



## North Dakota Law Review

---

Volume 81  
Number 3 *Number 3: Randy Hale Lee Memorial  
Issue*

Article 1

---

January 2005

### Randy

Thomas M. Lockney

Follow this and additional works at: <https://commons.und.edu/ndlr>



Part of the [Law Commons](#)

---

#### Recommended Citation

Lockney, Thomas M. (2005) "Randy," *North Dakota Law Review*. Vol. 81 : No. 3 , Article 1.  
Available at: <https://commons.und.edu/ndlr/vol81/iss3/1>

This Case Comment is brought to you for free and open access by the School of Law at UND Scholarly Commons. It has been accepted for inclusion in North Dakota Law Review by an authorized editor of UND Scholarly Commons. For more information, please contact [zeineb.yousif@library.und.edu](mailto:zeineb.yousif@library.und.edu).

## RANDY

THOMAS M. LOCKNEY\*

I am honored to write an introduction to this issue dedicated to Professor Randy Lee. Randy and I were colleagues and friends for thirty years. The contributors describe his many positive attributes in this issue. What can I add? I agree with all the contributors' positive statements. Randy was intelligent; a good friend who kept in touch; a wordsmith; a man with a sense of justice; an example of the good in law and life; empathetic; loyal; professional; compassionate; a storyteller; kind; wise and reasonable; and concerned for his students, both present and former.

All true enough, but the litany of praise seems to sanctify Randy in a way that might have embarrassed him. Although some hint at various foibles, the nearly uniform chorus of praise risks missing the essence of Randy that to my mind was a delightful mixture of talent and charm, all described eloquently in this tribute, balanced by a profound and freely confessed sense of his own limits and eccentricity. Despite all his talents and virtues, he was above all unpretentious. He could laugh about nearly anything, including himself. Although this is hardly the place to offset the plaudits of a memorial, I suspect that if Randy were aware of the tributes and memorials, although his humanity and ego would be pleased, his likely response would be something like: "Ok, enough already; I'm gone. Get over it and get on with life."

So, in the interests of balance, I wish to add a few benign examples of Randy's whimsy. While not quite a complete Luddite, he was slow to adopt new ways and technology. Randy and Paula were dining with friends at the friends' house a few years ago. The host was nuking something in the microwave and commented on how handy they found the oven and how often they used it. Randy and Paula were asked if they too found theirs incredibly useful. The reply: "No, we don't have one. We're waiting for them to PERFECT it." Another time, Randy was asked if he and Paula had a DVD player. "No," he replied, "we have a VCR built into our TV but I haven't seen a TV with a built-in DVD player yet. I will only purchase such a combination so that I don't have to figure out how to hook the damn things up."

---

\*Lloyd and Ruth Friedman Professor of Law, The University of North Dakota School of Law. L.L.M., Harvard University, 1974; J.D., University of Texas at Austin, 1970; B.A., University of Wisconsin, Madison, 1967.

But the biggest shock to Randy's established way of doing things was the advent of the computer age. The combination of a keyboard and computer in his office connected by a network was a threat to his established way of hand-writing and hand-delivering his missives, either to a law school mailbox or via the University or USPS mail systems. The initial shock was demonstrated in a classic Randygram which our friend and colleague Patti Allewa was kind enough to give me for use here. I reproduce it secure in the memory that Randy several times expressed his disappointment to me that nobody had bothered to send it to Michael Feldman for possible selection as the "Memo of the Week" on his public radio show "Whaddya Know." In one fell swoop, it demonstrates his writing ability, his stubborn resistance to change, and his sense of humor. Readers who were themselves the recipients of Randygrams will recognize the style and the substance as classic Randy. Others can perhaps appreciate the wit and wisdom it demonstrates, but will not realize the volume and variety of his epistles over the years. To set the scene, the UND School of Law had the benefit of an early internal e-mail network, as the date of the Randygram demonstrates. That network featured an ability to post "public" notices to the law school community. To my memory, the first and perhaps only "public" notice was the following from Randy:

2/3/90

Memo

From: Randy Lee

To: Public

From this transmission forward, and until its withdrawal or revocation at my hand, all users and others involved in this network/system are notified that they may not reasonably or legitimately expect that messages, notices, or other communications they [placed] into this network/system with me as addressee or as intended recipient or viewer will be seen or received by me, and neither may they justifiably or reasonably rely on that viewing or receipt.

This machine has not, and these interconnected machines have not, been authorized, selected, or employed by me to receive information on my behalf. There is no consistently operating or operable linkage between this machine or system and my on-board protoplasmic central processing unit. The exclusive manners of communication with the latter unit remain: hardcopy notes left for

me in my mailbox or under my name on the telephone message board, both located in room 201, law building; hardcopy notes left for me in my office (room 206, law building) or on my office door in such manner as is reasonably designed to achieve actual receipt or oral delivery of the message to me personally through my permanently mounted external auditory signal collection devices accessible directly within hearing distance or remotely through the telephones responding to signals directed to 701-555-1234 or to 701-555-5678.

In brief, I may not be put on notice, either through notification or by knowledge, by messages delivered to, or expected to become visible upon, my screen. I shall consider this notification to be effective as against all users of this system who have not, prior to the transmission of this message, transmitted the same or a similar message.

Randy, I'm sorry I never sent this to Feldman. I hope that having it published in the journal of the school and bar association you loved and served so well for so long will suffice. You are missed not only for your talents and virtues but also for your quirks. The combination made you larger-than-life and assures that we can never forget you. I know that a loving jibe, in addition to all the words of praise, deserved as they are, would please you because, while you knew you were talented, you also openly relished your imperfection. I miss you terribly.

\*\*\*