Commemorating the Retirements of

Professor John Robin Bradley Jr.
Professor Michael H. Hoffheimer • Dean I. Richard Gershon • Professor David W. Case • Walter “W.G.” Watkins Jr. • Chip Williams • Benjamin McMurtray

Professor Robert A. Weems
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Volume 82 2013 Number 4
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* Professor of Law and Mississippi Defense Lawyers Association Distinguished Lecturer, University of Mississippi School of Law. In 1987 the author and his wife Luanne Buchanan moved to Oxford due to the moral suasion of John Robin and Laura Bradley. They have been neighbors for 26 years.
He must teach himself that the basest of all things is to be afraid. . .

William Faulkner

John Robin Bradley began legal practice with the Jackson law firm of Wise, Smith and Carter the day after he graduated from the University of Mississippi School of Law in 1962. He returned to the law school as a member of the faculty in 1966. At his retirement in spring 2013 he had devoted over 50 years to the legal profession and 47 years to law teaching. He served 45 years as full-time member of the faculty at the University of Mississippi.

He was already a seasoned educator when John Grisham encountered him in his first law school class in 1978. Professor Bradley was still teaching a generation later when Grisham’s son was assigned to his section of contracts.3

I. ORIGINS

Born in 1938, John Robin Bradley grew up in Inverness, Mississippi, a town of 1000 situated on the Illinois Central line in Sunflower County. His grandfather, Bradford Augusta Bradley (b. 1865), arrived in the Delta by way of Natchez, part of the first wave of settlers who—as white property owners and black laborers—cleared and plowed the rich land in the generation after the Civil War. His maternal grandfather, Cohn, arrived from Poland by way of New York City, part of the wave of Jewish migrants who prospered as merchants throughout the postwar South.4

2 Comprised at that time of four partners and two associates, the partnership is the precursor of today’s preeminent firm Wise, Carter, Child and Caraway, P.A.
3 John R. Grisham Jr., Dedication of the Robert C. Khayat Law Center, 81 Miss. L.J. 1, 18-19 (2011) (describing his first class in law school, contracts with John Robin Bradley, and claiming humorously that Professor Bradley was still telling some of the same jokes when his son took the class).
4 Grandfather Cohn immigrated to the U.S. in 1887 at age six. He was reputed to have gained proficiency as a craps player on the streets of New York City. He later operated a general merchandise store in Inverness, bringing cousins to work in the
Grandfather Bradley was murdered in 1909, age 44, leaving his widow, Ada Collier Bradley, with sole responsibility for raising seven children. The incident remained the subject of concern as the family attempted to identify the killer. The family even tried to get the main suspect to confess on his deathbed. All the family ever learned for certain was that a former lessee resented the fact that the grandfather had leased property to a black family. When the new tenants were threatened, the grandfather had set off on horseback at dark with a Winchester .30-30 rifle to protect them. His body was discovered, dead by gunshot. A burnt taper and unlit pipe indicated that he had been killed when he stopped to light his pipe. Professor Bradley still owns the rifle, its stock visibly pitted from the buckshot blast that killed his grandfather.

Ada Bradley moved the family, including seven-year-old John Robin Bradley, Sr., to Inverness. Bradley Senior must have been ambitious, industrious, and personable. Even during the Roaring Twenties, his feat of selling one thousand Ford motorcars in four years revealed an extraordinary capacity for business and networking. The high regard to which he was held in the community later resulted in Bradley Senior’s election as mayor in the late 1940s. Mayor Bradley accomplished his first goal, paving the streets of Inverness, and was re-elected to serve more than twenty years in office.

From the 1930s to the 1950s, Bradley Senior turned his hand to overseeing his own farm operations. Young John Robin Bradley Jr. would accompany his father on farm visits. Decades later, Professor Bradley could vividly recall details of farming operations he saw, such as the fact that three tenant families continued into the 1950s to plow with mules.

A middle child, Professor Bradley had one sister, Carolyn, two years older, and another, Ada, five years younger. The family circle included domestic workers, a cook, and nurses—all black. The family home still stood in 1971 when it was destroyed by a store and who later opened their own businesses in the Delta. He moved to Memphis around 1934.

Three more children, the three oldest daughters, all died as children.

Tractor service was available but was charged as an expense against the sharecropper’s share. Shrewd tenants could maximize profits by maintaining their own mule and plow.
tornado. Extended family included cousins too numerous to count.\(^7\) Years later, while visiting a former high school teacher’s house, Professor Bradley spied a portrait of his great-grandfather on the wall. They discovered they were cousins.

Professor Bradley’s father’s family was Baptist, although his father was not a churchgoer. From his Jewish mother, Marian, and her extended Cohn family, Professor Bradley absorbed an awareness of difference that he would reconsider more systematically as an adult, reading studies of Jews in the Delta.\(^8\) Members of his family were not observing Jews: they did not observe dietary restrictions\(^9\) or regularly celebrate holidays. They nevertheless identified as Jews, and family events, especially weddings and funerals, took the young Bradley to the magnificent temple in Greenville, the synagogue in Greenwood, and the smaller temple in Cleveland.

Later studies confirmed Professor Bradley’s early perception that his Jewish kin were more respectful to African Americans than most whites. As a rule, he saw that Jews were more moderate on issues of race relations. He thought this stemmed from two facts: Jews as merchants depended on African American customers; and Jews knew what it meant to be a disadvantaged minority.\(^{10}\) Jews near Inverness were accepted by the larger white

\(^{7}\) The 1940 census records that Marian’s younger brother Joseph Cohn was residing with the Bradleys. See John Robin Bradley Junior in the 1940 Census, ANCESTRY.COM, http://www.ancestry.com/1940-census/usa/Mississippi/John-Robin-Bradley-Junior_4746q6 (last visited Apr. 1, 2013).


\(^{9}\) One of the family’s black cooks learned from his great-grandmother to prepare kosher meals for the holidays.

\(^{10}\) One of his cousins, a confidante of the notorious Senator Eastland, broke rank with racial extremists and refused to evict black tenants who registered to vote.
community and permitted to join private (whites only) country clubs. However, they were aware that in Clarksdale, 60 miles to the north, Jews were not tolerated in such elite white enclaves.

II. EARLY SCHOOLING

In 1943, as World War II raged, John Robin Bradley Jr. set off for the first of twelve years spent in the memorably handsome public school building topped by a red tile roof, situated on a grassy lot surrounded by oaks.\(^{11}\) Despite uneven teaching,\(^{12}\) these were “idyllic” years during which Bradley proved his worth as the second fastest white boy in the county, earning thirteen varsity letters in tennis, football, basketball, baseball, and track. The future professor recalls modestly that he was “good in school,” adding, when pressed, that he was often class president and editor of the school paper and yearbook.

In high school, Bradley and a classmate bought a Model A for $17.50. They drove it most of the way back to town before it broke down. After repairing the fuel line they discovered that the car’s light frame and narrow wheels made for easy travel over the primitive roads of the day. Years later, Professor Bradley’s interest in automotive technology would lead him to invest in models known for dependability (and style) that would raise the tone of the neighborhood—a Volvo, Acura, Lexus, and Prius.

Before graduating in 1955,\(^{13}\) young Bradley suffered a knee injury in his senior year that would make it an easy decision not

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\(^{11}\) He later learned that the school was designed by the N.W. Overstreet of Jackson. Images of this 1922 structure (demolished 2010) are available online. E.g., Inverness, Mississippi, WIKIPEDIA, http://en.wikipedia.org/wiki/Inverness,_Mississippi. The two-story stucco building incorporated Roman and Arts and Crafts elements, featuring nearly floor to ceiling windows.

The lingering effect of coming of age in this physical environment no doubt influenced Professor Bradley’s enduring, serious interest in architecture. Professor Bradley was the only Oxford resident known to the author who recognized the historic importance the Pegues house on North Lamar, designed by Calvert Vaux. Cf. WILIAM ALEX, CALVERT VAUX: ARCHITECT & PLANNER 56 (1994) (referring to structure as “the finest Italiante villa in Mississippi”); THOMAS S. HINES, WILLIAM FAULKNER AND THE TANGIBLE PAST: THE ARCHITECTURE OF YOKNAPATAWPHA 84-85 (1996).

\(^{12}\) The curriculum did not include either Latin or a foreign language. It did include typing. Long before word processing became available, Professor Bradley typed much of his own work product.

\(^{13}\) He was in the first generation of his family to graduate from college but not the first to attend. His sister hustled through high school and college in six years,
to pursue contact sports in college. The injury did not, however, prevent his former school coach, then the head coach at Mississippi College, from actively recruiting the athlete based on memories of a game in which the high school star had returned a punt for a 90-yard score and then thrown two passes to bring home a last quarter victory against a feared rival. Though he did not try out for football, he played varsity tennis. He received multiple honors, including being elected president of his class and other organizations, campus favorite, and senior most likely to succeed. He graduated from Mississippi College “with special distinction,” with a major in history and minors in English, German, and sociology.

John Robin Bradley received an excellent liberal arts education at Mississippi College at the hands of “really good teachers.” There he also socialized with an open-minded group of young people who agreed that segregation was morally wrong. Among these was a classmate, Laura Lipsey. The two began courting the summer after they graduated in 1959.

III. LAW STUDENT

In fall 1959, Laura Lipsey commenced a National Defense Education Act scholarship in history at the University of Mississippi. John Robin Bradley had also considered graduate school, but he decided, in the end, to accept a scholarship at Tulane Law School. He does not credit any lawyer for serving as a role model for his decision to attend law school. He confesses, “I had to do something. Then I got a full scholarship at Tulane, although I didn’t know much about what lawyers did.”

He spent one semester at Tulane before transferring to the University of Mississippi, where he promptly married Laura. His time at Tulane was not wasted; his grades were sufficiently impressive to allow him to join the Mississippi Law Journal. He served as Editor-in-Chief for the Journal during his third year. He

14 For many years after college, John Robin and Laura Bradley continued to play serious amateur tennis.
also served on the Moot Court Board and was elected president of Phi Kappa Phi.

Peers included future luminaries. During his third year, the College of William & Mary hosted the annual meeting of Southern law reviews. He and two other Journal members—future bar leader Sandy Sams and future Senator Thad Cochran—boarded the train in Grand Junction, Tennessee, and switched at Charlottesville. Professor Bradley does not volunteer further details. It is a matter of record, however, that Senator Cochran once told law students: “I do have background information on some of your faculty if you want me to help you in that way. John Robin Bradley, Guff Abbott, and Bob Weems were all here when I was.”

Memorably good teachers at the law school were John H. Fox Jr., Hector Currie, William P. (“Bill”) Murphy, Roscoe Cross, and Joel W. (“Bill”) Bunkley Jr. When asked whether any provided models for his own teaching, Professor Bradley responds, “Teaching is very much a personal style, and the good teachers didn’t do things the same way.” What he viewed of being most valuable were those teachers who helped him learn, or, more precisely, “learn how to learn.”

In spring 1962, Laura Bradley received an M.A. from the University of Mississippi. She had completed all the coursework for a Ph.D. before turning her full attention to a more intellectually demanding assignment: raising their son, Mark Cohn Bradley.

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16 Laura Lipsey Bradley, Protestant Churches and the Ku Klux Klan in Mississippi in the 1920s: Study of an Unsuccessful Courtship (1962) (unpublished M.A. thesis, University of Mississippi). Laura Bradley was the great-granddaughter of John Lipscomb Johnson (1835-1915), who chaired the University’s department of English in the 1870s and resided for a time in the house Faulkner would rename Rowan Oak. She has displayed true independence of mind over the course of a life devoted to extraordinarily wide learning—her interest in Russian culture led her to study Russian in the 1980s and 1990s. She was a consistent advocate of liberal and humane values, whether serving on the board of Common Cause or speaking at the Board of Aldermen meeting against deer hunting in Oxford city limits.
17 Mark died in mid-adulthood in 2012, mourned by his many friends and survived by his wife Susan Bradley and son Samuel John Bradley.
IV. Counselor at Law

At the same commencement, the new father received a J.D. with distinction and the faculty award as the outstanding law school graduate. Dean Farley recognized the high achiever’s potential for law teaching and invited him to stay and teach for one year, offering to arrange for an LL.M. at Yale the following year. Though interested in teaching, the young graduate wanted to wait. He also turned down an offer of $600 per month from New Orleans and $350 per month from Laurel to take a position as associate with Wise, Smith and Carter in Jackson where he earned $300 per month. His practice focused on regulatory and business law, because one of Wise’s clients was Mississippi Power and Light (now Entergy).

The next year, John Robin Bradley accepted a position as in-house counsel with Mississippi Chemical Corporation in Yazoo City. The family now included a newborn daughter, Claire. Motives for the move included the challenge of the work and higher pay. Life in Jackson was also becoming more difficult with the intensification of racial conflict in the years that included the assassination of Medgar Evers in 1963.

In Yazoo City, half in the hills and half in the Delta, the young lawyer found a small community with many young people. He became immersed in a fast-paced corporate practice, assuming responsibility for oversight of corporate compliance with securities and other laws that varied from state to state. Tasked with scrutinizing the articles and bylaws of his client and related corporations for compliance with the newly enacted Mississippi.

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18 This decision belies the joke Professor Bradley repeatedly tells of how he “followed the money” in all his career decisions.
19 Claire Bradley graduated from Duke and achieved professional success in book production in the New York publishing world. She married Henry Ong, and the two have two children, Daniel and Angela Ong.
20 State blue-sky laws have now been largely preempted by federal securities laws. Professor Bradley served as counsel for a number of related corporations, the chief ones being Mississippi Chemical Corp., which manufactured nitrogen fertilizer in Yazoo City and Coastal Chemical Corp., which manufactured mixed nitrogen, phosphorus, and potassium fertilizer in Pascagoula. The business model included a coop component through which farmers, by purchasing corporate shares, could acquire the right to specific quantities of fertilizer and could qualify for cash rebates when the corporation was sufficiently profitable. The treatment of the interests presented complicated tax issues that were closely monitored by the I.R.S.
version of the Model Business Corporations Act, Professor Bradley became convinced that “the main thing you learn in law school is how to learn.” He recalls, “One thing I remember about the four years I practiced was how steep the learning curve was.” He speaks with audible respect for the “good people and good lawyers” with whom he worked.

V. LAW PROFESSOR

While visiting the law school from 1965 to 1966 as an instructor in the writing program, attorney Bradley sensed that the institution was experiencing the most dynamic and eventful time in its history.21 This impression was later confirmed by historical studies.22 In the four years since he had graduated, the University had been forced to admit its first African American student, but not before powerful segregationists had forced Dean Farley into retirement, chased off prominent Constitutional Law scholar William P. Murphy, and inflicted other damage on the institution.23

Joshua Marion Morse III24 was added to the faculty in 1962 and was soon designated to serve as dean. The University got

21 See Interview with John Robin Bradley (Oct. 26, 2009) (on Law School Attitudes About Integration in the mid 1960s), available at http://vimeo.com/7267752 (“By the time I arrived the faculty was supportive of racial integration.”).


more than it expected in the Poplarville native and successful small-town lawyer. Dean Morse immediately admitted African American students to the law school. By 1967, about 20 African American students were enrolled. Before assuming other duties, however, Dean Morse took leave for one year to pursue a graduate law fellowship at Yale. When he returned, he added two Yale law graduates to the faculty. He would eventually add a total of eight “Yalies” to the faculty (out of a total of 21). From 1964 to 1969, the law school became a nationally recognized leader in liberal legal education. With Ford Foundation funding for black students and legal assistance programs, law school faculty and students played an active role in high impact—and politically controversial—litigation involving civil rights. In 1966, Dean Morse’s law school even invited New York Senator Robert F. Kennedy to give a lecture on campus.

Professor Bradley never would shake his Delta accent or courtly manner. Dean Morse and Professor Michael Horowitz, one of the Yalies, recognized the value of adding to the faculty an experienced corporate lawyer with deep Mississippi roots. Repeating earlier offers, they eventually persuaded him, in spring 1966, to join the faculty.

25 Reubin Anderson, who later served a particularly distinguished term on the Mississippi Supreme Court, would be the law school’s first African American graduate in 1968. Constance Slaughter Harvey, the first female African American to graduate (1971), recalls that she was persuaded to come to the Mississippi School of Law rather than Howard only as a result of a personal conversation with Dean Morse—and the offer of full scholarship.

26 See also Interview with John Robin Bradley (Oct. 26, 2009), available at http://vimeo.com/7268015 (describing how Ford Foundation grants supported law school’s efforts actively to recruit qualified Black students, resulting in resentment from some members of IHL Board, alumni, and the bar).


28 The dean faced intense pressure to cancel, and the lecture occurred only after he threatened to resign if the invitation was rescinded. The lecture was well received. Martin, supra note 24.

29 His new employer in 1963 finally matched the $600 per month that Professor Bradley had declined upon graduation. The law school hired him at an impressive starting salary of $12,500 per year.
Professor Bradley moved to Oxford that summer. He called on his first student in the old Lamar Hall in the summer semester of 1966. During his first three years, he taught about a dozen courses, serving briefly as head of the legal writing program. He recalls, “Mike Horowitz talked me into teaching contracts” during his second year of teaching. Professor Bradley taught contracts every year from 1967 to 2013. He did not employ the materials with which he was familiar from Tulane. Instead, he adopted the newer, pedagogically ambitious casebook authored by Fuller and Braucher. He continued to assign this as his required first-year text over the decades as it evolved, with many changes, into the Fuller and Eisenberg casebook. The text, then and now, is notable for its effort to communicate an understanding of the common law elaboration of doctrine. Its objective is to teach students how to learn from legal sources rather than to summarize doctrine. In an email exchange with a colleague at another law school some years ago, Professor Bradley made a reference to the “story” of contracts. From this clue that Professor Bradley sees law as a narrative process, his correspondent rightly inferred that he used the Fuller and Eisenberg casebook.

VI. SCHOLAR

One other early course assignment had lasting consequences. In teaching Employees Rights, Professor Bradley saw the need for separate treatments of statutory topics such as wage and hour law

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30 Lamar Hall was renamed Farley Hall when the new (now old) Law Center opened in 1978-79, which was named Lamar Hall.

31 Contracts was a six credit course at Tulane in fall 1959, meeting daily, Monday through Saturday. The course materials comprised Williston’s casebook, SAMUEL W. WILLISTON, A SELECTION OF CASES ON THE LAW OF CONFLICTS (William Tell Laube ed., 6th ed. 1954), selections from the Louisiana Civil Code, and student (unbound) versions of the First Restatement.


It is noteworthy that Professor Bradley retained this demanding casebook despite the fact that it is not particularly popular with students. One student review on Amazon describes it as “the worst casebook EVER.” See Customer Review, AMAZON.COM,

(which was “not too hard”) and Workers Compensation, which was a “system in itself.” He devoted special attention to Workers Compensation and began teaching it as an independent course about 1974. Though he had no practice experience in the area and educational resources were limited, Professor Bradley fell back on his law school education: “I knew how to learn.” He obviously had a competent teacher, for he evolved a unique approach to the subject, relying on a standard casebook—he now uses Wex Malone’s\(^3\)\(^3\)—for the main themes and issues common to workers compensation systems in all jurisdictions. As he gained experience, he supplemented the casebook with his own materials on Mississippi law.

In 1973, Professor Bradley began teaching corporations, the third course that he would offer consistently for most of his career. Forty years after starting, he still views it as a “hard course” because of the conflicting demands of covering both “deals and doctrines.”

From the 1970s on, Professor Bradley participated in annual CLE events for which he produced comprehensive, fully annotated studies of Mississippi workers compensation law. He recognized that his materials were useful when the Mississippi Supreme Court began to cite and rely on them. In 2006, he and Judge Linda Thompson produced the definitive treatise on Mississippi Workers’ Compensation law.\(^3\)\(^4\)

Professor Bradley’s reputation among judges and lawyers led to his election as chairman of the Mississippi Workers’ Compensation Advisory Council and chairman of the Administrative Law & Workers Compensation Section of the Mississippi Bar. He has also served as president of the Lafayette County Bar.

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\(^3\) WEX S. MALONE ET AL., CASES AND MATERIALS ON THE WORKERS COMPENSATION (1963). The current incarnation is JOSEPH W. LITTLE ET AL., WORKERS COMPENSATION CASES & MATERIALS (6th ed. 2009). Professor Bradley observes that though Professor Malone (d. 1988) started his teaching career at the University of Mississippi School of Law; he went on to spend most of his career at LSU.

\(^4\) See Appendix for bibliography and opinions citing Professor Bradley.
During his final semester of teaching, law students recognized Professor Bradley’s lifetime contribution to high quality legal education by selecting him as teacher of the year.\footnote{He shared the honor with Professor Richard L. Barnes who died tragically at the start of the spring 2013 semester.}

VII. TROUBLOUS TIMES

The state of Mississippi almost lost Professor Bradley in 1970. Bowing to conservative political pressure, the University administration forced Dean Morse to depart in 1969 and banned law faculty from participating in legal advocacy.\footnote{See generally Trister v. University of Mississippi, 420 F.2d 499 (5th Cir. 1969) (discussing politically charged context and finding that selective prohibition against faculty employment by legal services violated Equal Protection Clause).} Professor Joel W. Bunkley Jr. was appointed dean in 1969. While Professor Bradley respected his colleague as a “good academic,” he feared Bunkley was “ill suited to be dean” and feared that “he would be pushed around by the temper of the times.” The new Dean confirmed these concerns and signaled his distance from Dean Morse when he acted to rescind a scholarship offer that the school had made to an African American who was considered too “hotheaded.”

Professor Bradley requested leave and served as Visiting Professor at Florida State University College of Law (1970-1972). After Dean Bunkley suffered a fatal heart attack in the second year of his tenure as dean, Professor Bradley and his family returned to Oxford.

Professor Bradley sees the shift in law school policy in the late 1960s—from grudging willingness to abide by federal law to enthusiastic efforts to make the school a welcome environment for African Americans—as a turning point in its history. It is “what put the law school on the course it has been on” to the present. He takes issue with the view\footnote{Cf. Edgerton, supra note 22.} that the school’s progressive commitment ended with Dean Morse’s departure. After 1970, he concedes, the law school became less active in civil rights litigation and minority recruitment. But he emphasizes that this was due to the fact that litigation activity was institutionally separated and assigned to the new North Mississippi Rural Legal Services and
that Ford Foundation funds for minority recruitment were no longer available. Soon after returning to the law school in 1974, he was appointed chair of the faculty recruiting committee. He insists, “We did not suddenly change who we were looking for.”

VIII. SHAPING THE LAW SCHOOL’S FUTURE

No person in the history of the law school has played a more significant role in shaping the constitution of its faculty than Professor Bradley. After 1973 he served as formal chair of the faculty hiring committee for “no telling how many years.” He reorganized the internal operation of the hiring process, introducing a professionalism and respect for system and adherence to rules that was previously lacking. For a minimum of 15 years, he chaired the committee that hired faculty. He would serve other terms as chair beginning in the late 1980s when the law school hired many new teachers, some of whom stayed for decades.

Faculty members hired under Professor Bradley’s supervision all recall the personal role he took in welcoming applicants. He took visitors on a convoluted tour of the city. The “Bradley Tour” drove past all the most attractive features of the University and town. It swept from the University, around the Square, past Rowan Oak, up North and South Lamar, through old and new residential neighborhoods, and by county pastures. It turned around just past College Hill Presbyterian Church or, time permitting, at Sardis Lake.

Distinguished service as chair of the hiring committee ranks high among Professor Bradley’s career accomplishments. Under his leadership, the school assembled an eminent faculty that would include the future founder of the Cambridge Summer Program and future director of foreign legal study programs at Cornell, Larry S. Bush; future college president Tim Hall; future Missouri law school dean Gary Meyers. Professor Bradley observes, “We have made very few poor hires during that period.”

38 In addition to dozens of faculty members who made extraordinary contributions before moving on to other positions, Professor Bradley led the process that resulted in hiring teachers that provided long-term institutional stability. These include Professors Richard L. Barnes, Deborah H. Bell, Donna Raye Davis, Larry J. Pittman, Ronald J. Rychlak, and the author.
He was a reliable, vocal advocate for qualified minority—and a conscientious critic of procedural irregularities that could prevent the law school from considering qualified minority and women applicants. Without Professor Bradley’s personal leadership, it is doubtful whether Louis Westerfield would have been appointed as the law school’s first African American Dean.\textsuperscript{39}

Rather than boast, however, Professor Bradley identifies retaining good faculty and achieving an appropriate faculty-student ratio as two of the significant institutional challenges faced by the law school in the 1970s and 1980s. He remembers high turnover rates of faculty and credits changes in the surrounding community, in part for greater success in later years, as Oxford has become more “livable.”

Professor Bradley also chaired the curriculum committee during a time when legal education underwent significant changes, mostly as a process of gradual evolution of subject matter. One of the biggest structural changes was the reorganization of legal writing (for which Professor Bradley claims no special responsibility). His famed wry humor appears in full view when he remarks, “Over the years we experimented with many different ways of [teaching legal writing]. Then we finally decided to spend money on it.”

\textbf{IX. QUEST FOR JUSTICE}

While Professor Bradley has not specialized in areas of law specifically associated with civil rights, his teaching and scholarship reflect his vision of legal education as a force for progress. One recent best seller identifies him as “a liberal voice at the law school.”\textsuperscript{40} Hope in the ameliorative promise of law informs Professor Bradley’s career-long attention to Workers Compensation. The reviewer of the Bradley and Thompson treatise writes:

\textsuperscript{39} For Professor Bradley’s moving tribute, see John Robin Bradley, \textit{Remembering Dean Louis Westerfield}, 65 MISS. L. REV. n.p. (1996) (three unnumbered pages immediately following front cover).

\textsuperscript{40} CURTIS WILKIE, \textit{THE FALL OF THE HOUSE OF ZEUS: THE RISE AND RUIN OF AMERICA’S MOST POWERFUL TRIAL LAYWER} 314 (2010) (describing the occasion when Professor Bradley expressed concern in a faculty meeting about the morality of the law school accepting large contributions from felons).
At its origin and at its best, the compensation system shows how the legislative, executive, and judicial branches once combined to address one of the more dehumanizing products of the Industrial Revolution—jury and death on the workplace—and mandated essential fairness for the lame and halt, the lowly claimant, the forever powerless. Nothing more or less is at stake in the compensation system, and the authors address each issue against this backdrop.  

Professor Bradley’s commitment to careful research and procedural regularity could irritate over-eager colleagues and administrators on occasion. More than once, the faculty was prevented from voting on an issue because Professor Bradley pointed out that the issue was not included in the agenda circulated in advance of the meeting. Perhaps because he early saw the association between injustice and irrational forces, Professor Bradley appreciated the strong link between law and reason. Both his scholarship and his work as a colleague demonstrate his belief that adherence to procedure and rules of general applicability serve the ends of substantive justice. He might not go as far as Sir Edward Coke in averring that “[r]eason is the life of the law.” But he thought that it could be. The reviewer of his treatise observes this in Professor Bradley’s scholarship:

What [the authors] remind us is that the elegant simplicity and essential fairness in the whole idea of compensation of workers at the expense of the employer, and the merits of risk-spreading that is its fundamental justification, are worthy goals of our law, but to achieve them one must pay close attention.

X. SUPPORT FOR INTEGRATION

One guiding value throughout Professor Bradley’s adult life—one shared by Laura Bradley—is the recognition that segregation

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43 Jones, *supra* note 41, at 1109.
is wrong. “I realized when I was in college that segregation, and not just state-ordered segregation, was a moral question. For some reason there was a fairly large group of students [at Mississippi College] who felt that segregation was a moral issue of the times.” During his semester at Tulane, he was astonished when law students hissed contracts Professor Mitchell Franklin for publicly questioning Tulane’s policy of segregation. “That made an impression on me. The first thing is, I was shocked because that was not the attitude of my best friends in college. And I was shocked at the disrespect they showed.”

He reflects, “Training African American lawyers is an important mission that the law school has fulfilled.” He chuckles that “we have turned out some bums.” But he slowly emphasizes, “We have turned out some really good people.” Some of the best African American students who leap to his mind are A.C. Wharton, Connie Slaughter Harvey, and Bennie Turner—and he knows scores more. He adds that he did not know future Justice Reuben Anderson who “made a mark for sure.”

Despite advances made in race relations, Professor Bradley’s personal support for African American students never diminished. For over four decades John Robin and Laura Bradley regularly attended the annual banquets and other events sponsored by the Black Law Students Association. Constance Slaughter Harvey annually acknowledged Professor Bradley’s championship of Black law student interests. In early 2013, Professor Bradley was honored as recipient of the first Legend Award from the Constance Slaughter Harvey chapter of the Black Law Students Association.

John Robin and Laura Bradley have been reliable supporters of liberal candidates and card-carrying members of all the usual liberal and bi-partisan good government groups. At the law school, Professor Bradley has not wavered in his support for affirmative efforts to recruit and retain qualified African American and other minority law students.

XI. MEMORY

With the passage of time and changing political moods, Professor Bradley became concerned with preserving the historical memory of significant events in the life of the University. He served on the planning committee for the symposium on the Civil
Rights Movement and the Law (April 1-2, 1989), which brought to the law school leading participants in the legal struggles for civil rights in the mid 1960s, including former Assistant Attorney General John Doar, and Judges Constance Baker Mottley, Elbert Tuttle, and John Minor Wisdom.44

In 2010, Professor Bradley initiated, organized the process, and raised the funds necessary to honor James Silver, the eminent history professor who had been hounded from the state in the early 1960s for supporting civil rights and the rule of law. The process resulted in the dedication of Silver Pond at the North entrance to campus and to the erection of a historical marker at the site.45

**XII. Faculty Governance**

Professor Bradley has contributed in official ways to education on the state and national level. Beginning in the 1960s, he was repeatedly elected to the Faculty Senate by the law faculty. In the 1970s, he served on the senate Executive Committee and in various leadership positions. In the 1980s, he was twice elected President of the Faculty Senate. In his work on the senate, Bradley raised his voice for academic integrity and faculty governance. He helped rewrite the tenure and promotion guidelines that were adopted by the University, bringing greater specificity to the stated requirements. He fought for academic programs to receive their fair share of funding. In years with limited resources, he urged that the library acquisitions budget receive more dedicated funding. As the University began to pursue fundraising as a serious enterprise, he championed transparency

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44 Co-sponsored by the law school and the Center for the Study of Southern Culture, the symposium proceedings were broadcast on C-Span and recorded. The Civil Rights Movement and the Law (April 1-2, 1989) (on file in the University of Mississippi School of Law John Grisham Law Library Special Collections as six cassettes) (recording of the C-SPAN broadcast). Professor Bradley personally conducted an oral interview of United States District Judge Robert R. Merhige, Jr.

45 There was a personal family connection: as a young graduate student, Laura Bradley had Professor Silver as an instructor. The Bradleys were responsible for the Silver Pond in a second way. They founded and helped lead the Stone Glen Neighborhood Association that negotiated with the University and the city for effective rainwater control. The negotiations led to the drainage system with a series of retaining pools, of which Silver Pond is the most visible.
in the use of donated funds. During the administration of Chancellor Gerald Turner, he became recognized as the spokesperson for the faculty in public discussions of contentious issues such as the payment of bonuses for administrative employees from private funds. His candid stance on such issues and the civility with which he advanced criticism allowed him to maintain good relations with the Chancellor and helped establish practices of openness and dialog between the faculty and administration that have benefited the University to the present.

Lending his expertise to other institutions, Professor Bradley served as site inspection visitor for the ABA Section on Legal Education at five different law schools beginning in the 1980s.

He and Laura Bradley have contributed in ways too numerous to count to the local community. After the desegregation of Oxford’s schools, there was no parents’ organization. John Robin and Laura Bradley founded and led the new, integrated parents’ organization, which continues to play a vital role in the city schools.

The city benefited from the Bradleys’ enthusiasm for tennis. As president of the Oxford Tennis Club in the late 1970s, Professor Bradley helped reorganize a tournament that annually attracted over two hundred players from a four-state region and became a model for other tournaments. “I didn’t think it was run very well so I became the head of it.” Professor Bradley was named the state’s Tennis Officer of the Year in recognition of the success “we had” in creating a new and better model for organizing such events.

A regular presence at meetings of the Oxford Board of Aldermen and Planning Commission, Professor Bradley drafted the city ordinance that placed effective restrictions on the occupancy of single-family residences—a policy of considerable importance for preserving the historic character of the town in the face of economic pressures resulting from changes in the housing market. His drafting creatively avoided constitutional pitfalls that prevented the enforcement of similar ordinances in other communities. He was the lead plaintiff and legal strategist behind litigation that prevented the construction of multiple family residences in a residential neighborhood. The lawsuit was resolved amicably when Professor Bradley personally bought the
property in dispute and impressed on it a restrictive covenant. Professor Bradley has served as a member of the Planning Commission since 2011.46

XIII. CONCLUDING UNSCIENTIFIC POSTSCRIPT

Those who know Professor Bradley will understand how incomplete the foregoing sketch remains. Few readers can name a man who has demonstrated more consistent courage in advocating what is right when it is not popular47—who in the face of bitterness and conflict has preserved respect and decorum, who in mastering a technical area of law has pursued broad, deep interests in history and literature, cultivating an eye for fine art48 and architecture.49

Professor Bradley brought welcome humor to the classroom and faculty meetings with memorable stories and jokes. When discussing a famous English case on contract law damages, he stood on a desk and scanned the room to illustrate that foreseeability is sometimes greater, sometimes lesser. Many are the times that his injection of wry humor relieved the tension of debates in faculty meetings.

One of my favorite memories is a car trip I took with Professor Bradley a few years ago. He had learned that the Post

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46 His nomination by a previous mayor was not confirmed by the aldermen because his vocal stance on various issues had made him a controversial figure, perceived as unacceptable to some in the business community.

47 In addition to his vocal support of integration and academic quality, Professor Bradley repeatedly raised his voice to question the soundness of administrative decisions that he did not feel were in the best interests of the institution. For example, he was the sole person at the law school who raised questions about the construction of the new law school building. Despite Professor Bradley's personal interest in architecture and notwithstanding the fact that he would occupy a sumptuous new office, he pointed out that the ambitious fundraising effort might provide greater long term benefits if the school renovated the existing building and devoted the remaining funds to scholarships and academic programs.

48 In his office hang an oil painting by Jere Allen, one of three works by the Mississippi master the Bradleys own; a lithograph portrait of Picasso by Salvador Dali; and original works by less renowned artists well chosen for their content. Home decorations range from a fine Heriz carpet to a large original Ellsworth Kelly graphic.

49 After arriving in Oxford, the Bradleys bought a mid-century modernist house with Japanese accents designed by Memphis architects. The Bradleys commissioned the original architects to design an addition that did not detract from the appeal of the original design.
Office in Batesville contained a WPA mural. First, we visited the historic building for which the mural had been commissioned. There we learned the mural had been moved to the new structure out by Interstate 55.

At the new post office, we discovered that the mural was visible only in the mail sorting area that was closed to the public. Professor Bradley’s charm was the key that admitted us to the inner sanctum where we could enjoy the stunning mural with its romanticized depictions of commerce and agriculture.

But Professor Bradley was not interested just in the art. He was also curious about what workers thought about the art that had been financed by the American people in an age of optimism. With the lone postal employee on duty, he discussed how it felt to work in that environment.

If life is a journey, then in Professor Bradley we cherish a worthy travel companion who has helped us to be our better selves, encouraged us to move forward and explore new paths, paused to show us beauties, and helped us to avoid pitfalls and nettles. The law school and all who know him are better for his company along the way.

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50 An avid birder, after visiting the site of the new law school Professor Bradley sent faculty an email alerting us to the presence of a sharp-shinned hawk whose habitat the school was sharing. See Appendix B.
APPENDIX A:

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APPENDIX B:

E-mail

On Jan 3, 2011, at 7:28 AM, [John Robin Bradley] wrote [to law faculty listserv]:

An east-bound sharpshinned hawk sailed seven feet above the ground in front on my car and glided onto a limb pile near the law school’s west windows. This was early Thursday afternoon, December 29, as I cruised along the street on the west side of the new law school. Coming from the wooded area to the west, the brown bird gave me ample time to identify it as I walked toward the limb pile before it flew back into the woods. I took this as an omen of welcome and a plea that the newly-arriving tribe respect those who were there first.

John R. Bradley

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^58 Quoted in: KLLM, Inc. v. Fowler, 589 So. 2d 670 (Miss. 1991); see also Clark Monroe, Comment, Accidental Injury Under the Mississippi Workers’ Compensation Act: Fewer Compensable Claims and a Pandora’s Box of Tort Liability, 62 MISS. L.J. 689, 692 n.11 (1993).
PROFESSOR JOHN ROBIN BRADLEY: A MAN OF GRACE, HUMOR, AND INTEGRITY

I. Richard Gershon

I met Professor Bradley when I was serving as the Founding Dean at the Charleston School of Law. In 2005, that law school was going through the accreditation process with the American Bar Association (ABA), in the hopes of becoming an approved school. As one of the steps in approval of law schools, the ABA sends seven-member site teams to review every aspect of the law school.

In 2005, Professor John Robin Bradley was on the initial site team visiting the Charleston School of Law. I was impressed with him from the first time I met him. In his assessment of the school, he was firm, but gentle. That is a rare quality. His intelligence and sense of humor were easily apparent. He was a pleasure to work with, even in that tense time in Charleston.

One incident from that visit will always stick out to me. New schools (truly any schools) are far from perfect, and Charleston was no exception. I reported directly to a board, composed of the five founders of the law school. They were prominent lawyers and judges, who really wanted to do things the right way. In one case, however, they simply got it wrong. Our faculty had approved giving credit to students who served as teaching assistants for the legal writing program. This was not unusual, and was a practice in place at several approved law schools. About a week before classes started, the board became concerned about giving this credit instead of pay for the teaching assistants and overruled the faculty and me. They decided to pay the students, instead. The students and faculty were not happy about this, even though the board’s decision was well intentioned. I was concerned, because faculty governance is an important consideration in the ABA accreditation process, and the board had clearly disregarded the faculty’s wishes on this issue.

* Dean and Professor of Law, University of Mississippi School of Law.
When the site team heard about this incident, all seven of them appeared in my office. They asked what happened, and I admitted that it was not our finest moment, but assured them that the board now understood its role in the governance structure and that this would never happen again. Professor Bradley looked at me and said, “That was unseemly.”

Now, in 2013, having had the opportunity to work with this wonderful man for three years, my main goal has been to never do anything that John Robin Bradley would find unseemly!

John Robin, it has been an honor and a pleasure, and I know that you will be a part of this law school for many years to come.
TRIBUTE TO JOHN ROBIN BRADLEY

David W. Case*

On the first day of the 1985 fall semester at the University of Mississippi School of Law, I sat in a Lamar Law Center classroom anxiously awaiting the professor’s arrival prior to my very first law school class. That class was Contracts and the professor was John Robin Bradley, then beginning his twentieth year on the Ole Miss faculty. To say I nervously awaited the start of that class is a monumental understatement. As I looked around the room, I was convinced that every other person staring back at me was firmly aware that I had no business there. I envisioned that someone from the dean’s office was at that moment rushing to pull me out of the classroom, and that this person recognized this as constituting the running of the statute of limitations on any ability to reverse my mistaken admission. In the face of this rather frazzled mental state, Professor Bradley’s gentlemanly demeanor combined with his razor sharp wit immediately put me, at least somewhat, at ease. Soon afterwards, Professor Bradley’s oratory skill in the tradition of the finest Mississippi story tellers and ability to deliver a hilarious punch line seemingly out of nowhere became one of my favorite aspects of my first year of law school.

Some twenty-eight years following this rather shaky start to my legal career, my colleague John Bradley announced to the faculty his intent to retire at the end of the 2012-13 academic year, his forty-seventh on the law school faculty. In an emotional burst of nostalgia triggered by John’s announcement, I subsequently shared my recollection of my first day of law school.

* Associate Professor of Law, University of Mississippi School of Law. Professor Case received his B.A. from the University of Mississippi in 1985 and his J.D. in 1988.
with students in one of my classes at the Ole Miss Law School. After class, one of those students approached me to say that Professor Bradley had similarly taught her first class in law school two years earlier. I related to this student that I had heard John Grisham say something very similar about John Bradley teaching his first law school class in 1978, and later that of his son in 2006, during Grisham’s 2011 speech at the dedication of the new Khayat Law Center.\(^1\) The fact is that many thousands of former Ole Miss law students share this common experience. John Robin Bradley has been an enduring pillar connecting multiple generations of Ole Miss law students from 1966 to 2013. For the last several years, he has been the longest serving active faculty member at the University of Mississippi. His retirement is truly the end of an era.

As a two-time graduate of the University of Mississippi, I have very much enjoyed being John Bradley’s colleague on the law school faculty for the past six years. My time with him on the faculty taught me something important about John that I was not fully aware of as his student. That is, that John is an absolutely remarkable historian. Outside of certain individuals affiliated with the department of history, Professor Bradley has perhaps the deepest reservoir of knowledge at the University of Mississippi on the intertwined history of the state of Mississippi and the university. This includes, most certainly, the equally intertwined nearly 160-year history of the law school. The many hours spent over the last several years discussing aspects of law school, university, and Mississippi history with John have been a tremendous personal pleasure. Law students often come to me as a graduate of the university and the law school seeking historical information on both institutions. After disclosing what I know, I always tell them that for much greater detail and far better context and nuance they absolutely \textbf{must} go talk to Professor Bradley. His well of information never seems to run dry and no one paints a more lush, robust, and entertaining historical landscape on any subject relating to the law school than John.

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\textsuperscript{1} See Dedication Ceremony Speech of John R. Grisham Jr., 81 Miss. L.J. 18, 18 (2011) (issue commemorating the dedication of the Robert C. Khayat Law Center at the University of Mississippi).
\end{flushright}
In the many months surrounding the law school’s move in 2011 from the Lamar Law Center to our new home at the Khayat Law Center, John shared with me numerous stories about the various buildings that have housed the law school, both on and off the Ole Miss campus (including on the Oxford Square). In particular, I found utterly fascinating John’s detailed knowledge of Farley Hall (the original Lamar Hall, subsequently renamed for three generations of Farleys associated with the School of Law and now home to the School of Journalism and New Media), where Professor Bradley was a law student and where he began his career on the university faculty. Some of John’s Farley Hall stories were shared in my office in the Lamar Law Center, as we stood in front of my window looking across the parking lot at Farley. Although he never said it directly, John’s tone in relating these stories convinced me that John continues to this day to disagree with the decision to move the law school across the parking lot from Farley to Lamar in the first place.

Other of John’s stories about Farley Hall were shared with me in John’s office at the Khayat Law Center, as he described the significance of some original shelving from Farley that he had installed in his Lamar Law Center office and subsequently reinstalled in his office in the new law school building. As he discussed these and other artifacts rescued from the days that Farley Hall housed the law school, I was deeply moved by how connected to the law school and its history John is and has been over the years, and how incredibly important that connection is to him. As his faculty colleague and his former law student, the depth of that connection and John’s immense affection for the law school and the university have meant a great deal to me on a very personal level. I am extremely proud to have that in common with him.

It has also been an immense pleasure to have access to John’s insight and depth of historical knowledge during this past academic year, which was the fiftieth anniversary of the integration of the university in 1962 (also, significantly, the year of John’s graduation from Ole Miss and the year of my birth). In particular, John shared with me many fascinating insights regarding the inspiring examples of former Ole Miss law professor William Murphy and former law dean Joshua Morse and their
roles in events involving the law school during the civil rights era.\(^2\) John’s natural abilities as a compelling storyteller were, of course, greatly enhanced by the fact that he was a front row spectator as a law student and editor-in-chief of the *Mississippi Law Journal* as these unfortunate but historically meaningful events unfolded.\(^3\) I also spent many remarkable hours in discussions with John about former University of Mississippi history professor James W. Silver and the 1964 publication of his treatise *Mississippi: The Closed Society*\(^4\) that motivated segregationists to force Professor Silver to leave the university and the state, as had also been the case with Professor Murphy and Dean Morse.

In truly extraordinary service to the university, John successfully chaired the Silver Commemorative Committee whose efforts spearheaded university programs honoring Professor Silver and the dedication of the Silver Pond built in front of the first Residential College on the Ole Miss campus in 2011.\(^5\) Again, this meant a great deal to me on a personal level. Two of my children, R.J. and Jane Costner, are current Ole Miss students and live in the Residential College next to the Silver Pond. As an Ole Miss parent (and faculty member), it was a wonderful experience to share with my children (and members of the student body) a great deal of the remarkable history of Professor Silver and *Mississippi: The Closed Society* that John had shared with me. This included passing along to them a copy of Professor Silver’s treatise that John had kindly located and given to me.

As a law school alumnus and a member of its faculty, I believe it extremely important that we carry on John Robin Bradley’s legacy of understanding and appreciating the law school’s history. This is unquestionably a lofty standard given how

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\(^2\) For a representative sampling of Professor Bradley’s insight on these issues, see John R. Bradley, Jr., *A Salute to William P. Murphy*, 77 Miss. L.J. 923 (2008) and John R. Bradley, Jr., *The Five Eventful Years of Josh Morse’s Eventful Deanship*, 82 Miss. L.J. (forthcoming 2013).


high John has set the bar, but rightly so. The law school as an institution cannot understand how far it has progressed and how far there is yet to go if those responsible for that progress do not appreciate the substantive details of the history of our journey from our past to our present. For all of the students who have passed through the Ole Miss Law School over the past forty-seven years, Professor Bradley has connected us to that history and to each other in ways both tangible and intangible. Those shared bonds should help us carry Professor Bradley’s legacy forward into the hopefully extremely bright future of the University of Mississippi School of Law.

It is an honor and a privilege to be both John Robin Bradley’s former law student and his faculty colleague at the Ole Miss Law School. On behalf of the legions of his former law students and his many faculty colleagues, I say to John for his incredible forty-seven years of service to the law school, the university, and the state of Mississippi, thank you.
IN HONOR OF JOHN ROBIN BRADLEY


“Mr. Watkins would you mind giving us the style of the next case?” Those words hung in the air in large capital letters and the sound echoed in the moot court room of the old law school. My heart skipped two beats and then three. Struggling to find my breath, trying desperately to remember the case, I looked up and found Professor Bradley peering directly at me, waiting patiently for my response. I had nothing to say. I could not give my name, much less the case. Then it dawned on me that the name of the case was in the book I was holding in my lap, so I glanced down and stammered out weakly, “Ligenfelder v. Wainwright Brewing Co., 15 S.W. 844 (1891).”

“Mr. Watkins what is the name of the architect who originally sued in this case?”

“JEWGENFELD,” I said somewhat too loudly and with way too much southern twang. It was the one name I remembered from reading the case.

“Mr. Watkins do you suppose that the correct pronunciation of the architect’s name is Ugenfeld? Wouldn’t the J be silent?”

Where was the hole I could crawl into? Why wouldn’t the earth open up and let me be swallowed into the abyss?

“Yes, absolutely.” Please just forget who I am. There are a hundred other people in here. Pick a name. Any name. Move on.

“Now Mr. Watkins, if you ordered a boxcar load of sons-of-bitches and you went down to the railway station and opened the boxcar door and the only person to step out was Mr. Jugenfeld, would you feel you had got what you ordered?”

Where was Alice? How did I miss the looking glass? The case had nothing to do with sons-of-bitches at least to the superficial extent I could recall what the case was about. Rather than being swallowed by the earth, I had tumbled down the rabbit hole. Silence—utter embarrassing silence. I had nothing to say.

* Founding Partner, Forman Perry Watkins Krutz & Tardy.
“Mr. Watkins? Would you feel your contract for a boxcar load of sons-of-bitches had been completely fulfilled if they sent you one, Mr. Jugenfeld?”

“I suppose I would.” That had to be the right answer. Praying incessantly and to myself, I was becoming more religious by the minute.

“What?”

“Why?”

“Why what?”

“Why would you feel the contract had been satisfied?”

Search the brain, there has to be something I can say. Something I can throw out that will allow us to move on to another case and more importantly another person—anyone. “Because Mr. Jugenfeld wouldn’t complete what he had contracted to complete. At least he wouldn’t for the price originally agreed on. He used circumstances to force a better deal.”

“What was missing from the second contract?”

“Uh—(long pause, crickets chirping, heart pounding)—consideration?”

“Precisely. This is the case that illustrates as clearly as possible the simple contract term of consideration.”

Professor Bradley began to explain the case in his eloquent way as he moved towards the center of the room and away from me. I was safe until another day when my name would be called, but that was a lifetime away. Heart rate and blood pressure all returned to normal. Prayers answered. I was good. I had survived.

I will never forget that day or that case. Professor Bradley, always dapper in tie and blazer, gold rimmed classes, and blonde, neatly combed hair, speaking with the calm nature and commanding presence of a real lawyer teaching the law of contracts to people who thought they wanted to be lawyers. The word teaching is important here, because so many professors lectured us, embarrassed us for the sake of embarrassment rather than taking the harder road of actually teaching.

Professor Bradley frightened us, intimidated us, befriended us, but most important taught us. The course was contracts, but the lessons taught went far beyond the brown old textbook filled with cases. He taught us to think, to speak, to debate, to prepare, to anticipate the question, and to see beyond the written words of a single case. He taught us to understand that the cases in the
book were about real people and that we would encounter real people with real problems if we were lucky enough to graduate and become a real lawyer.

On a September day in 1976, I learned that I really wanted to be a lawyer. I wanted to fight the Jugenfelds of the world and I have Professor John Robin Bradley to thank for that.
IN HONOR OF PROFESSOR JOHN ROBIN BRADLEY’S RETIREMENT

Chip Williams

In the summer of 1973, while the Watergate hearings were being conducted before the U.S. Senate and the Vietnam War was being waged in Southeast Asia, my young wife died suddenly. She was diagnosed with a brain tumor on a Saturday morning hospital admission, and I lost her the following Tuesday evening. Actually, our family lost her. Sandy was twenty-five when she died. Our daughter was 10 months old.

We had returned to Oxford and the law school in January after my active duty in the Navy. Although a war was going on, my service had been mainly spent on tours aboard a destroyer sailing in the Caribbean and Mediterranean Seas. God had spared me the trials of death. My parents and siblings were healthy and my grandparents still alive. On the rare occasions that a friend or neighbor passed away, I had only made brief visits to the local funeral home to “pay my respects.” Contemporaries who tragically died in the war were buried in foreign cemeteries. I had been to one funeral and no burials, until my wife died. Thereafter my callow life was changed.

The shock of the unexpected loss was so intense that I had notified no one, not even the law school classmate who also happened to be our next door neighbor. Whoever came to the funeral and whoever wrote condolences had learned the news from someone other than me, including those at the law school. After a week’s absence, I returned to campus. The first day of my return to Lamar Hall a professor stopped me and expressed his sympathy. He then asked why I had not notified the school. He said he had only learned the day of the funeral when he read Sandy’s obituary in The Commercial Appeal. I can only imagine the sight of devastation that came with my reply, or lack of reply. He also asked about completing the semester and his course. I said that was my intention. He said that it would be difficult for me and that I would need help. I had made a 3.5 in his
corporations class the previous spring semester. It seems strange I can recall that course and grade but do not remember the names of the two courses I was taking that summer. In fact, I only remember one of the instructor's names. That was the professor who spoke to me and offered his help: John Robin Bradley.

Every remaining day of the semester, either immediately before class or immediately following, Mr. Bradley and I would meet for 30 minutes or more over coffee in the old Alumni House cafeteria where he would ask if I had questions about the assignments, inquire about my child, and mostly just talk in friendship, giving me a chance to participate as I wished. Over me was that dark blanket of grief C.S. Lewis once described. Other than being me, I cannot imagine anything more painful than having been in my presence then. Beforehand, Mr. Bradley had loved to wisecrack. He was a little cynical; sometimes sarcastic. But those inclinations of his spirit were never part of our meetings. What a sacrifice it had to be for the man.

Certainly in the history of teaching it must be remarkable that a law professor offered, actually insisted, that he tutor his own student. Other than time spent with my infant daughter, those informal meetings collectively account my lone pleasant memory of that time. And whenever I think of what it means to be compassionate and dedicated, to this day I remember a noble law professor, Mr. Bradley.
By the time I first stepped foot inside the University of Mississippi School of Law, John Robin Bradley was already a living legend within Mississippi’s legal community. On the school’s faculty since 1966, Professor Bradley had already impacted the lives of thousands of Mississippi’s law graduates. He was already the state’s preeminent expert in workers’ compensation, having written two books and more than a dozen articles on the subject. He was also already one of the most beloved professors in the school’s long history. While I had no idea of Professor Bradley’s reputation or achievements when I started law school, it took me all of about two minutes in his class to realize that there is something special about the man.

I still remember my first day of contracts in the old Lamar Law Center. I recall sitting with a group of students who I had only met a few days before; all of us, while still relative strangers to one another, already united in our prayer that we not be called on to answer a question that day. Until then, my only experience with a law professor had been Professor Charles Kingsfield, the harsh and fearful character in the movie The Paper Chase. I fully expected Professor Kingsfield to walk into the room, immediately launch into a discussion which I would in no way understand, and absolutely belittle and terrify the class in the process. Instead, we got Professor Bradley. The contrast couldn’t have been clearer. While it was apparent that Professor Bradley knew everything there is to know about contracts, it was equally obvious that the man before us wasn’t at all the mean-spirited professor I’d grown to fear. There was no hint of an attempt to scare us just for the sake of being mean. Instead, the first thing Professor Bradley did when he walked into the room was smile at us. He introduced himself and welcomed us to his class before he began discussing

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* University of Mississippi School of Law, Class of 2013; Associate at the firm of Glover, Young, Walton & Simmons, PLLC, located in Meridian, Miss.
the basics of a contract, and I knew then that this was a man who cared not only for his subject, but also for his students.

By the end of the class, much of my anxiety over law school in general, and contracts in particular, had vanished. As I assume many of my fellow students also did at the end of that day, I called my parents to tell them how class had gone. I was delighted to hear that not only had they both taken classes taught by Professor Bradley when they were in law school in the early 1980s, but that they thought very highly of him. My mother told me that not only was he a good professor, but that he possessed one of the most uncommonly dry wits she’d ever come across. In hindsight, that description of Professor Bradley’s sense of humor was, and is, a complete understatement.

Put simply, Professor Bradley is one of the funniest professors that I’ve ever had. Contained within that kindly, unassuming exterior is a man that can deliver a punch line as well as anyone. More importantly, he used that sense of humor to turn one of the most tedious subject matters in law school into one that students could understand and appreciate. His methods were many, ranging from jokes, to props, to surreptitiously feeding lines to students before class that they were to repeat back to him at a precisely choreographed moment in the lecture. In the middle of class he would walk to the classroom door, open it, and shout things into the school’s hallways and atrium. He would

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1 Professor Bradley is well known for bringing a human skull to class in order to illustrate the point that it is impossible to objectively know what someone was thinking at the time that they formed a contract—instead other people must rely on that person’s statements, behaviors, writings, past behavior, etc. To prove this point, he would hand the skull to a student in class, ask them to open the top of it (which had been sawed off and then reattached using a hinge) and see if they could figure out what the person was thinking. I was “fortunate” enough to be chosen as the student in my class to open the skull. When I looked inside of it, there was a post-it note with the words, “Do not sell to the infidel,” written on it.

2 From Sterling Kidd, Ole Miss Law, Class of 2010: “During contracts, Professor Bradley asked a student, ‘How many ways are there to skin a cat?’ The student replied, ‘I am sure there are many.’ Professor Bradley rejected this answer, and sought another volunteer. That volunteer replied, ‘More than one.’ This answer was accepted. Only the precise cliché would do.”

3 In particular, he has been known to shout, “I revoke!” into the hallways, almost certainly startling anyone unfortunate enough to be standing or sitting anywhere nearby. It was always a goal of some enterprising first year students to wait until their second year, figure out which day he would be discussing revocation of a contract, sit
stare unnervingly at a student until he or she hazarded the right answer after giving the wrong one. He would use his own unique (and sometimes baffling) hand gesture for consideration. Even well into his 70s, he would climb on classroom furniture, including students’ desks, if he thought it will help make his point more clear. To illustrate the concept of mutual mistake, he would read Brainerd Currie’s “Rose of Aberlone,” a poem about a cow made famous in the case of Sherwood v. Walker. He even wore a matching tie with little cows all over it. Once, we spent the better part of an entire class session discussing whether or not a payment from a fictitious school in Alabama to a fictitious college quarterback of $200,000 would constitute a binding contract—a conversation that eventually led to Professor Bradley talking about the recruitment of Marcus Dupree and about Professor Bradley’s long-time friend, author Willie Morris. His sense of humor and unique personality, of course, extends outside the classroom as well. Upon being asked by a student if there was any truth to the rumors that he graded his exams by throwing them down the law school steps and seeing where they landed, Professor Bradley is thought to have responded, “No. I don’t spend that much time on them.”

Outside of class he exudes a kindness and professionalism that a number of students in my year have actively sought to emulate, though none, myself included, have had nearly the success. Each year the school’s Public Interest Law Foundation puts on an auction of professor-donated opportunities, such as dinner with Professor Christopher Green and his family, golfing with Dean Richard Gershon, or an Ole Miss football game with Professor Robert Weems (he requires that you be an Ole Miss fan). I was fortunate enough to pool what little money I had left over from student loans with two other students, Grant Mullins and Erin Guyton, and successfully bid on a lunch with Professor Bradley at City Grocery. Grant, Professor Bradley, and I each arrived early, and we were already sitting at the table making small talk when Erin walked in the door. As soon as Professor Bradley saw Erin, he stood up until she approached the table, outside the door, and then shout back, “I don’t accept!” just to see his response. To my knowledge, it never happened.

4 33 N.W. 919 (Mich. 1887).
then walked around to pull out her chair, pushed it in after she’d sat down, and only then did he walk back and return to his seat. Meanwhile, Grant and I sheepishly looked at each other, realizing that we were in the presence of a man with a chivalrous streak far greater than either of us possessed. To this day, Erin says that no single moment has made her feel more like a lady. Professor Bradley, simply by being who he is, sets a high bar for the rest of us, and we are better for it.

One of my most sincere regrets in law school is that I wasn’t able to participate in any of Professor Bradley’s classes during my second and third years. The students who were able take his workers’ compensation class and his corporations class never had anything negative to say about the courses, and it always seemed that an inordinate number of his students were the same ones that had been lucky enough to be assigned to his contracts class first year. His students, it seems, have always cared about him and have always appreciated his dedication to his chosen craft, his love of the law, and his unparalleled ability to teach it to others. As one of those students, I am incredibly grateful to have been able to admire and learn from such a man. While the school might be losing his physical presence, his impact on the school and on the state’s legal community will endure. After forty-seven years of teaching, Professor Bradley has cemented his status as one of the law school’s greats. I can only hope he enjoys retirement as much as we enjoyed having him as our professor.
PROFESSOR ROBERT A. WEEMS
ROBERT A. WEEMS

Robert C. Khayat

In the summer of 1964, Bob and Janis Weems arrived at the Avent Acres apartments in Oxford in a white Corvair two-door coupe. My wife Margaret and I lived in the same apartment development and quickly became close friends with the Weemses. As our families grew, we had daughters at about the same time, both of whom are named Margaret, and sons a little later, both of whom are named Robert. We have been close friends since that time.

Bob quickly established himself as one of the brightest students in the Law School. He was a product of Central High School in Jackson and Millsaps College, and a former ninth grade math teacher at Chastain Junior High in Jackson. As a member of the very capable and smart Weems family from Forest and later Jackson, Bob had excelled as an undergraduate student and public school teacher, was an outstanding basketball player, and was a veteran of three years as an enlisted man in the United States Army.

With his keen mind and intellectual curiosity, he put to good use the time he spent overseas as a soldier. Stationed in Turkey, he took advantage of opportunities to travel Europe. He used his basketball skills as a player on the Base team, which provided additional travel and exposure to that part of the world.

During his years as a law student he was, of course, at the top of his class. The coveted Am Jur awards had not arrived at that time but if they had, I am confident Bob would have “Am Jured” many of his courses. His naturally quiet and understated nature prevails until the time for him to speak occurs. Immediately, he is transformed into an enthusiastic, energetic, and demonstrative spokesman. He always thinks before he speaks, a trait that was evident when he was a student and continues to be a strength of his teaching.

Following graduation from law School in August 1967, twenty-seven months after entering school, he joined the Brunini
firm in Vicksburg. At that time, Brunini was clearly one of the top three firms in Mississippi with offices in Jackson and Vicksburg. Several of the partners served as mentors for the young lawyer, but I believe Frank Everett became Bob’s role model, mentor, and friend. (Mr. Everett is the author of the “One Never Graduates from Ole Miss speech”). During the twelve years Bob was with the firm, he established himself as a capable lawyer and a “worthy” advocate. He was highly respected by the members of his firm, his clients, and the people of Vicksburg. He did, however, find time to fish at Eagle Lake.

As good as he was at practicing law, Bob Weems was “born to teach”. We often use the words “think like a lawyer”. Professor Weems has a greater ability to work comfortably in the grey world of law than anyone I have known. I was in classes at Yale and Ole Miss and have heard many practicing lawyers try cases and make presentations at Continuing Education Programs, and none have been better than Bob Weems as a teacher. He has an uncanny ability to identify the narrowest of distinctions and to eloquently explain complicated, difficult principles and rules to students and lawyers.

When he was invited to join the Law Faculty in 1978, he called me and asked what he would need to prepare to teach. My answer: a three-hole punch and a lot of courage. I knew his work ethic, I knew that he was extremely well organized, I knew that he was among the brightest people I had known, and I knew he would be “true to the law”. There would be no half-baked fiction being presented in his classes.

What I did not know was that his enthusiasm his first year would be interpreted by some of his students as anger. On his teacher evaluations and in the student underground, he became known as “Belligerent Bob” which was so far off of the mark that it was laughable. Bob didn’t laugh; he worried about failing as a teacher. He did not fail. Actually, in a very short period of time he became the Outstanding Law Professor and he has been chosen by the students for the award six times since 1980. He was also named Teacher of the Year for the University in 1994.

As he grew and matured on the faculty, he and Professor Guff Abbot began the annual Abbot and Weems Seminar for Practicing Lawyers. Presenting various updates on Mississippi
Law, the seminar attracted more participants each year for almost thirty years than any other Continuing Legal Education program in the state.

Utilizing spring vacation as the week for the seminar, presentations were made on the Coast, in Jackson, and in Tupelo each year. The program featured two very popular and knowledgeable law professors providing up to date summaries of Mississippi Law, which of course included any changes or modifications to existing law and new law from the previous year. Service along with teaching and scholarship comprise the tripartite mission of the University. Professor Weems stayed focused on that mission.

Regarding scholarship, *Wills and Administration of Estates in Mississippi*, by Weems, is the bible on that subject in Mississippi. It is well-written and updated annually. Additionally, he and his son Robert published a book on Mississippi torts law that has been as well received as the Wills book.

Part of a faculty member’s responsibility is service to the university. Bob attended every campus wide faculty meeting every year. Of course, he actively participated in law faculty meetings just as faithfully. He never appeared in class or at a university event in casual dress, he wore a necktie in every class and during exams. Bob knows that the practice of law is a profession and he believes in behaving and dressing professionally.

Soon after becoming Chancellor, I asked Bob to chair the Committee on Intercollegiate Athletics, a responsibility he took very seriously. The Chancellor and the Director of Athletics depend upon the Athletics committee for guidance and oversight. The hope is that the Athletics Committee will actively assist in assuring that we never lose sight of our commitment to academic quality as well as integrity in our intercollegiate athletic programs. Bob zealously led the committee, drafted the first set of by-laws the committee had ever adopted, and was an active member of the Southeastern Conference Faculty Athletics Representatives. He attended several meetings each year including the meeting of all Conference schools in May of each year. His compensation for that extraordinary, time consuming service was expense reimbursement and two complimentary tickets to all of the sports events.
Bob Weems is the most unassuming, humble man I know. He expects little or nothing for his extraordinary service, and he gives so much. He quietly reaches out to students in ways that are uncommon. For example, each year he makes a gift of dinner and two tickets to a football game for two students. He quietly supports the annual staff gift fund designed to provide annual bonuses for the custodial staff. He is a loyal team player, has served on virtually every law school committee, and has a near perfect attendance record in teaching his classes—including during infrequent random bouts with illness.

Speaking of illness, on several occasions over the years I have been seriously ill and heavily sedated—sometimes hospitalized for a week or more. Each time I would wake from a drug induced haze, Bob Weems was seated in my hospital room quietly watching me, ready to call for help if needed. When his friend Gerald Blessey faced politically driven difficulties in the courts in Harrison County, Bob Weems was in the courtroom supporting him (all of the cases were ultimately resolved in Gerald’s favor). As they say, Bob Weems is a “stand up man”.

There is no way to measure his contributions to the Law School, to the lives of his students, and to the legal profession in Mississippi. His is a life well-lived, professionally and personally. The University, the Law School and the State of Mississippi are better and stronger as a result of the life of Robert A. Weems.
TRIBUTE TO PROFESSOR
ROBERT A. WEEMS

Guthrie T. Abbott*

I am honored to be asked to pay tribute to my good friend Bob Weems, on the occasion of his retiring from full time teaching. I met Bob and his brother Billy when we all started at the Ole Miss Law School in 1964. We became fast friends during the trauma of our first semester, and we have remained close friends ever since. My wife, Patsy, and I still reminisce with Bob and his wife, Janis, over the good times that we had living in Avent Acres during our law school years. We were all broke and happy as could be. Robert Khayat or Len Blackwell or Bill Rainey or any one of the other aspiring lawyers living in our $62.50 per month apartments would crank up the grill and all of us would throw on our five pounds for a dollar hamburger meat from Mr. Levy’s Jitney Jungle, and we would dine as if we were kings and queens.

I joined the Ole Miss Law faculty in 1970, and my greatest gift to the law school occurred in 1977, when Cliff Hodge and I took Bob Weems to lunch and talked him into leaving his successful law career in Vicksburg to start a law teaching career at Ole Miss. As they say, the rest is history!

Bob is a natural teacher. It has made no difference whether he was teaching junior high math in Jackson or advanced courses in law school. Our students often brag on Bob, and as one student summed it up: “Professor Weems just explains everything so clearly. He is a great law professor, but he could teach basket weaving, or anything, and have you coming back for more.”

I was blessed to be able to work with Bob for twenty-eight years on our Annual Summary of Recent Mississippi Law CLE programs. Bob is so conscientious, well organized, and easy to get along with that we never had a single disagreement over all of those years. However, we did have some exciting times during which Bob’s attention to detail saved us. For example, a year in

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* Emeritus Professor, University of Mississippi School of Law.
advance, we had obtained a written contract with The Clarion Hotel in Jackson, Mississippi for meeting space, which Bob had confirmed several times, as he always did. Nevertheless, Bob decided to triple check and called two days before we were to present our CLE to three hundred lawyers and judges, only to be told by The Clarion that they had never heard of us and that the meeting rooms were already rented to someone else. Thanks to “Mr. Thorough,” Bob Weems, we were able to somewhat sort out that mess, and the Abbott & Weems dog-and-pony show went on as scheduled.

Bob has earned his semi-retirement, but the law students are richer because Professor Weems will continue to dispense his words of wisdom on wills and estates. Bob has a way of just taking over the areas in which he teaches. He is the Southern Distributor of the Mississippi Law of Torts and of Wills. His textbooks on those topics are the bible for students, lawyers and judges. Bob will enjoy his more relaxed life style, but he will continue to have our students anxious “to come back for more” of his clear analysis as he continues in the classroom.
Indeed, my friend, you will find Angling to be like the Virtue of Humility, which has a calmness of spirit, and a world of other blessings attending upon it.

The Compleat Angler

Professor Robert A. Weems caught me by complete surprise when he informed me in spring 2013 that he had given Dean Gershon notice of his intent to retire. It was not an entirely happy surprise. I concede that no one has a stronger moral or legal claim to retirement than this legendary classroom teacher and legal authority. But Professor Weems’s retirement leaves a large void at the University of Mississippi School of Law.

No faculty member in the history of the law school has been known and respected by more practicing lawyers than Professor Weems. The admiration, even veneration, is explained only in part by his extraordinary talent as a classroom teacher, his remarkable scholarship in torts and decedents’ estates, and his yeoman’s service for years with Emeritus Professor Guthrie T. Abbott in providing the highest quality Continuing Legal Education programming on Mississippi law. For all his brilliance, Professor Weems exhibits a directness and modesty in his life and professional activity that are rare commodities among both lawyers and academicians.

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* Professor of Law and Mississippi Defense Lawyers Association Distinguished Lecturer, University of Mississippi School of Law.
2 See appendixes A and B (listing opinions that cite his treatises). This list is not a complete study of the impact of his scholarship for it does not include judicial citations of his law review articles and CLE materials, and it does not include citations of his writings by other scholars.
Equally rare is the extent to which Professor Weems has always focused on the principal goal of law school: to train lawyers. After eleven years of high-level practice in Vicksburg, this award-winning teacher did not need the McCrate Report or any other study to alert teachers to the gap between theory and practice. I know of no one in legal education whose teaching has focused more consistently on the needs of practicing lawyers. And he has done so in classes with direct relevance for practice: torts, evidence, and wills.

Professor Weems’s attention to laying the foundations in doctrinal knowledge and analytical skills has contributed powerfully to the first year education. Torts students who begin with his anatomy of a lawsuit are better prepared for briefing cases in other classes as well.

As the state’s leading authority on torts and wills, it would have been natural for Professor Weems to have devolved into something of a Kingsfield. Precedents of academic self-importance are not unknown in the history of the law school, though none of its practitioners ever had a fraction of the attainments of Professor Weems that might have provided an excuse for their arrogance.

Though he had little use for nonsense, Professor Weems always had a strong sense of humility. On one occasion, over two decades ago at lunch at Ruth and Jimmies, a stranger asked a group of law faculty what we thought about a controversial issue. Without hesitating, Professor Weems announced that he thought it was a matter best left to the legislature. No doubt Professor Weems had his strong personal views on the topic, but the main point he communicated was that he did not think his personal views were the most important point.

At the law school, Professor Weems has been the most forceful advocate of the most open approach to law school admissions. He has consistently argued that the people of the

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3 He was selected six times as outstanding law professor and received the University outstanding teacher award in 1994.

4 Over lunch at Danvers in the 1990s, Professor Weems responded to one colleague’s enthusiasm for some new development with the short remark, “I think Oxford is big enough.” My wife will attest that I have frequently cited Professor Weems since that day, often while we are stopped in traffic or looking for parking on the Square.
state of Mississippi created a great law school, and that the school should admit as many qualified students—especially those from Mississippi—as it can successfully educate. He has opposed as a matter of principle restrictions to access, whether based on size or credentials. While I have not always agreed with Professor Weems, I have developed a deep respect for his genuine commitment to democratic values, his appreciation that the current generation holds the school in trust, and his recognition of the importance of public legal education. He has caused me and others to rethink our own views, and he has persuaded me repeatedly to change my opinions.

When I started teaching, I looked to Professor Weems as a model. From him I learned some of the most valuable lessons, always communicated modestly. One example leaps to mind. Professor Weems taught me the importance of beginning and ending class on time. He did not equivocate but stated simply that holding class late is a form of disrespect. He also taught me the importance of directly answering a question, if possible. To this day I try to answer with a “yes” or “no” before launching into an elaboration of all the ramifications that can make the direct answer inaccurate or misleading.

Over the years, Professor Weems has demonstrated personal courage on occasion, giving voice to opinions that may not be currently popular. But he has also kept his own counsel during many a debate. For me, his reticence in highly charged situations was instructive. He helped me learn that I do not always need to share my opinions, valuable as I always think they are.

In one other respect, Professor Weems stands as a model of a lawyer’s law professor. Though I believe he might have succeeded in a career in administration, Professor Weems never sought a deanship. During one dean vacancy early in my career, I asked him whether he would consider being dean. He laughed before responding that I would not want him to be a dean. He explained that he lacked the decanal temperament and that neither he nor the faculty would be very happy with him as dean.

In hindsight, I recognize in Professor Weems’s response two things. First, I see in it an affirmation of his devotion to classroom teaching. Second, I see in it a remarkable recognition of his own character strengths, an ability to resist temptations to engage in
work for which he did not believe he was best qualified, and a commitment to devote his career to what he excelled at: the education of lawyers.

When the School of Law moved to the new building, faculty selected offices based on seniority. Before choosing I took pains to study where my colleagues were situated. I deliberately selected the office next to Professor Weems. True, I knew he would be respectful of office neighbors. More important, I knew he would regularly be in his office and that, if I needed advice or help, he would be close at hand.

Finally, I should confess that Professor Weems’s retirement is not entirely unwelcome to me. One thing has always made me a little nervous. During my first year in teaching, Professor Weems took me fishing. We carried his canoe into some unnamed wetlands south of Oxford. I learned that day that Professor Weems is a serious angler. He reeled in fish after fish—very large and very slippery—and released them. Though the good professor is the soul of discretion, I live with the fear that someday he might reveal certain facts about my catch of the day.

Honesty is a good thing. But there’s no point overdoing it.
APPENDIX A: CASE CITATIONS TO TREATISE ON TORTS


10. Naomi Ruth McDonald v. Mem'l Hosp., 8 So. 3d 175 (Miss. 2009)

11. Harris v. State, 970 So. 2d 151 (Miss. 2007)

12. Hubbard v. Wansley, 954 So. 2d 951 (Miss. 2007)


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5 Works cited include ROBERT A. WEEMS & ROBERT M. WEEMS, MISSISSIPPI LAW OF TORTS (2d ed. 2008) and ROBERT A. WEEMS, MISSISSIPPI LAW OF TORTS (2002). Coauthor on the second edition is Professor Weems’s son, a 1994 graduate of the University of Mississippi School of Law.


APPENDIX B: CASE CITATIONS TO TREATISE ON WILLS AND ADMINISTRATION


3. Clark Sand Co. v. Kelly, 60 So. 3d 149 (Miss. 2011)

4. In re Estate of Griffith, 30 So. 3d 1190 (Miss. 2010)


6. Woodfield v. Woodfield (In re Estate of Woodfield), 968 So. 2d 421 (Miss. 2007)

7. Mississippi Baptist Found., Inc. v. Estate of Matthews, 791 So. 2d 213 (Miss. 2001)

8. Estate of Cannon v. Ferguson, 733 So. 2d 245 (Miss. 1999)

9. Holloway v. Holloway (In re Estate of Holloway), 631 So. 2d 127 (Miss. 1993)

10. Garrett v. Bohannon, 621 So. 2d 935 (Miss. 1993)


12. McCaffrey v. Fortenberry, 592 So. 2d 52 (Miss. 1991)

13. Cooper v. Crabb, 587 So. 2d 236 (Miss. 1991)


In addition to the treatise, Professor Weems authored the casebook from which generations of lawyers, since 1983, learned Mississippi estate planning law: ROBERT A. WEEMS, MISSISSIPPI WILLS AND ESTATES: CASES, STATUTES AND MATERIALS (3d ed. 1998).
14. *In re* Estate Of Leggett, 584 So. 2d 400 (Miss. 1991)
15. Beauchamp v. Beauchamp, 574 So. 2d 18 (Miss. 1990)
16. *In re* Will of Fields, 570 So. 2d 1202 (Miss. 1990)
17. Williams v. Mason, 556 So. 2d 1045 (Miss. 1990)
19. Cooper v. Guido (*In re* Will of Cooper), 75 So. 3d 1104 (Miss. App. 2011)
20. Prout v. Williams, 55 So. 3d 195 (Miss. App. 2011)
22. Watt v. Cobb (*In re* Estate of High), 19 So. 3d 1282 (Miss. App. 2009)
23. Tatum v. Wells, 2 So. 3d 739 (Miss. App. 2009)
25. Peyton v. Longo (*In re* Davis), 954 So. 2d 521 (Miss. App. 2007)
27. *In re* Estate of Kelly v. Cuevas, 951 So. 2d 564 (Miss. App. 2005), *aff’d and rev’d in part*, Estate of Kelly v. Cuevas, 951 So. 2d 543 (Miss. 2007)
A TRIBUTE TO ROBERT A. WEEMS

Gerald Blessey

You have kindly asked for a brief reflection in honor of Professor Robert Weems. Your request brings to mind that people often say, “I need a good lawyer?”

A “good lawyer” is first a good human being. Bob Weems is first and foremost the model of a good man: loving husband and father, intellectually honest, free of prejudice, charitable to strangers, self-effacing, active in his civic and professional communities, and a loyal friend through thick and thin.

However, a “great lawyer” is a good person who loves the law and continuously studies it, practices at the highest level of mental and physical discipline, cares about the humanitarian aspects of each case, mentors young lawyers, and knows that all sides win when justice is done. By this measure. Bob Weems is a great lawyer.

During the tumultuous “Freedom Summer” of 1964, I first met Bob Weems as we entered law school at Ole Miss. Bob was older, having served in the Army. Immediately Bob became both mentor, friend, and leader of our study group, applying his calm, gentle, witty and objective critiques to our political opinions and legal studies.

The Civil Rights Movement was thrusting many changes upon law and society, stimulating intense debate among students and faculty. The law school was a crucible of thought and action. Under the courageous leadership of Dean Joshua Morse and an outstanding faculty, the Ole Miss Law School quickly became a leader in racial integration and fearlessly demonstrated to state leaders the fundamental value of respect for the rule of law.

In the midst of such challenging times, the young Bob Weems was a leader of his peers, already exhibiting wisdom beyond his years, through his quiet, humorous, steadfast adherence to truth and a government of laws.

It seems clear now that from those early years, Bob was destined to be a law professor, bringing all of those wonderful
youthful qualities to teach by example what it means to be a “great lawyer.”

Bob’s legacy is abundantly evident in thousands of his students who now are outstanding lawyers, judges, and public officials.

These days, when I hear someone say, “I need a good lawyer,” I say, “you need a great lawyer, like Bob Weems.”

Congratulations to Bob on his well-earned retirement.
ROBERT A. WEEMS

Newt P. Harrison

Every generation or so a teacher emerges at the Ole Miss law school who is a legend in his own time. Professor John Fox and Dean Robert J. Farley come to mind. Today, I have the honor to salute Bob Weems, another law professor who has attained that status.

I first met Bob in the fall of 1955 when he entered Millsaps College as a freshman. At the time I was beginning my junior year. We ended up in the same fraternity and soon became close friends. It was obvious from the get-go Bob was leader of people. He was well liked, had a keen sense of humor, and was an outstanding student with a really good grade point average, a rarity, I might add, among the guys in our fraternity. His sophomore year, he was elected treasurer of our fraternity. As I recall, he held that position for at least two years. He was an excellent choice for several reasons. Even as a sophomore, Bob had an abundance of common sense. He also knew how to balance a check book. He demanded we exercise fiscal responsibility and, most importantly, he enjoyed the respect of every member of the chapter. We had a large number of members whose philosophy was: never allow a lack of money get in the way of a good party. However, because of the respect Bob commanded among all of the members, he was almost always able to stop the party committee in its tracks when we were “broke,” which was most of the time. Probably due to winning most of his confrontations with the party wing of the chapter we were still solvent when Bob graduated.

Upon graduation, Bob could have undoubtedly qualified for Officer Candidate School in any branch of the military and gone into the Armed Services as an officer. Bob opted, however, to join the Army as an enlisted man. He would later remark to his brother, Tommy, the best way to envision the difference between an enlisted man and an officer was to look at the institution of segregation in the Deep South in the late 1950s and early 1960s. Though he went into the Army as “low man on the totem pole,” he was, not
surprisingly, assigned to military intelligence and was involved in top secret operations in Turkey for much of his tenure in the service. Even after his return from the service, he would never really talk about his job, saying simply what he did was classified.

After his discharge from the service Bob returned to Jackson and took a job as a ninth grade math teacher at Chastain Junior High School. I had recently purchased a house in Northeast Jackson, about one half mile from Chastain and was living there with Don Morrison, an up and coming young lawyer in town, and one other friend. We had an extra bed and invited Bob to move in with us, which he did. Bob’s ability to adapt to any situation and to improvise when necessary soon became apparent. Shortly after Bob moved in, the stove quit working (probably because it was clogged with grease). Thus, if we wanted anything hot to eat in the evening, we had to go to the nearest restaurant. Not Bob. A few days after the stove died, I found Bob at the breakfast table eating a bowl of steaming hot soup. I asked if the stove had been repaired. He replied it had not. He had simply heated the soup in the coffee pot.

After teaching at Chastain for several years, Bob made a decision that would have a profound effect on the law profession in Mississippi. He decided to go to law school and enrolled at Ole Miss in the fall of 1964. As might be expected, he was one of the leading students at the University. Upon graduation in August of 1967, Bob joined the Brunini firm in Vicksburg. In due course, he became a partner in the firm and continued to practice in Vicksburg for almost twelve years. Bob rapidly established himself as a valued member of the firm and as one of the outstanding young attorneys in Warren county.

Chris Shapley, recognized today as one of the leading trial attorneys in Mississippi, tells the following story. It was in the mid 1970s, and Chris had recently joined the Jackson office of the Brunini law firm. As luck would have it, his first case was in the Warren County Chancery Court in Vicksburg. He associated Bob to assist him in the trial. Things did not go well from the very beginning, primarily because the opposing attorney always had an excuse why the case needed to be continued. This went on for over a year. Finally, Bob and Chris were able to get the case set. The day before the trial the opposing attorney again tried to delay the case. The Chancellor agreed to a hearing on the attempted delay.
hearing became quite heated with Chris suggesting, in rather blunt terms, that the opposing attorney was not being entirely truthful, whereupon the opposing attorney offered to be put under oath. Chris responded it would not do any good. With that, Chris and the opposing attorney charged each other. They would have ended up in a fist fight in the judge’s chambers had it not been for Bob. He immediately stepped between the two adversaries and, with the judge’s help, restored order. Bob’s advice to Chris, after the conference was over, was, “Clients pay us to represent them, not to fight for them.”

The Apostle Paul tells us, in *First Corinthians*, we are all given special gifts, and God expects us to use those gifts for the betterment of mankind. As successful as he was in the active practice, Bob recognized he had a special gift for teaching. So, in 1977, after a very successful twelve years as a practicing attorney, he resigned his position as a partner in the Brunini law firm and returned to Oxford as a member of the Ole Miss law faculty. To say Bob has had a successful career as a law professor would be a gross understatement. It has been absolutely magnificent. His influence on the law profession in this state and on the students he taught will continue for generations.

Others who are currently associated with Bob at Ole Miss are much more knowledgeable than me concerning his impact on the University. They undoubtedly will, as they should, write about the number of times he was selected as the law professor of the year by the student body and about the significant contributions he has made to the law school and to the University over the years. Those accomplishments and contributions are truly significant and the attorneys of this state should be made aware of them. I would like to focus, however, on Bob’s influence on his former students and how they describe his impact on their lives and careers.

Over the past several days, I have interviewed many of Bob’s former students. Some of those students were in his first class. Some have just recently graduated. All of the interviews were one-on-one and none of the people interviewed had any idea what others had said. Most live and work in the Jackson metropolitan area, though some are from other parts of Mississippi. Yet, all of them told the same story and, much to my amazement, in many cases answered my questions with virtually the same words. As
might be expected, they were, to a person, unanimous, on one important point—if Bob is not the best professor they ever had, he certainly is in the top two or three.

David Kaufman, one of Mississippi’s leading trial attorneys, was a senior in law school in 1977. When he heard Bob was going to teach trial practice he decided to take the course because he knew Bob, as a former practicing attorney, would have a great deal of practical advice about the practice of law. According to David, “I was absolutely astounded . . .” by Bob’s ability to not only explain, in clear and understandable terms what the law is, but how to apply it in the actual trial of a lawsuit. As David put it, “Bob made the course fun.” As a matter of fact, and this is an exact quote from David:

He was one of the reasons I was interested in being a trial lawyer. He made it interesting and he took a lot of the fear out of it. He taught you in a way that made you think about what you were doing and what you were trying to accomplish. My only regret is that I was a senior when Bob arrived, and I didn’t have a chance to take more than one of his classes.

While David was a senior Bob’s first year, Gee Ogletree, now one of the senior partners at Adams & Reese in Ridgeland, Mississippi, was a first year law student. As he put it, “Bob and I started together. Being a new law student and having no idea what to expect, I was terrified, and, to tell the truth, Bob seemed to be a little nervous the first few weeks. But, by the end of the semester, he one of our favorite teachers.” Gee’s description of Bob as a teacher and a person included words like “fair,” “practical,” “enthusiastic,” “caring,” “genuinely concerned about his students,” “always tried to put us at ease,” and “determined to help us learn.” I heard these same words over and over as I interviewed former students.

Perhaps the ultimate compliment came from Katie Wallace, who graduated in 2005. Katie took every class Bob taught because “. . . he was such a wonderful teacher and made you want to learn. . . . I never went to his class unprepared.” I had already heard virtually the same statements from a number of Bob’s other former students. When I asked Katie how Bob motivated his students, she paused for a moment and then said—and again this
is an exact quote—“He was kind of like a parent figure. No one wanted to disappoint Mr. Weems. I would never want him to think I was not prepared because I thought so much of him as a person. . . . Everyone came prepared because we all had so much respect for him.”

Katie Gilchrist is one of the leading health care attorneys in the state. She is also an adjunct professor at the Ole Miss law school, teaching a class once a week in health care law. Though she took only one class from Bob in 1991, she still remembers “what a great professor” he was and, for that reason, “I try to follow his example and teaching methods in my classes at Ole Miss.”

Bob’s influence goes beyond his former students. Lynne Green, one of the leading attorneys in Mississippi in wills and estates never had the opportunity to take any of Bob’s classes. Nonetheless, he had, and continues to have, a profound influence on her practice. As Lynne put it:

I have called him many times with questions, because he is such a guru to everybody in my practice area. We all have his books and we refer to them regularly. You see him cited in court cases all the time. So that is where everybody goes for information. And he has been very generous with people who are practicing. He is always willing to provide advice and counsel. . . . Anytime we can cite from Bob’s books in court, we do it because it carries so much weight.

I never had the opportunity to take a class under Bob Weems. I well remember, however, when he and Professor Guff Abbot first kicked off their annual seminar on Mississippi law. I decided I should go because Bob and I were close friends. To be honest, I was not overly enthusiastic about the idea, but, since the seminar was in Jackson and because I need the CLE credits, I went. I never missed another one of their seminars while I was in the active practice of law, even when I did not need the CLE credits. In fact, for several years after I retired, I still attended their seminar, not because I had to, but because I wanted to.

In the Gospel of Matthew, Jesus told his disciples the Parable of the Talents. It is a familiar story. The master of the house was going on a long journey. He gave several talents to one of the servants. The servant used the talents to produce much good.
When the master returned and saw what the servant had done he commended him, saying, “Well done, good and faithful servant!” As his teaching career comes to a close, I am certain beyond a shadow of a doubt, Bob will also hear, if he listens closely, the Master’s voice saying to him, “Well done, good and faithful servant!”
A LETTER OF THANKS FOR ROBERT A. WEEMS

Heber Simmons III

It is a rare thing in a person’s life to be able to make a true difference in the lives of others. Bob Weems has made such a difference. It is my sincere hope that as he moves into retirement that he will know how thankful we all are to have had the privilege and honor to know him, and to have been blessed by his friendship, his talents, his wit, and his exemplary devotion to Ole Miss.

Bob Weems is as fine a man that I know or have ever been acquainted with. My respect for him and for what he stands for was discovered many years ago, when I was a struggling first-year law student at the Ole Miss School of Law. At that time, he was teaching torts and evidence. I had the pleasure of having him as my professor for both of these classes.

Despite his best efforts at teaching, it was my dedication to the books that was lacking at the time. It was a time that required some soul searching, as they say, and to determine what was best for all concerned. For reasons unknown, I felt drawn to him and sought his counsel on what to do . . . the options being to go forward or take some time away from school and figure it all out.

I opted for the latter, leaving Oxford and moving out to Austin, Texas to work for almost two years. During that time, I reflected many times on the counsel he had given to me on the day I had sought him out . . . to be sure I was doing things for the right reasons. Somewhere along the way during my time away from Oxford, that counsel finally resonated with me, and I made the decision to come back and finish law school. I realized that what he was trying to say to me was if you are going to do something, do it to the best of your abilities. And in order to do that, you have to be doing it for the right reasons!

Upon returning to law school, the first person I went to see was Bob Weems. I told him then, as I have told him many times since, that it was his words of wisdom, his patience and his
support that had, in essence, brought me back to Oxford. In truth, his counsel had meant more to me than words could describe. The best way to describe these intangibles is as a form of “tough love.” It was something that he knew, but that I had to learn on my own. Yet he had a way of expressing this that created tremendous respect in me for him . . . as a teacher, a counselor, and as a friend. His friendship and counsel have been constant. His support has been unwavering. It was not required of him. He gave it freely. It made a difference.

Since that time, we have shared many stories, fishing trips, and our mutual love for Ole Miss. I can see him right now with a smile on his face (which goes from ear to ear) as he lifted up his first trophy bull redfish. He will now have time to catch many more. I trust they will bring many more smiles.

Bob Weems is respected and truly loved by many. The stories of his wit in class are legend. He has been recognized by the students six separate times as the Outstanding Law Professor and was selected as the University’s Outstanding Teacher in 1994. This did not just happen, it was earned.

For me, Bob Weems made a difference. My thanks to Janice and his children for sharing him with us, and to Ole Miss for recognizing the man he is and the outstanding qualities he possesses. He has given himself unselfishly to his family, his friends, and his students. For all of us, he has made a difference.

Thank you Bob.
ROBERT A. WEEMS

Frank S. Thackston Jr.

Bob's late brother, Billy, and I were friends before we both entered law school and perhaps for that reason Bob was one of the first law school classmates that I met.

And since Bob, Billy, and I had virtually all of our classes together, the three of us, and others, thereafter spent much time discussing appellate cases, our professors, politics, current events, and, of course, sports.

I have a clear recollection about an observation that I formed about Bob at some point during the time we were law school classmates: Bob Weems would surely become a judge, for when he became a judge he would be a tremendous member of the judiciary!

To be sure, our law school class was blessed with more than our share of people who were academically and intellectually gifted—and Bob certainly was one who had those qualities—but Bob, I observed, possessed those gifts and more:

The ability to clearly see, articulate and express a coherent response to perplexing issues, which many of us found to be complex and often incomprehensible.

The capacity to recognize—and effectively rebut—flawed, but seemingly reasonable and frequently passionate argument about legal issues, put forth by Bob's peers, present company included.

Those characteristics, as stated, lead me to the belief that Bob was uniquely suited to become a jurist.

But, after Bob joined the faculty at the law school, during my attendance to the annual seminars that Bob and Guff Abbott so skillfully provided to our Bar, I realized my assessment as to how Bob's unique talents could be best utilized was misguided.

Bob's unusual qualities are not best suited for judicial membership—instead, Bob's gifts best equip him to teach, to give
students insight, by way of example, as to how to analyze, to reason, and to explain.

Hearing former student after former student over the years tell me that Bob was one of the best teachers they encountered during their law school experience established the accuracy of the observations just expressed.

The law school is, by virtue of Bob’s retirement, losing an important faculty member. Our Bar is losing a valuable contributor to legal education. Students who will miss being exposed to Bob’s observations about the law, about torts, wills, evidence, etc., have no way of knowing what they have missed—and that is truly regrettable.