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Dr. John J. Broderick, Distinguished Professor Emeritus

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DR. JOHN J. BRODERICK

In honor of his being named Distinguished Professor Emeritus, the Editors and Staff of the Campbell Law Review dedicate this issue in tribute to Dr. John J. Broderick.

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Dr. John J. Broderick, Distinguished Professor Emeritus

When the editors of the *Campbell Law Review* asked me to write this dedication to Dr. John J. Broderick, I was honored and delighted. I have watched Campbell College, now Campbell University, School of Law grow from the day the plans were first announced, and I must admit I had some doubts then. But Dr. Broderick helped convince me, with his reputation and boundless energy, that this new law school would succeed.

Dr. John J. Broderick—The Chief—waited until late in his career to come to North Carolina. I suspect he was waiting until his experience as an attorney and labor arbitrator, as Assistant Dean and Professor of Law at Notre Dame University, waiting until this experience prepared him to become Campbell's first full Professor of Law in 1976. One decade later, The Chief became Campbell Law School's first distinguished Professor Emeritus.

What is it that makes one a Distinguished Professor Emeritus? It is not the *summa cum laude*, Phi Beta Kappa designation from Washington and Lee University, nor is it the L.L.B. from St. John's or the M.P.A. from New York University. The Chief has earned his reputation not merely for his intelligence, though his intelligence is keen, not merely for his erudition, though that is deep. On occasion I have been privileged to hear him speak, and I have been awed, as have his students, by his ability to cite—chapter, verse, and page—from a wide range of sources; from the Bible to Blackstone, the Chief knows his law. But it is not mere knowledge that makes John Broderick special, it is the character of the man.

John Broderick is a special friend, devoted to service. While helping start this fine law school, he gave up precious time to serve North Carolina as a member of the Administrative Procedure Act Study Commission. He devoted countless hours to help establish at Campbell University, an active chapter of the Law Student's Civil

Rights Research Council. And throughout all this, John Broderick has remained a student's professor, concerned and caring for each young man and woman. As he often explains, "no students, no professors; no professors, no law school." The Chief recognizes the importance of each student.

By his education, experience and intellect, Dr Broderick has earned an unparalleled reputation as a scholar and a public servant. Through long hours and deep caring, he has earned a high reputation as a teacher. But it is his reputation as a gentleman that has earned him friends. From his courtly bow to his deferential manner, the Chief represents all the best qualities of a teacher, a scholar, and a gentleman. A man of keenest intellect, firmest will, and gentlest heart, Dr John J. Broderick is a credit to the profession and an inspiration to his students, his colleagues, and his friends.

*Honorable Joseph Branch
Retired Chief Justice
North Carolina Supreme Court*

Dedication to Distinguished Professor of Law Emeritus John J. Broderick

This is not the first issue of a law review dedicated to John J. Broderick. Barely a decade ago, the editors of Volume 50 of *Notre Dame Lawyer* dedicated their April 1975 issue to this distinguished gentleman.¹ The editors of the *Lawyer* noted on the occasion of their publication's 50th anniversary that Dr. Broderick was the only member of their present faculty who had been on the Notre Dame faculty when the *Lawyer* celebrated its first quarter century.²

As meaningful as were Dr. Broderick's twenty-nine years at Notre Dame to his students and colleagues there, we at Campbell cannot imagine an influence more profound than that he has exerted in his decade here. Not only was he our first full-time faculty member, he later became our first associate dean, and he chaired the all important faculty admissions committee in the school's formative year. He also was the first of several distinguished faculty emeriti of other schools to grace Campbell's faculty,³ and he has now become the University's first Distinguished Professor of Law Emeritus. Above all, he continues to be a good friend to colleagues and students here.

When Jack Broderick came to Campbell there was no law school, or any other graduate program here. The School of Law was to be Campbell College's first graduate program.⁴ Now that the School has completed its tenth year of operation, there exists solid evidence⁵ that it is achieving its goal of providing a truly dif-

1. *Dedication to Professor John J. Broderick*, 50 NOTRE DAME LAW. 565 (1975).

2. *Id.*

3. Other faculty members who had retired from other schools and the bench before contributing mightily to Campbell's success were David L. Dickson, Robert E. Lee, I. Beverly Lake, Naomi Morris, and W. Hugh Divine.

4. The University now has graduate programs in law, pharmacy, education, business, and government; an undergraduate program in Kuala Lumpur, Malaysia, operated in cooperation with Tunku Abdul Rahman College and Ulster Polytechnic; and several satellite campuses in North Carolina.

5. *E.g.*, during the past year the School received the Emil Gumpert Award, presented by the American College of Trial Lawyers for excellence in the teaching of trial advocacy, and co-sponsored, with the American Bar Association's Section

ferent law school, a laboratory for innovation that generates new educational models for American legal education.

Jack Broderick deserves a lion's share of the credit for this achievement. Indeed, much of the early history of Campbell University School of Law is the story of Jack Broderick's decision to join the Campbell faculty and of his outstanding work in the School's initial years. In a previous dedication to another distinguished colleague, David Dickson,⁶ I recounted Jack Broderick's role in the systematic building of our faculty. What I want to do now is talk of the direct contributions of the man to the School of Law, contributions he has made as scholar-lawyer, innovative teacher, public servant, and salesman.

The son and grandson of New York lawyers, Jack Broderick first came South in 1928 to run track at Washington and Lee University. He captained the track team, and also graduated *summa cum laude*, Phi Beta Kappa, with a quadruple major in History, English, Latin, and Greek. He returned to New York for law school, graduating first in his law school class at St. John's University. Following graduation in 1936, he worked as an associate in the Manhattan firm of Pross, Smith & Halpern for three years before establishing his own practice in Yonkers. His practice was interrupted by World War II, during which he declined appointment as a commissioned officer to become a Chief Petty Officer, assigned to the coaching staff at Notre Dame, where he taught hand to hand combat and underwater demolition to Navy personnel.

After the War, he returned to practice and to part-time study as a graduate fellow at the School of Public Administration of New York University. After two years he returned to Notre Dame to join the law faculty, where he maintained a full-time teaching load, in addition to serving as Assistant Dean for twenty years of his twenty-nine year tenure there. His only absence from Notre Dame was in 1953, when he returned to New York University as a Ford Foundation Fellow to complete his M.P.A.

Three times he was voted outstanding teacher at Notre Dame, and he has proved himself worthy of those awards at Campbell. He has devoted tremendous energy to teaching and preparation for

of Legal Education and Admissions to the Bar and Section of Economics of Law Practice, the National Exploratory Conference of the Legal Education Task Force on Planning and Management Competence in Raleigh, North Carolina, October 9-12, 1985.

6. *Dedication: David L. Dickson*, 6 CAMPBELL L. REV. 1 (1984).

class, with the help, support and active participation of his lovely wife Louise.⁷ In any course he has taught for more than a year or two he has developed his own materials for use in lieu of a standard casebook. He has been a master of detail, yet his classes are not tedious. Indeed, his wit and spontaneity are utilized not only in his own classroom, but also in those of his colleagues, as when he appeared in a first-year property class dressed in an ape suit to deliver a lecture on "the law of the jungle."

He is an innovative and farsighted teacher, and Campbell's innovative mission played a great part in attracting him here. We used the same words to describe what should be the mission of new law schools, "the coalescence of the practical and theoretical." The Broderick-Campbell fit was general and philosophical, and it was particular and practical, dedicated to a structured approach to facilitate the progression from law student to competent, ethical lawyer. We were concerned about training lawyers to resolve disputes. He had been teaching an arbitration seminar, involving students in hands-on simulations, for two decades before the term "alternative dispute resolution" was to become fashionable in law. We planned to require an extensive trial advocacy program; he taught an Advanced Trial Seminar. We would require the study of legal ethics and philosophy; he had published in the area and helped evaluate law school training in legal ethics for the Association of American Law Schools. We would be the only law school in the country to require a course in the economics of law practice; he showed us a description of one of his courses in a law school bulletin from the 1940's. It described a course designed to prepare students to deliver legal services competently and efficiently in a law office setting. It was a course well received in the law school, but a course he was precluded from teaching by university administrators because "it might turn the law school into a trade school." Finally, we were concerned with the spiritual dimensions of lawyering; he opened all of his classes with a prayer.

He has served the School not only within the boundaries of Kivett Hall but beyond. He remains a role model for students and colleagues alike in his dedication to public service and to scholarship that both enlightens and reforms. The January 25, 1980 inaugural issue of *The Campbell Law Observer* contained his article,

7. In the early years of the School it was not uncommon to see Jack and Louise at Kivett Hall far past midnight, preparing materials for students in the broad array of courses he taught.

"Why North Carolina Should Adopt the Federal Rules of Evidence",⁸ an article with which few North Carolina lawyers agreed when it was published. Yet they shortly came around to his way of thinking, and in July of 1984 a new North Carolina code of evidence patterned after the federal rules became effective. He also favored the *Observer* with his ten-part "Arbitration: An Idea Whose Time Has Come."⁹ He has demonstrated practical as well as scholarly leadership in the state and nation, serving as Chairman of a special conciliation panel in a labor dispute involving North Carolina's ports, and as an active member of the American Bar Association's Committee on National Security. In 1980 he was selected to deliver the distinguished Decker Lecture at the Judge Advocate General School at the University of Virginia. For several years, he was among the most active and constructive members of an ongoing committee of the North Carolina Bar Association that worked to insure that law graduates had access to quality bar review courses at reasonable prices. Most recently, he has been appointed a member of the Alternative Dispute Resolution Committee of the Senior Lawyers Division of the American Bar Association.

Despite his many achievements and years of service in the finest traditions of the legal profession, Jack Broderick never refers to himself as scholar, innovator, or public servant. He thinks of himself, I am sure, as a teacher. But he calls himself a salesman, a salesman of the law, of legal education, and of Campbell.

And a salesman he has been for Campbell. He believed in the need for a new and different law school, and he communicated that belief whenever he had an opportunity. Campbell's decision to require a personal interview as a prerequisite to admission was considered by the faculty to be an ethical decision by a gatekeeper to the profession, but it also turned out to be a wonderful marketing decision because it brought our applicants into contact with Jack Broderick. They could not help but be impressed by a Phi Beta Kappa-quadruple major-first in his law class-practitioner-scholar who had had his own seat *on the bench* at a quarter-century of Notre Dame football games. He won them quickly with his spirit and intellect, with his commitment to Campbell and with his love.

8. Broderick, *Why North Carolina Should Adopt the Federal Rules of Evidence*, 1 CAMPBELL L. OBSERVER 3, (Jan. 25, 1980).

9. *Arbitration: An Idea Whose Time Has Come*, 1 CAMPBELL L. OBSERVER, (Nos. 2 through 11) (1980).

In his quick and firm decision to forgo a series of attractive and distinguished visiting professorships at such sites as Malibu and Fort Lauderdale in order to help establish a new and different law school in Buies Creek, in his energy and commitment, and in his obvious ability and integrity, he became our optimum advertisement. Those who knew him at Notre Dame could have predicted that he would be. One of them, Birch Bayh, made just that prediction on the floor of the United States Senate in April of 1976. Senator Bayh's tribute to Dr. Broderick concluded:

The "Chief's" energy and interest in the people around him will be the most valuable assets he takes to the Campbell Law School. In the years to come, Campbell lawyers will find him an inspiring source of insight into the study of law, and an example of excellence and integrity in the legal profession. In keeping with his nature as a selfless teacher and friend to his students, Jack Broderick will help Campbell Law School develop an outstanding reputation and train excellent lawyers.¹⁰

Jack Broderick's decision, energy, and leadership facilitated a marshalling of resources of time, talent, money, facilities, and commitment that brought about what some call the "Second Big Miracle at Little Buies Creek."¹¹ For that fact, generations of Campbell lawyers and the public they serve will be forever grateful.

F. Leary Davis
Founding Dean and Professor of Law
Campbell University School of Law

10. 122 CONG. RECORD S5419 (daily ed. Apr. 12, 1976).

11. W. PEARCE, *BIG MIRACLE AT LITTLE BUIES CREEK* (1975) is the official history of Campbell College.

Professor John J. Broderick—The Chief

THE CHIEF. The name invokes fond memories in hundreds, perhaps thousands of students who have passed through his classroom or have otherwise come to know him. His rich past of teaching has carried him throughout the world—Notre Dame, the Hague, Heidelberg, London, and now, Distinguished Professor Emeritus at Campbell University School of Law. Everywhere, the Chief leaves a growing stream of admirers, and an increasing number of anecdotes that will be told to generations of law students. Indeed, the Chief is legendary.

Most students admitted to Campbell have heard of the Chief before the first day of class. Those who have visited the campus may have been honored by an enthusiastic tour of the school conducted by the Chief himself. Others, when seeking advice from upperclassmen or alumni, are certainly advised to acquaint themselves with the Chief. By the first day of class, every student has been greeted by the Chief's hearty handshake and words of encouragement.

Dropping by the Chief's office is a favorite pastime for many students. The shelf full of legal volumes is irreverently covered by a "Fighting Irish" poster tacked to the wooden frame. The walls are covered with plaques, certificates, photographs and testimonials from countless organizations thanking and honoring him for his contributions of time and energy, in support of their causes. A portrait of the Chief, commissioned and presented by the law school's charter class, adorns one wall. An Indian headdress, a gift from another class, sits atop the filing cabinet. And volume number 300 of the North Carolina Reports, the volume that the Chief says is the most important on his shelf, lies sideways as a ready coat hook for the Chief's jacket.

It is clear from the Chief's lectures that he is a teacher who is deeply committed to his profession; he takes great pleasure in leading law students to a greater understanding of the principles of the law, and has a great deal of pride for those who have succeeded. An internationally recognized authority in labor law and arbitration, the Chief has for several decades advocated a practical skills approach to legal training, and has taught his classes accordingly. In spite of criticism that such an approach relegated the

teaching of the law to the status of vocational training, the Chief's approach has been vindicated in recent years, evidenced by the increasing demand by the legal profession for graduating law students versed in practical skills as well as more formalistic legal theory.

The Chief's courses are among the most popular electives at the law school. Unlike many other courses, students in the Chief's labor law and arbitration classes are motivated to study, not by intimidation or threats of failure, but rather out of an admiration and respect for their professor. The Chief's unique method for controlling student absences is effective, albeit a personal burden for himself. If a student misses a lecture for any reason, the Chief hunts the student down, and arranges a convenient time for the student to meet with him in his office. There, he will repeat his entire lecture for the benefit of the single student. Most students will admit, that while the lecture is the same, the editorial comments and asides interjected by the Chief make the session last well beyond the hour originally scheduled. The Chief is not known for his parsimonious conversations. Accordingly the time-conscious student will rarely skip another class, lest he or she is prepared to spend an afternoon in the Chief's office.

The Chief has been honored by an endowment in his name, funded by former students. Campbell's annual civil rights symposium bears his name. Virtually every organization on campus, even those outside the law school, has offered him personal tribute. Every graduating class has presented him with some token of appreciation. Yet the Chief continues to respond as he has throughout his lifetime of service: "I am my brother's keeper." His students are his brothers, as are his colleagues, the undergraduates, the minorities, the poor, and the disadvantaged. The great things he has done, his teaching, his scholarship, his accolades and honors, all result from his unfailing concern for those around him. To those of us who have had the honor of learning from this humble man, he has given us the greatest lesson that a lawyer can learn; as we venture forth in the pursuit of justice, he is our model, our proof, that the ideals that motivate us to help our fellow man are possible. We, like the Chief, can rest in the hope that if we, like him, are our brother's keeper, then we too, will improve the lives of those around us.

Paul C. Ridgeway
Class of 1986
Campbell University School of Law