

JOHN D. LYONS—A STUDENT'S RECOLLECTIONS

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Little more than a decade has passed since I was a student at the law school, yet new experiences have buried many events which at the time seemed indelible. Even the names and faces of cherished classmates have been obliterated by the toll of time. Yet encounters with Dean Lyons during that era (1956-59) remain vivid. Since they are also wrinkles in a huge print he has left on the legal profession, I am grateful for the opportunity to record some of them in the pages of the *Review*.

When my class arrived at the school for registration, each of us was ushered into Dean Lyons' office for a personal chat and an evaluation of our programs. He queried us about our families, our finances, our plans for outside activities, and gave much needed advice. There was no associate dean then; John Lyons did it all, with warmth, zest and concern.

As was inevitable in those days, about a third of the class flunked out. Career plans some had made in grade school were destroyed. John Lyons was on hand again to handle the delicate, unpleasant task of informing those who failed. He did it in a quiet, confidential personal conference. I never heard an account from a classmate of the content of any of these epochal confrontations, but they must have contained some magic, for I don't remember a single classmate whose dreams had been shattered by academic failure who failed to accept his fate in good spirits, and with pride intact.

The law school in those days was not merely rigorous, though it was certainly that. It was a place permeated by human warmth and fellowship, by trust and mutual respect, by faith in the future of the

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country, of the profession and, most important, in ourselves. John Lyons was both architect and engineer of that glorious ambiance, for it mirrored his own personality.

Busy as he always was, handling virtually every administrative chore himself, teaching and serving the public, Dean Lyons was always available to students for advice on their personal problems. Few failed to draw upon the opportunity. I paid him many visits. His counsel was always wise, never petty or frivolous yet usually laced with humor, always with a perspective which we students sorely lacked. Though it was invariably sound advice we received, I think we sought his counsel less for its content than for a chance to see his extraordinary character at work on a problem which would help illuminate the character. What we really hoped was that something of him might rub off on us, and indeed it did.

I sat at Dean Lyons' feet in a course on Equity, which I trust has long since been absorbed out of the curriculum. It was a subject which cut across the entire spectrum of the law and was perfectly suited for Dean Lyons' talents. It also reflected his own view of the law as a system for doing justice and dispensing with formalisms; as a system for solving the problems not of papers, places or things, but of people. In those days, the socratic technique was standard fare, but Dean Lyons hid no answers, pyramided no hypotheticals. He shared his knowledge with students, and when he didn't know, he told us, with refreshing and reassuring humility. Most distinctive, however, was the lucidity with which he gleaned and expressed the key generalizations. I couldn't believe the subject was that simple, and as a consequence very nearly failed the course.

John Lyons would have been a great judge. I have seen many judges since law school days, and none possessed, as he does, every facet and nuance of the ideal but rarely realized judicial temperament. In every encounter and every context, he was fair, impartial, concerned and courageous. He was patient and always open to others' perspectives. His mind was receptive and eager to learn. His zest for the law was infectious. After a few distinguished years on the Superior Court bench, however, he gave up what he too must have known was a judicial career of extraordinary promise, to minister to the limitless needs and demands of faculty and students. Progress was slow and might have been maddening to a less patient man. Twelve years after he became Dean, the Law College was still housed in a tiny, two classroom building. There were no seminar rooms, and the entire faculty shared a single secretary. About then, however, there was

talk of another law school at Arizona State. It was just talk for a long time, but Dean Lyons had the wisdom to harness it into the service of progress. Financial support, long withheld, came trickling in. For years, he had urged a law review, which was not only denied funds but met faculty resistance. Never an autocrat or a fiery fighter, he bided his time. In the Spring of 1959, Vol. 1, No. 1, of the *Arizona Law Review* was finally published.

The *Review* had a few birth pains and conditions were less than ideal. We editors had no office, no telephone, no secretary. We did our own typing, and cut and pasted galley proofs in the student lounge. None of us had more than an inkling of what we were trying to do. But the issue got out, and it was a beginning. The *Review* bears little resemblance to its original ancestor: even the color of the cover has been changed, perhaps to symbolize a new quest for quality. It is now a first rate legal publication, of inestimable value to the profession and to the students who every year labor over its pages. It would not have been without John Lyons. It was his idea, perhaps his dream, and is a monument to his perseverance and his constant search for excellence.

I can't end this missive without a very personal anecdote. In my third year, I made a perfunctory entry into the Ninth Circuit competition for the Justice Douglas clerkship. No one was more surprised than I when the job was mine, for at that time only one alumnus of the school had ever clerked at the Supreme Court, a legendary figure named Chuck Ares who had among his other storied accomplishments a victory in the national moot court competition. It was clear to me that I wasn't in that league; I never should have applied and couldn't handle the job. I informed Dean Lyons of my decision to turn down the clerkship, expecting instant confirmation since I had barely passed his course. His reaction, as always, was restrained, calm, objective, but it was also uncharacteristically emotional. He told me I was about to make the biggest mistake of my life. I left his office with some new doubts about his judgment, but no doubts about what I had to do. I had to give it a try. The result was the most exciting and rewarding experience of my life. In a real sense, therefore, I owe him my whole professional career.

John Lyons' love for the law, his profound sense of it as a living process, is perhaps best exemplified by the fact that he is planning after retirement not only to teach, but to teach Environmental Law, a subject unheard of a decade ago and still not offered in most law schools.

It is both an honor and a privilege to join in a salute to a man such as John Lyons—a man of kindness and charity, a man of understanding, a man of wit and grace, a man who has given much more than he has received. To no man does the Arizona legal profession owe a larger debt.