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James M. McGoldrick, Jr.

Ronald F. Phillips*

It will be my effort to share a few thoughts that those of you who knew Jim McGoldrick well will find consistent with who he was, and any who did not know him will get a brief introduction to how very much they have missed.

Jim McGoldrick was one of my closest friends, beginning in 1971, when I hired him as the third full-time professor to ever teach at Pepperdine Caruso School of Law. There were periods of time, both when the Law School was in Orange County, and after the move to Malibu, when we spent considerable time together every work day, and often on weekends. He was my Academic Associate Dean for a longer period of time than anyone else. I did not just spend time with Jim because our work required it, and often it did, but in a great many instances it was at least in part because time together was quite regularly an adventure, and considerably more interesting than it would have been otherwise.

While much can, and should, be said about Jim McGoldrick as a Constitutional Law scholar, my focus will be more on Jim as a person, totally unlike any other.

Jim had the unique gift, or aptitude, for weaving together a large body of fact and a scintilla of fiction, and often vice versa, to create marvelously entertaining stories—far superior to anything that would be possible relying merely on either fact or fiction standing alone. In more situations than not, Jim would see an amusing side to whatever was going on—and he was not reticent about sharing his observations in that regard. His was an overactive imagination that benefited all within hearing distance.

During the eight years when he was my Academic Associate Dean, it was quite obvious that we tended to see most things very differently, and that was of great benefit to me. If we had seen everything alike, there may not have been a need for both of us—and I may well have been the fifth wheel and discarded.

* Senior Vice Chancellor and Pepperdine Caruso School of Law Dean Emeritus.

Here is an illustration of the point about our minds not working similarly. Once, when the law school was still in Orange County, Jim was scheduled to fly to another state to make a presentation. I got a call from someone in the city where he was going, who indicated that he had not arrived when expected. I called the airline and learned that he had not ever checked in for his flight. I called the police, area hospitals, etc., fearing that something terrible had happened. This was long before cell phones made communication so very simple. Finally, several hours later, we connected with each other. Jim told me that he was running late, and when it became obvious that he would miss his plane, he just went to a movie while awaiting the next flight. I would never, in a million years, have thought of making that kind of lemonade from that particular lemon. I would have sat at the terminal and bemoaned the fact that I had not arrived on time, and sat there for however many hours it was until the next flight. I certainly would not have been entertained in the process. Good for Jim.

Jim just might turn up anywhere—at any time. I was in South Carolina very briefly on a school trip during a summer, and Jim just showed up. He had bought a convertible, something he did more than once, and told me he was breaking it in. We had a few hours together and he was gone—to where next, probably no one knows.

Once, when Jim and I were at a legal education conference, as we got on the hotel elevator, which already had a good many people on board, Jim greeted everyone by announcing “Let’s sing Wimoweh,” and he started it off. I wish that I could tell you that everyone joined in, and that the elevator just happened to be filled with some of the finest vocalists in the known world. Rather, a few timid voices joined Jim, and in less than a minute he and I reached our floor, and I will never know whether or not they continued to sing. However, Jim had given each person on the elevator a story to tell. I don’t recall what year that was, but it was likely at least three and a half decades ago, perhaps more, and I still remember. Perhaps others from that episode do as well. If you don’t recognize the song, it was also called “The Lion Sleeps Tonight,” and was released in 1961 by The Tokens. Check it out in Jim’s honor.

If you have not read the book that two of our law alums, Jim Gash and Jenny Rough, wrote about the Law School’s first forty years, there are many references to Jim there, along with some of his stories.¹ Of course, he

1. JIM GASH & JENNY ROUGH, IN GOOD FAITH: THE FIRST 40 YEARS OF THE PEPPERDINE

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always managed to weave in some humor. Jim's version of our initial meeting is partly fact and partly fiction. He is correct in noting where we went for lunch, but his suggestion that I asked him to leave the tip is incorrect, as I hope some of you may have suspected. I also call into question his memory that we did not talk about teaching at all. It is true that for some reason during our visit we went out to the parking lot and he opened the trunk of his car, where there resided volleyballs, a badminton set, and several baseball gloves. I do not accept his statement that this stash of athletic goods was the clincher in my hiring him. Rather, I had concluded that he was very bright, would be greatly appreciated by his students, and would keep me entertained for decades to come. I was correct on all counts.

Jim entertained the world in one way or another. The first time that future Pepperdine President David Davenport ever visited a Pepperdine campus was during the law school's Orange County chapter, and David was still a law student at the University of Kansas. David recalls having played ping pong with Jim on that brief occasion. What are the odds? Maybe that is why David finally became our president. The number of students and alums who have gone to athletic or music events of one sort or another with Jim is likely incalculable.

While Jim routinely had more fun than the rest of us, that did not mean that he was unable to get things accomplished, or that he was not serious about making certain that his students learned what they needed to know. He did, though, make it much more palatable than expected, and he could even make an 8 a.m. class something to look forward to. He played a crucial role in arranging for Supreme Court Justice William Rehnquist to teach a summer class at the Law School. When we decided to begin a semester abroad program in London, I asked Jim to put it all together, and he did—marvelously well.

You will note that what I have written about Jim is not sad. I believe he would prefer that. Jim McGoldrick, longest serving faculty member, who lacked only a few short weeks of completing his 49th year of teaching, undoubtedly taught more students at Pepperdine Caruso School of Law than anyone else, impacted more people at Pepperdine and elsewhere than could be imagined, and left his bold footprint on the law school and on innumerable hearts, minds, and souls.

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We are deeply indebted to Jim, and we celebrate his life, while mourning his all-too-soon passing.