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## **A Tribute to Dean James F. Hogg**

Hon. Donald P. Lay<sup>†</sup>

As someone once remarked of a university president, it is “a person whose job it is to shuttle back and forth between God and Mammon.” No one familiar with the William Mitchell College of Law can have any doubt but that Dean James Hogg fulfills this image perfectly.

It would require a lengthy book to describe all of the achievements Dean Hogg has made at William Mitchell over the past ten years. In writing this brief tribute, I have decided, I hope judiciously, to leave it to others to describe these many accomplishments. Rather, I have chosen to write about the role of Dean Hogg in guiding William Mitchell to the pinnacle where it now stands.

The choice of a dean has a great impact on a law school. A dean’s personality, interests, and leadership skills all influence the development of a law school just as much as a dean’s administrative skills do. A dean must direct a school’s finite resources in such a way as to provide current students with a quality legal education as well as work to build the school to serve future students. Given the sweeping changes affecting the legal profession in recent years, from the computerization of much research to the sudden end of the job market boom of the late seventies and eighties, law school deans have had much to cope with. One of the more recent concerns of Dean Hogg has been to focus upon revamping curriculum of legal education to conform to society’s needs. Dean Hogg has met these challenges and has achieved at William Mitchell unparalleled success.

However, legal education is much more than simply providing the technical training that permits students to find employment. To my thinking, lawyers are essential in maintaining our system of ordered liberty. James Wilson wrote:

The science of law should in some measure, and in some degree, be the study of every free citizen and of every free

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man. Every free citizen and every free man has duties to perform and rights to claim. Unless, in some measure, and in some degree, he knows those duties and those rights, he can never act a just and independent part.<sup>1</sup>

I know that Dean Hogg endorses this view.

While it is essential that every citizen have some knowledge of the law, that alone is not enough to attain the goal of a just society. A free society requires lawyers who know the law but also fully understand their duty to society. Dean Hogg has worked to ensure that graduates of William Mitchell are prepared for the practice of law and aware of their professional obligations to the community. He has succeeded admirably: William Mitchell College of Law and the community are in his great debt. In recognizing Dean Hogg's contributions to William Mitchell, I am reminded of an observation made a few years back by Justice Felix Frankfurter:

[L]aw schools make the lawyers and make the judges. It is very important for them to make lawyers and judges who do not carry out of the law schools a body of dogma, on the assumption that what they imbibed at the date of leaving the law schools is man's ultimate wisdom and enduring truth. I have known powerful lawyers who on the bench and in the conduct of great departments of government acted, quite unconsciously, on such an assumption. Lawyers should carry out of the law school lawmaking, law-growing, law-changing, and a critical questioning attitude. But, more particularly, these considerations that validate or invalidate or partially validate or partially invalidate the arguments that are put before the Court. They have to be tested, expanded, quantified to the extent that they can be, and qualified even in so far as they are merely working hypotheses. And that can be done only by the law schools.

...

The law schools . . . must engage in a constant, institutionalized, dependable, scholarly, and dispassionate scrutiny of the underlying considerations by which cases should be decided, and a constant checking, a constant scrutiny, into the

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1. SELECTED POLITICAL ESSAYS OF JAMES WILSON 190 (Randolph G. Adams ed., 1930).

administration of justice and the principles that are involved.<sup>2</sup>

My friend, James Freedman, President of Dartmouth College and formerly of the University of Iowa, has spoken in terms which aptly describe the enduring contribution Dean Hogg has given to the William Mitchell College of Law and its graduates:

By serving others, and doing so with humane respect, we touch their lives and, thus, leave a legacy for the future—a legacy that may be passed on, in turn, to still further generations. And that is as much permanence as one can hope to achieve in this world.

Service to others also brings out the best in each of us. It nurtures our selflessness and elevates our sense of human possibility. It reinforces our common bond of humanity, by reducing the distance between “me” and “them,” and it creates what Robert Coles has termed “an incipient (if still fragile) ‘us.’” Service only to oneself is not service at all.<sup>3</sup>

Few law school deans have provided the commitment and service Dean Hogg’s tenure has emulated. It is only fitting that this community and William Mitchell College of Law take time to recognize what he has achieved.

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2. University of Chicago Press, Ernst Freund Lecture, *Some Observations on Supreme Court Litigation and Legal Education* 15-16 (1954).

3. President James Freedman, *A Season of Service*, *Valedictory to the Senior Class Commencement of Dartmouth College* (June 13, 1993).

