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Carl Hawkins

Ed Kimball

When the Church was considering whether to establish a law school at BYU, I was one of many interviewed about that possibility. My advice was that such a move would be unwise in light of the costs for a separate new building, specialized law library, financial aid to draw a quality student body, and higher-than-usual faculty salaries. I was concerned also that the school might be drawn into right wing politics. I thought that there were plenty of other good law schools at which LDS students could get a quality education.

A new building and library were just a matter of money, but where could a faculty be found? There were in the whole country only a handful of experienced law teachers who were active in the Church; and they were all comfortably situated.

When, despite my best advice, establishment of the law school was announced for 1973, Rex Lee, in his mid-30s turned his energies to recruiting. Rex found it hard going. Each person approached wanted to know who else was prepared to take a chance with this new enterprise and he said, famously, “If you come there’ll be two—you and me.” He could have filled the faculty with practitioners—indeed, there were plenty of practitioner volunteers—but Rex felt he needed a core of academics for credibility of the new school. That would be particularly true when, as a professional school in a religious university, it came to getting essential accreditation with the American Bar Association and the Association of American Law Schools.

In the first, small faculty there were only four teachers with experience (16, 15, 4, and 1 years). There never was any question that the most significant recruit was Carl Hawkins. His years of teaching, his having clerked for a United States Supreme Court justice, his scholarly publications, and his steady, mature leadership, including Church service as a bishop and stake president in Michigan, made him the natural “older brother” of the faculty.

He never asked for deference, but he earned it by his ability as teacher and, when called on, as an administrator. When he replaced Rex Lee as dean, the choice seemed obvious.

