch for so many eventful decades. In-so-far as their retirement means that their absence in classes, on committees and around the Law School generally may be diminished, they will be sorely missed.

► VISITING PROF. LEON  
TRAKMAN:

In my opinion, there are three criteria that determine the best qualities within us: caring about others, combining that care with a focused sense of social purpose and striving to accomplish that purpose in the interest of those others. Jim Jones exemplifies all three qualities. He cares deeply about others and has devoted his entire life to identifying and satisfying social purposes in the interests of others. He has done so not only as a lawyer, teacher and academic, but also as a social being—often gruff in voice—but with the warmest heart.

► PROF. WILLIAM  
WHITFORD:

I have been on the faculty for all of Jim Jones' years as a Professor here at Wisconsin. One thing that has been clear from the moment he arrived in 1968 is that Jim

came back to his alma mater in order to teach. He had a lot to teach. Obviously, he knew a good deal about labor law. He had practically written many of the federal rules on affirmative action. He had very interesting ideas about how government worked, all of them very relevant to our course in Administrative Law. He wanted to teach us about what it means to be black in America. And most importantly, he wanted to teach us things we didn't recognize about ourselves, things pertaining to America's racial divisions.

The intended recipients of Jim's lessons are many. Of course, there are the law students, and over the years I have seen many come back to see Jim long after they have graduated. It is obvious they appreciate that he wanted to teach them many things, and the esteem with which they hold him suggests he succeeded. I don't know Jim's children, but I would be surprised if they too did not see him as a teacher. Through his articles in scholarly journals and lectures at scholarly conferences, Jim has reached fellow academics around the country and the world. And then there are Jim's academic colleagues at Wisconsin, like me. Not all professors come to be seen as a teacher of fellow professors, but Jim is one. We have all been his students many times over.

#### ► PROF. CARIN CLAUSS:

I have known Jim Jones for 30 years. Two months after my graduation from law school, he became my first professional mentor, and he has remained in that capacity ever since. He has pushed, prodded, advised, listened and supported me during all those years; he has brought me great joy, with just a call or note to say well done, or with a surprise visit on some significant occasion—like leaving office as Solicitor of the U.S. Department of Labor.

When I first met Jim, he was on a prestigious one-year research leave from the government; while others had used this award to travel, Jim spent it buried in the library, researching, thinking and working out problems involved in emergency labor disputes. This intense study served the country well since Jim drafted the emer-

gency legislation that was needed to resolve such disputes.

But Jim's most lasting contribution will be as a teacher. The dean of America's law professors, he was a teacher long before joining any law school, having trained hundreds of government lawyers. While at Wisconsin, he never abandoned this larger classroom—calling his old "students," and nudging them to new positions and higher ground—whether in the Baake brief, or on Labor Law Reform, or on any number of other issues that Jim cared about deeply and passionately.

Jim may have announced his retirement. But I have known Jim for too many years to believe that he will ever resign his position as teacher, conscience and catalyst. We will continue to be influenced by Jim, and to be indebted to him for many years to come.

#### ► PROF. JUNE WEISBERGER:

Students and more recent colleagues are no doubt unaware of the key role Jim Jones played in my joining the Law School faculty in 1974.

During the summer of 1973, while I was visiting a faculty member at Cornell University's School of Industrial and Labor Relations, a mutual friend (and my long-standing mentor) ILR Professor Jean McKelvey, informed me that the University of Wisconsin Law School was looking to hire a labor law professor, particularly one with special interest in the public sector. At the same time, she told Jim Jones about me. These various communications eventually resulted in my visiting the Law School in October 1973 for an interview.

Shortly after the visit, I received a phone call from Dean George Bunn with an offer to join the faculty starting with the 1974-75 school year. Without hesitation, I accepted that offer made approximately twenty years ago. I continue to believe that this decision was one of the greatest decisions of my life—and continue to appreciate the active role Jim Jones played in my coming to Wisconsin.

Jim Jones has continued to play a key role in my life at Wisconsin. His strong connection with the Industrial Relations Research Institute has encouraged me to teach industrial relations students both in

nonlaw as well as law courses and seminars. His strong commitment to the Labor Law Clinical Program has encouraged me to join as a faculty supervisor for that program. Because his Law School office is directly opposite mine, we have had frequent opportunities to exchange professional views on many issues of mutual interest. Our agreements—and disagreements—have been numerous but always an educational experience for me.

#### ► PROF. GORDON BALDWIN:

The retirement of Jim Jones and Margo Melli leaves me with the numbing thought that Stu Macaulay and I become the senior professors on active duty. I wish they had delayed that honor, both leave irreplaceable gaps. Happily, Margo's work on the American Law Institute's family law project promises to keep her in sight—for years, I hope, and Jim's promise to teach Labor Law and a seminar regularly assures us that we'll hear his forceful, provocative, and at the same time endearing, voice.

Just as Jim overcame the fact that few minority lawyers in his day came out of our most notable law schools, so too when Margo graduated we had few women lawyers, and even fewer with her remarkable distinction as a student. Her decade in state service with the Legislative Council supplied an opportunity for Wisconsin to mobilize her talent as a source of ideas, and as an accomplished drafter of legislation, most of which the legislature enacted, and when it failed to follow her advice we suffer for the omission.

On a personal note, I feel as close to these two colleagues as to any others I know outside my family. Their influence in focusing our loyalties on the best interests of Wisconsin, on the University, and on the Law School, and in that order, shapes us all, and helps to make this school unusual. They teach that law works upon people, and that law involves an interplay of sharp rules and dull principles. Their influence endures.

#### ► PROF. FRANK REMINGTON:

Margo Melli and Jim Jones are what makes this law school such a great institu-

tion. Both are first rate scholars and teachers of law students. But both also have a commitment to the improvement of this nation, state, city and university. They are what we mean when we say "Wisconsin Idea." They both reflect the commitment to the "law-in-action" tradition that Lloyd Garrison brought to this law school over 50 years ago.

Though Margo and Jim have contributed so very much, much remains to be done. With new problems to solve, new battles to be waged, it is a comfort to know that both Margo and Jim will still be doing what they have done so well in the past, except now they will be called Emeritus.

► PROF FRANK  
TUERKHEIMER:

I noticed shortly after I joined the faculty in 1970 that whenever Jim spoke at faculty meetings, he spoke with authority. His words were measured, but solely by their content, not by the effect they would have on the listeners. That concerned him not at all and it was a pleasure, in this otherwise staid setting, to hear someone say exactly what he thought.

► PROF STEWART  
MACAULAY:

If you work at a university, some of your colleagues will be extremely smart. Yet even among university professors, Ted is one of the smartest people I've ever met. Those of us who went to school with him soon learned that the competition was for the silver and bronze metals—Ted had the gold nailed down. Nonetheless, this may be one of the least important things to know about Ted. In addition to being smart, Ted has high standards to which he holds himself and others. At the same time, he is someone to turn to for advice or just a sympathetic ear when you need to talk. He's there for his friends when they need him.

Some faculty members delight in obstructing administrators and playing gadfly. Sometimes this can be a useful role, but sometimes it is little more than self-indulgence. Ted is not a gadfly or a curmudgeon. He doesn't play games just

to call attention to himself. He has sought to do the work of the university but at the same time to help administrators in a principled way. He has fought to hold the university to its own announced standards. We always will need good academic citizens like Ted if we are to remain a university in substance as well as in form.

► PROF JOHN KIDWELL:

About twenty years ago the Law School changed rather dramatically when it added a dozen young assistant professors, including myself, in three years. We were cheap, and generally flexible, and were needed because the Law School's enrollment had increased by nearly 50 percent in a short time. Since then, faculty composition has changed gradually, as a faculty member retired every year or two, and a replacement was hired. Now we find ourselves, once again in the process of rapid change. A number of students and faculty alike, are retiring: Ted Finman, Frank Remington, Margo Melli, Jim Jones, and recently Zig Zile, Jim MacDonald and Orrin Helstad.

All praise to Ted for the countless hours he has spent in the design and implementation of our institutional rules and practices, making sure that they are consistent and clear, and works so well that we need not pay much attention to them. We have been extremely lucky to have Ted Finman as our Master of Institutional Infrastructure and Governance. I hope we can be lucky enough to find another one.

► ERIC JACKSON, '93:

*Past-president, Student Bar Association:* Professor Jones is the original architect who laid the foundation for students of color to succeed at the University of Wisconsin. Hundreds of successful students of color have used this foundation to build a massive tower. Our success is due in large part to the tireless work of Professor Jones. He is the master artist who can now retire comfortably with the knowledge that his work is permanently and prominently featured across this nation.

► EMERITUS PROFESSOR OF  
LAW, G.W. FOSTER, JR.:

I'm not open-minded when it comes to ranking Margo Melli. Long ago, I concluded she was on a short list of Wisconsin's most valuable assets. Across decades since, her continuing contributions to the quality of lives and institutions reaffirmed that judgment.

Margo is not a front-page headline celebrity. Yet her name appears repeatedly among those most closely involved since 1950 in designing and bringing off major changes in Wisconsin public policy. She appears, with Frank Remington and Orrin Helstad, as a principal researcher and drafter of the landmark Wisconsin Criminal Code in the early 1950s. As Executive Secretary of the Wisconsin Judicial Council later in the fifties, she was a skillful ringmaster who brought off the sweeping reorganization of Wisconsin courts, simplifying and reordering a hodgepodge built up over a century. The Wisconsin Long-Arm Statute of the same period owes much to her insights and guidance.

By the early 1960s, Margo was on the Wisconsin Law Faculty, part-time because she and Joe, her husband, were raising a family. Within a couple of decades, she emerged as one of the world's most respected scholars in the area of family law, a stature recognized by her appointment in the late 1980s as Reporter for the American Law Institute's Family Law Project.

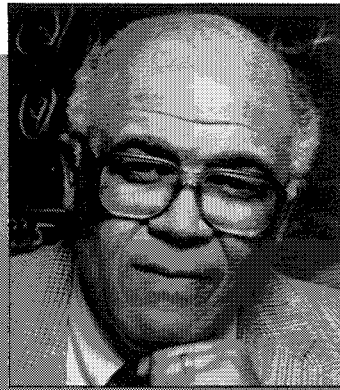
But having a family, teaching and achieving scholarly eminence fall far short of defining the outer limits of Margo's interests and constructive involvements. To name but a few, she and Joe have been active for two years in promoting the arts, music and the theatre. They have traveled the globe, launching off in quest of other cultures and visions new to them.

Despite the demands imposed by Margo's interests and activities already described, she seems constitutionally incapable of saying no when called on by others for help with their troubles. Within the Law School and the University, she has repeatedly shouldered demanding burdens in chairing some of the most critical committee assignments of her day. She



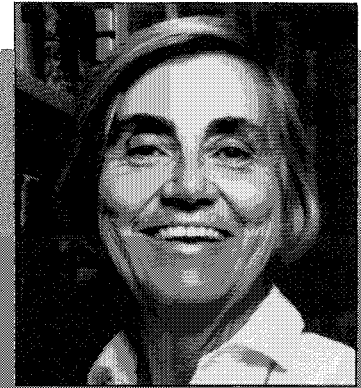
**PROFESSOR TED FINMAN**

Bascom Professor of Law. Graduated from Stanford University Law School in 1954. After practicing law in California, Prof. Finman taught at New Mexico and Rutgers before joining our faculty in 1963. Becoming a full Professor in 1966, he has taught professional responsibilities and civil procedure. He has numerous law review articles and research papers to his credit. A member of the UW Athletic Board, Professor Finman has served as the UW Faculty Representative to the Big Ten and the NCAA.



**PROFESSOR JAMES E. JONES, JR.**

Nathan P. Feinsinger Professor of Law. Graduated from the University of Wisconsin Law School in 1956. Professor Jones had a distinguished career in federal service before joining our faculty in 1969. He became a full professor in 1970, teaching labor law courses in the Law School and the Industrial Relations program. A member of numerous labor law organizations including the Industrial Relations Research Association, Prof. Jones served on the Federal Service Inpasses Panel from 1978-82.



**PROFESSOR MARYGOLD S. MELL**

Miss-Bascom Professor of Law. Graduated from the University of Wisconsin Law School in 1950, where she was the Notes Editor of the Wisconsin Law Review. She joined the faculty in 1961 and became a full Professor in 1967. From 1970-72, she served as Associate Dean. She is a member of the American Law Institute, the Law and Society Association and is on the Executive Council of the International Society on Family Law. Since 1990 she has been the reporter for the ALI Project on the Law of Family Dissolution.

has likewise found it difficult to say no to similar requests for help outside the University. Her long-standing role on the Board of National Conference of Bar Examiners is illustrative of such extramural activities.

Looking across the sweeping expanse of Margo's interests and involvements, one gets the vision of her as a kind of universal figure, genuinely someone fitted for the needs of all seasons and problems.

Recently, Willard Hurst and I fell to reflecting on the value of Margo's contributions and, particularly, upon her effectiveness in bringing off tolerable accommodations of conflicting views and differing values. What qualities of her were specially important to her skills in working with people, we wondered.

Surely her intelligence and the broad base of her interests and life experience were invaluable, we thought. Then, after a pause, Willard added:

"Her judgment and sense of humor. Those are the most important of all."

I can't improve on Willard's summation.

► **THERESA DOUGHERTY,  
ADMINISTRATIVE ASSISTANT TO DEAN BERNSTINE:**

When I came to work at the UW Law School I was 20 years old. It was my job to answer faculty phones when they were out of their offices. I remember the first time Professor Jones went out of town on

business. He left the phone number of the hotel he was staying and told me not to give the number out to anyone but the President of the United States. I laughed. He proceeded to tell me about the time the President called.

Through the years, I have listened to stories about his life. As I listen, I am amazed at what this man has accomplished in spite of the obstacles he had to overcome. He is a fascinating man.

I have a deep respect for Professor Jones. He doesn't treat me as just the secretary who does his typing. In his eyes, I am a human being with my own obstacles. When I need someone to talk to, he is a source of encouragement.

I love him for caring about me.