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A TRIBUTE TO MEL GOLDBERG

Professor James Hogg[†]

It was nearly eleven months ago that Mel came into my office late one morning and said, “Jim, I had a colon exam this morning and it is not good!” So began Mel’s fight with cancer that ended last Sunday.

Mel faced this fight with confidence and determination as he has faced life for the more than fourteen years I have known him. This big bear of a man, warm, friendly and outgoing.

And he was not alone in this fight. At his side was Paula, his wife of more than thirty years. Paula, a nationally recognized figure in her own right, who had grown the Pacer organization, devoted to the care of handicapped children, to nationally recognized stature. Mel was so proud of Paula and her accomplishments—and Paula was ever at his side and with him—he was completely secure in her love.

They shared this concern for the handicapped, the underdog. Throughout Mel’s work life runs the constant thread of that concern. While at the University of Chicago Law School, from which he graduated with a law degree and then a master’s in law, he worked on a prisoners’ rights program. Moving as a faculty member to the University of Minnesota Law School, he created the LAMP program, providing legal counsel and advice to prisoners—a program which he maintained after moving to the William Mitchell College of Law faculty in 1977. In addition, he served as counsel for numerous pro bono cases that he took when he saw the chance of someone having been badly treated by the legal system.

His sons, David and Robert, were also frequently with him. Many a time in his office he told me of their doings, and, as he should be, he was very proud. He had both David and Robert at his side frequently as he fought the long fight with cancer.

And there was Bob Oliphant at his side every week; working

[†] The following is the text of a eulogy given by Professor Hogg at Professor Goldberg’s funeral on September 1, 1998. Professor Hogg is a professor of law and former president and dean at William Mitchell College of Law.

with Paula to help figure the best way to deal with this disease; constantly monitoring his care; and providing every single week the companionship, friendship, and company that only the closest of friends can provide—a friendship of more than twenty-five years, going back to the days when both of them were faculty members of the University of Minnesota Law School, and moving forward to the first half of the 1980s, when they both served as senior administrators of the William Mitchell College of Law. It was Bob who took Mel over to the casino on a number of occasions during his illness—Mel enjoyed these trips, tubes and all, and found some pleasure and entertainment there.

Mel was strongly attached to William Mitchell. Having joined the faculty in 1977, he served as Academic Dean from 1980 to 1984 and then as President and Dean for 1984 and into 1985, and these were challenging and difficult times for the college.

You can also get a glimpse of the man through his work. Mel's work was like an oyster, always to be opened anew, with fresh interest, challenge and delight. Mel loved his work at the law school and put his heart into it. He was loved by his students and that tells much. His judgment and advice were routinely sought by his fellow faculty members and the administration alike. And his teaching ranged far beyond his William Mitchell College of Law. For more than ten years he lectured at the National Judicial College in Nevada—a program to which judges come from all over the country. It was my privilege to receive several letters from the Judicial College, telling me of the particularly outstanding work he was doing there. He published his *Deskbook on Evidence for Administrative Law Judges* with them in 1993, and in 1995 received a service award for excellence in teaching at the National College. He was a teacher for students and judges alike—and from this you can get another glimpse of the man.

And both his selfless and humorous side were there constantly. He created the child care program at William Mitchell in 1980—providing daycare on campus for children of faculty and students. This was a national first. And then, to keep providing funds to help support the program, he was a leading performer each year in the faculty talent show, singing and playing the guitar—a matter of considerable amusement to the audience! I will not labor the description of his many assignments and roles as a professor or administrator.

I will mention just one of his interests and from this you can

see many things. Mel's interest in technology and the computer began early, long before such interest became more popular. He was both a pioneer and a leader at William Mitchell in this regard. West Publishing noticed him and brought him in as an adviser for a year. The computer delighted him, and he saw within the technology a myriad of ways to explore teaching methods and improve the learning process. He developed a unique method of teaching criminal law, using the computer, and he was busy refining that method in his last semester of teaching. William Mitchell is a leader, nationally, in the application and use of technology for teaching. There are six classrooms fully equipped for computer-based instruction in the classroom, and he was a foresightful leader who prepared the planning for this advance and lobbied it through the administration. The role of technology at the college is a testament to Mel's planning and foresight. But, above all, in this you can get a further glimpse of the man—inquisitive, creative, always looking at boundaries, and exploring ways to push them out.

Mel was a nationally recognized scholar, particularly in the field of administrative law. His interests reflected the practical, and as I have said, the underdog or the afflicted. His interest in the retarded took many forms including membership in the Minnesota Ombudsman Commission for Mental Health and Retardation and its Medical Review Subcommittee on which he served from 1987 to 1993 and chaired from 1989 to 1991. His interest in the rights of prisoners is reflected in his work throughout his career, and he was a frequent lecturer to members of the bar on his favorite topics.

And so we have lost a man of great stature, a true leader, extraordinarily talented, unselfish, dedicated to working for the good of others, putting his own self interest behind, and ever mindful of his place on earth and of his god—a man who so held the trust of others and was so willing to work that he held the position of President of this assembly during the critical days of raising the funds to build this new church.

If we had the privilege of so doing, what would we hope to ask of life? A devoted wife, sharing similar goals and their love, two talented and loving children, successfully educated and launched in their careers, the respect and admiration of their community, a most successful career marked by dedication to teaching, and the love and respect of many friends. Could we ask for more? Our regret must be that Mel's life was cut short so early—for, but for this fact we can safely say that Mel lived life to the fullest.

Our thoughts and concerns now rest with Paula and her two sons, for whom the experience of this past year must have been well-nigh unbearable. We can pray that they find some peace in the superb way in which Mel lived and discharged the life he was given.