

JIM JONES: A PROFESSOR'S PROFESSOR

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One of the inevitable things that comes from writing a piece like this is a need for reflection. As I reflected on my relationship with James E. Jones, Jr., I realized that I have known Jim for over forty years beginning from virtually the first day of my career as a lawyer. I also recalled some of the many professional and life lessons I learned from him.

HIS REPUTATION PRECEDED HIM

After graduating from law school, my first job was as a staff attorney in the Solicitor's Office in the United States Department of Labor. Since nearly my first day in that office, I heard about the "great Jim Jones" who had preceded me as the first African American lawyer in the division. Several years before I arrived, Jim left the department to become the first African American faculty member at his alma mater, the University of Wisconsin Law School. Jim had spent thirteen years in the department and, during that time, he rose through the ranks from Legislative Attorney to the highest nonpolitical rank in the Solicitor's Office, Associate Solicitor, for the Division of Labor Relations and Civil Rights.

Jim was very proud of being what he liked to refer to as "the lawyer's lawyer." He had the opportunity to work on many major, impactful labor initiatives, but one of the initiatives he was most proud of was his work as one of the architects of Executive Order 11246,¹ which was signed by President Lyndon B. Johnson in 1965.²

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1. Exec. Order No. 11246, 3 C.F.R. 167 (Supp. 1965).

2. *Id.* The Executive Order prohibits contractors doing business with the federal government from discriminating in employment decisions on the basis of race, color, sex, or national origin. *Id.* The Executive Order was also one of the first to require contractors to take affirmative action to ensure that applicants are employed and are treated without regard to their race, color, religion, or national origin. § 202; Gregory L. Hanson, *The Affirmative Action Requirement of Executive Order 11246 and Its Effect on Government Contractors, Unions and Minority Workers*, 32 MONT. L. REV. 249, 250 (1971).

CROSSING PATHS

I first met Jim at the National Bar Association Convention in July 1973. As a young lawyer, I had been sent to the convention by the Department of Labor to recruit potential lawyers for the Solicitor's Office. I was seated at our exhibition booth when a distinguished-looking gentleman stopped by and introduced himself. His name was James E. Jones, Jr. and he had stopped by to say hello to one of his longtime friends, who also had come to the convention to recruit but who was not in the booth at the time. Naturally, Jim and I struck up a conversation, during which he mentioned that he was attending the convention to look for possible candidates for the William H. Hastie Fellowship Program, which had just been established at the University of Wisconsin Law School. The fellowship was a two-year program designed to help prepare young law graduates for a career in law teaching. The program required Fellows to spend half of their time as an advisor to minority J.D. students and the other half of their time doing research towards an LL.M. degree.³ I expressed interest in applying for the program and, several months later, I found myself in Madison as one of the first two Hastie Fellows.

The Hastie Program was Jim's brainchild and, since its inception, there have been a total of forty-three Fellows. The vast majority of the Fellows have gone on to successful teaching and administrative careers at law schools all over the country. That aspect of Jim's vision for the program was clearly realized. Without a doubt, the University of Wisconsin Law School has been one of the largest producers of faculty of color in this country. Jim wanted to eliminate the excuse that many schools used when explaining their inability to find qualified people of color for faculty positions. The other aspect of Jim's vision was that the program would serve as a model for other law schools but, unfortunately, the model was not adopted extensively elsewhere.

While Jim deserves much of the credit for the Hastie Program, he artfully ensured the program's success and institutionalization. On the one hand, he personally instilled in all of the Fellows an obligation to "pay your dues." In other words, Jim made sure that all Fellows understood that: (1) they were expected to graduate, and (2) after graduation they were expected to pursue a career in legal education as a faculty member or an administrator. On the other hand, Jim did not serve

3. The program has since been modified so that Fellows no longer serve as formal advisors to students. Instead, the emphasis has shifted to allow for greater concentration on research and also increased opportunities for classroom teaching experience. See *William H. Hastie Fellowship Program: Increasing the Diversity of the Law Teaching Profession*, U. WIS. L. SCH., http://law.wisc.edu/grad/fellow_hastie.htm (last updated Jan. 24, 2013).

as the research advisor to most of the Fellows, since the research interests of the Fellows varied greatly. As a result, at some point a significant number of faculty members have served as an advisor to one or more Fellows and the entire faculty has become invested in the success of the program.

From my own perspective, little did I know that my completion of the Hastie Fellowship was just the beginning of my connection to Jim.

MY NEXT-DOOR NEIGHBOR

After three years on the faculty at Howard University School of Law, I found myself back at Wisconsin as the second African American on the faculty. During those years as a faculty member, my office was next to Jim's office. An added bonus was that we shared similar work habits—both of us would inevitably show up on Saturdays to work all day and then Jim would faithfully do his weekly chore of grocery shopping for the week. I learned some invaluable lessons from Jim about how to survive in a competitive law school environment. Jim taught me that it was important to “get tenure first and then you can do the other stuff, if you want to.” An important corollary to that rule was that while prestigious law schools in particular will consider teaching and public service during tenure decisions, the thing that matters most is the publications record. In fact, Jim argued that, in the end, publications were probably the only thing that mattered. Every day, and especially on Saturdays, Jim was there to remind me of what was most important for a successful career in legal education.

Jim also taught me that one of the responsibilities of senior faculty was to run interference for junior faculty, because becoming tenured was paramount. He understood that often junior faculty were not in a position to decline a request from the dean, the central administration, or the community. In my own case, Jim often took the initiative to decline on my behalf, sometimes against my own wishes. In almost every instance, of course, his judgment was better than my own. This lesson is one that carried over throughout my career, including when I became a dean and a university president.

STUDENTS BECAME DISCIPLES

Jim was one of the most prolific scholars on the faculty. But, in the final analysis, nothing gave him more pleasure than his interactions with students. I always smiled at Jim's reaction when teaching evaluations were disclosed. His image of sternness crumbled over a single negative

student comment because, more than anyone else I know, he cared about what students thought of him.

In many respects, Jim has been a father figure to many of us. Nowhere was his impact as a father figure more prevalent than with students. While Jim was never reluctant to speak his mind even to those who did not care to listen, he did so with students more than any other group.

Jim was often seen in the halls or in his office with students. It was interesting to witness the evolution of students' attitude towards him. Not surprisingly, Jim had a reputation of being a very demanding teacher. Some students avoided Jim's courses because of his reputation and, unfortunately, missed out on the opportunity to learn from one of the great labor lawyers. However, the fact that students avoided Jim in the classroom did not exempt them from Jim's influence. What was most interesting to watch was that early in a student's interactions with Jim, the student was more often button-holed by Jim in the hallways. As students progressed in law school, they were more likely to seek out Jim for his advice. Many students who initially thought of Jim as "out of touch" became some of his most devout disciples.

A LASTING LEGACY

For me and many others, Jim has always been a bigger-than-life figure. He constantly demanded much from others, but he also demanded much of himself. I know he was always proud to be the "lawyer's lawyer," but I always think of him as this professor's professor.