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Josephine (Jo) R. Potuto*

John Gradwohl, In Loving Memory

John Gradwohl lived his life with passion and conviction. He never dabbled. There was no putting one toe in the water to test the temperature. When he liked something, he REALLY liked it. When he advocated for something he REALLY advocated. He was a person of strong opinions, as those of us on the receiving end well know. He loved a good argument, and he wanted a worthy opponent. No patsies for him. One had to enter the arena fully armed.

And yet, ask him for advice, and he morphed into Solon on the hill, all temperance, reasoned discussion, and exceptionally good counsel. He examined all sides of a question. He explored all potential consequences. Likely that's one of the reasons he was such a sought-after arbitrator and well-respected judge on the Nebraska Court of Industrial Relations.

No tribute to John would be complete without writing about Jan too. They were the ultimate couple. They taught together in China. They wrote a book on comparative law. They spent lots of quality time with family and friends. They shared a love of sports—especially college sports and more especially Husker sports. They loved music and the theater. For the amusement and edification of their friends, they wrote reviews of plays they saw, pointing out where they agreed and where they disagreed. John and Jan once competed against each other to see whose investment strategy would prevail. They each picked a couple of investments and then tracked their progress for several months. Loser picked up dinner at a restaurant of the winner's choice. John and Jan traveled extensively around the world. You can imagine where the dinner was held.

John saw, long before most, that the practice of law would require interdisciplinary training and cultural and international awareness. He advocated and worked for joint-degree programs at the law college. He was passionate about advancing the interests of minorities. He

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* Jo Potuto is the Richard H. Larson Professor of Law at the University of Nebraska. Among other things, she and John and Jan Gradwohl together have attended the Men's Basketball Final Four, the College World Series, the Women's Volleyball Final Four, and theater in NYC and at the Shaw Festival in Niagara Falls.

and Jan endowed the College of Law with the Centennial Scholarship Fund for minority and international students.

John joined the law faculty in 1959. Remembering him and honoring his contributions is too large a subject for one person to tackle alone. Here, then, are reminiscences from colleagues who joined the faculty at different points over John's years at the law college: Harvey Perlman (1966); John Snowden (1971); Bill Lyons (1981); Steve Bradford (1987); Catherine Wilson (1993); and Anthony Schutz (2003).

John as Colleague, Friend, and Mentor

- *John Snowden*: At the core was one simple truth manifested in an infinite variety always; John Gradwohl was a gentleman in every aspect. John lifted people up. He brought good energy and enthusiasm with a smile or a remark. John taught in areas which I was inclined to avoid; fine lines, rules, regulations, and abundant conflicting opinions. I liked the big picture; principles and paradigms—the law is a hollow vessel. Somehow in our many discussions, I always saw the forest better after John pointed out all the trees.
- *Bill Lyons*: First and foremost, John was a wonderful friend and mentor. He helped me when I was a new faculty member struggling to make the transition from eight years of practice in New England to teaching at the College of Law. If I needed the proverbial kick in the pants, John would administer it, but always with the purpose of helping, not disparaging. John always emphasized that a life in the law, whether as a practicing lawyer or as a legal academic, is a professional life. A professional, John said, is honest, even when the honesty is not well received by others.
- *Anthony Schutz*: John got me started on state constitutional law, legislation, and involvement in state government at a very real and practical level.
- *Steve Bradford*: When I came to Nebraska from Dallas 27 years ago, without a friend within 500 miles and without a clue about how to be a legal academic, John virtually adopted me and my family. We stayed at his house when we first visited Lincoln to look for a home. My wife, kids, and I attended family Christmas parties at his house. John shared his knowledge freely and tried to keep me from making stupid academic mistakes. When I stubbornly ignored John's advice and did something stupid anyway, he never said "I told you so." (OK, he did, but always in a sweet way.) John was a very intelligent, perceptive man, an expert in labor arbitration, legislation, and tax law. He taught a very demanding, but well-liked legislation seminar. And, even though I'm a securities law expert, John and I often bounced ideas off each other. His advice improved my teaching and writing in countless ways.

- *Catherine Wilson*: I'll miss hearing John's voice in the hallway—his laugh and the way his eyes would light up when he was about to share a joke. Most of all, I'll miss that moment of silence, those seconds . . . right after he began his sentence with the word "Well," . . . when he would decide how to gently guide my thinking on a particular issue. He was a great teacher, colleague, and friend.

John's Impact on the Law

- *Harvey Perlman*: While I was a student in the early sixties, John was instrumental in the first attempt to put the Nebraska statutes on computer so they could be searched. He and the then director of computer services put all of the statutes on perforated cards that they ran through the university mainframe computer. The legislature used the system for several years before computers moved to digitization. John spent a lot of time supervising students creating and running the system.
- *Bill Lyons*: John was a founder of the Great Plains Federal Tax Institute, which celebrated its 50th consecutive year in 2012. John not only taught Legislative Process, he spent many hours helping enact important legislation. He understood the importance of forming study committees to assist the legislature. He saw that the legislative history of such legislation (often very sparse at the state level) was critical, and insisted on preserving detailed histories of the motivation for legislation and explanations of various important provisions.
- *Anthony Schutz*: John brought me L.B. 701 and said he was sure it violated a little-known provision of the state constitution. I wrote a letter to that effect and, ultimately, there was a successful legal challenge.

John's Impact on the Law College

- *John Snowden*: John had clear opinions on the state and direction of the College and always remembered that at the end of the day we went forward together.
- *Catherine Wilson*: I am thankful for the times I had the opportunity to listen to his insights on ensuring that the law school is a welcoming place for students of color—and then, to witness his love for the multi-cultural students when he opened his home on countless evenings for relaxation, good conversation, and laughter.

John, Jan, Bill Lyons, and I have season tickets for Nebraska baseball games. Our group had three "official" scorers (Bill, Jan, and I), a critic of baseball uniform style (Jan), a pitch counter (John), reviewers of length of first and third-base lines (John and Jan), critics of

scoreboard information presentation (John and Jan), a timer of the Star Spangled Banner (John), and a checker with the press box on error/hit calls (Jo).

One year John decided to add stealing signs to our repertory. Being John, he bought an instruction book and studied it. It was a “stealing signs made easy” book. When he thought he had mastered the subject, he tried it out at a couple of games. Bottom line: anyone randomly guessing what the sign was would have done better than John did. As we thereafter mentioned every chance we got, stealing signs was not easy after all, at least not for John.

The law college moved into its current building on East Campus in Spring 1975. John taught the first class there. He wanted to commemorate the occasion, and especially the students who were in that first class. He mounted a brass push plate from a door in the former law college building on a plaque inscribed with the date of the first class, his name, and the names of the students in the class. It was a thoughtful way to inaugurate the new building, and also to underscore the connection between old and new. John was an integral part of the traditions and history of the law college—in both buildings—and it is fitting that his was the first class. And the plaque? It hangs outside Room 125. You can go see it in person, or check the photo at the end of this article.¹

John was a model for living life to the fullest. He was a much-loved husband, father, grandfather, brother, and uncle. He was a teacher, practitioner, arbitrator, judge, law reformer, and mentor. He was a kind, loyal, and generous friend. Most of all, John was just plain fun to be around. When he was arguing. When he was mentoring. When he was evaluating a new court case. When he was exploring some new direction in the law or pursuing an idea. Especially then. And certainly when he was sharing some gossip or relating some experience he had had. There were no “might-have-dones” in the life he lived. With more years, he would have done more. But he could not have crammed more into the years that he had.

I miss you, John. We all do. You made the Nebraska Law College unique and memorable. Others will come after you; but no one will replace you. Thank you, my friend.

1. Picture courtesy of Steve Willborn, Judge Harry A. Spencer Professor of Law and former dean, University of Nebraska College of Law.

