

Kansas Law Review

DEDICATION

The editors have asked me to write a short piece dedicating this volume to Professor Paul E. Wilson on the approximate occasion of his retirement from twenty-five years of service to our faculty. It is a gratifying but overwhelming assignment. No one could do justice in so few pages to such a distinguished career, least of all a punk Dean¹ who has spent a mere eleven years as Professor Wilson's colleague. Yet the task is mine.

The nature of the several celebrations to date marking his transition to retirement have focused on Paul Wilson, human being. This is both understandable and appropriate, and is a theme I also wish to sound before closing. But this effort would miss badly if it did not first pay tribute to Paul Wilson, teacher, scholar, and servant of the legal profession.

No one who has experienced it can forget what has become the Wilson classroom style—a didactic amalgamation of wit, information, anecdote, analysis, and wisdom. It is a different and, to most, a refreshing style—friendly, thoughtful, and calm, a Mozart quartet in what can often seem a crashing, atonal program. But popularity and success in the classroom mark only a small part of Paul's contribution to law school teaching. In the mid-1960s he became a pioneer in the embryonic field of clinical instruction by convincing the Justice Department and the Kansas Department of Penal Institutions to help him establish the Kansas Defender Project. This project, which Paul guided through the first four years of its existence, uses law students to offer legal assistance to prisoners in nearby penitentiaries. It long ago became a model for similar clinics across the country, and was cited for special praise by Justice William O. Douglas in a concurring opinion for the United States Supreme Court.²

Paul has also continuously brought new courses to the curriculum, courses that he has usually taught as an overload without expectation of additional compensation. Both his Historic Preservation and Indian Law courses have developed substantial enrollments since he introduced them in 1971 and 1978, respectively. The Historic Preservation Seminar received the ultimate accolade this fall when enrollment more than doubled any previous total.

Paul's opening paragraph in his "Retrospective Ramblings" reveals that it is his nineteenth contribution to the *Kansas Law Review*.³ That extraordinary number, most of which were major articles, makes clear the enormous scholarly contribution he has made in just one publication. And there is much more. There were substantial articles on criminal law and procedure in the *Pittsburgh*,⁴ *William & Mary*,⁵ *Cleveland Marshall*,⁶ and *Minnesota*⁷ law reviews, and a principal

¹ See Retrospective Ramblings, *infra* at 9.

² *Johnson v. Avery*, 393 U.S. 483, 495 (1969) (Douglas, J., concurring).

³ See Retrospective Ramblings, *infra* at 5.

⁴ *Mental Capacity to Stand Trial*, 21 PITT. L. REV. 593 (1960).

⁵ *Mistrials in Court-Marshal: A Study of the Evolution of the Judicial Character of the Military Judge*, 9 WM. & MARY L. REV. 327 (1967).

⁶ *Legal Byproducts of Chemical Testing for Intoxication*, 11 CLEV. MAR. L. REV. 1 (1962).

⁷ *Alcohol and the Motorist: Practical and Legal Problems of Chemical Testing*, 44 MINN. L. REV. 673 (1960).

piece in the *NYU Annual Survey of American Law*.⁸ He was editor of the *American Criminal Law Quarterly* for seven years. While on a one year leave from K.U. serving as associate director of the Institute of Judicial Administration he published an astonishing four monographs.⁹ He has coauthored an extensive book on state segregation laws,¹⁰ and a 300-plus page manuscript that became the *Model Rules to Implement the ABA Standards of Criminal Justice*. While this might reasonably appear a lifetime of work, he also has to his credit at least 32 other publications, ranging in subject matter from the Ford County Attorney in "Gun-smoke" Days¹¹ to prison clinics¹² to historic preservation.¹³ The precise total of his scholarly presentations to professional groups is irretrievably lost, but the twenty-four he rendered in the five-year period from 1974-79 is a reasonable base for extrapolation.

There is irony in reviewing Paul's record of service to his profession last. Among university faculties Service is often afforded a lesser position in the mighty Trinity of Expectation, a kind of holy ghost to the father and son of Teaching and Scholarship. But if one comes away from a review of this extraordinary career with a single, overwhelming impression, it is of the degree to which he proved how greatly a legal academic can enrich the profession by plunging himself into the important law reform work of his time. His first distinguished accomplishment was his contribution to organizing and launching the American Bar Association's project on *Standards for the Administration of Criminal Justice*, which he later helped shepherd to adoption from his position on the Council of the Criminal Justice Section. After adoption he prepared a set of *Pattern Rules of Court and Code Provisions* based on the *Standards*, and these guidelines have served as the basis for rule revisions in at least a dozen states. Closer to home, as Reporter for the Judicial Council Advisory Committee on Criminal Law Revision, he drafted what became the total revamp of the *Kansas Criminal Code*.¹⁴ Shortly after completing this imposing task he accepted a similar position as Reporter to the Judicial Study Advisory Committee on Court Reform where he became the principal architect and author of the legislation creating the Kansas Court of Appeals.¹⁵

These remarkable contributions represent but a small piece of Paul's service to the legal profession. His active (and simultaneous!) memberships in the ABA, the American Bar Foundation, the Kansas Bar Association, the American Law Institute, the National Trust for Historic Preservation, the Kansas Historical Society, the American Society for Legal History, and the Selden Society—to name only a few—led to offices, presentations, and board memberships beyond re-

⁸ *Judicial Administration-1964*, 1964 ANN. SUR. AM. L. 653.

⁹ *Minimum Standards for Criminal Justice: Working Outline for Committee Use* (1964); *Project Effective Justice—An Appraisal* (1964) (140 pages); *Judicial Education in the United States* (1965) (275 pages); *Calendar Status Study—1965, State Trial Courts of General Jurisdiction* (1965) (28 pages).

¹⁰ SEGREGATION AND THE 14TH AMENDMENT IN STATES: A SURVEY OF STATE SEGREGATION LAWS 1865-1953 (B. Reams & P. Wilson eds. 1975) (761 pages).

¹¹ *Reflections on Mike Sutton*, 45 J. KAN. B.A. 271 (1976).

¹² *Legal Education in the Jailhouse: An Appraisal*, 2 NEW ENG. J. ON PRISON L. 99 (1976) (with K. Meyer).

¹³ *The Response of State Legislation to Historic Preservation*, 36 LAW & CONTEMP. PROB. 329 (1971) (with Winkler).

¹⁴ Ch. 107, 1971 Kan. Sess. Laws 114.

¹⁵ Act of April 12, 1975, ch. 178, 1975 Kan. Sess. Laws 519.

counting. And his willingness to go anywhere, anytime, in Kansas to discuss his many special interests before virtually any group has made him one of the K.U. intrastate mileage champions. While mentioning the University, one must add that Paul has held membership at least once on every major governance group here, though not always without an occasional grumble about the growing bureaucracy of the institution. And those of us who lived through the Wilson era as Grand Marshal of the University will never find a successor quite as Grand.

So there it is: a brief and entirely inadequate abstract of a quarter century of unremitting accomplishment. Yet all who know him realize that even a full rehearsal of his innumerable successes would not begin to explain Paul Wilson's impact on this institution and those of us who have known him as teacher or colleague. For that one must inevitably return to Paul Wilson, human being. Each of the many accolades I have heard paid Paul Wilson throughout the years includes a substantial encomium to his personal qualities. Why? I believe that a careful scrutiny of his Article that follows reveals many of the reasons. We see there a person both proud and humble—proud of his individual accomplishments and those in which he has participated, humble in his recognition of the ephemeral importance of so much of what we do. We see a person who gravely mistrusts pomposity and the titles that so often cause it, not from a misplaced jealousy, but because he has observed that pomposity so often manifests itself by denigrating the humanity of others. The piece reveals an evident yearning for times past, not from a quixotic, romantic idealization of a tarnished and forgotten era, but from a clear remembrance that once the human scale of our institutions was smaller and more accommodating, our relationships more familial, and our responsibilities to each other more sharply defined. It is apparent that this man is more comfortable with the book than the computer printout, more reliant on well-crafted biography than on sociological study. We see in the end a person dissatisfied with the world's imperfections but at peace with an imperfect world, one who follows well Emerson's injunction that to enjoy "the music and magic of life" one must "hear the bird's song without attempting to render it into nouns and verbs." The picture that he unconsciously paints of Paul Wilson, populist, humanist, scholar, and gentleman reveals why he touches us so deeply. There is much the stuff of two of his Kansas heroes, William Allen White and Dwight Eisenhower, in Paul Wilson, and like them he honors us not only with the triumphs of his career, but especially with his unswerving allegiance to the preservation and advancement of individual human dignity.

In the end one cannot, or should not, try to render the bird's song into nouns and verbs. All who know Paul Wilson have heard his song, and delight with us on the faculty that he and Harriet have chosen to retire to Lawrence, Kansas and the University of Kansas School of Law. Plato wrote that "those who have torches will pass them onto others." Those of us fortunate enough to continue to share this institution with Paul Wilson look forward to many more years of inspirational sparks from the torch he carries so admirably.

Dean Michael J. Davis

