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A Tribute to Dean Rodney K. Smith

Hertha Lund

Stephanie Stimpson

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TRIBUTE

A TRIBUTE TO DEAN RODNEY K. SMITH

As a Trustee of the University of Montana Foundation and a member of the Bar of the State of Montana, I would like to extend my heartfelt thanks to Dean Rodney K. Smith for the two years of service that he has given us as the Dean of the University of Montana School of Law. While Dean Smith's tenure may not have been as long as we would have wished, the benefits we received from his service have been considerable.

I first met Dean Smith two years ago when I was the President of the University of Montana Foundation. The Foundation had just launched an ambitious \$40,000,000 capital campaign to try to meet some existing needs at the University. This was a far greater task than the Foundation had ever undertaken and one that required tremendous effort by many people. As part of the campaign, significant funds were expected to be raised for the benefit of the school of law. To say the least, I was apprehensive about the ability of a new dean, who had no connection with our State, to help the Foundation accomplish this task. What I found was a tireless advocate for the School of Law and the legal profession, as well as an effective fundraiser.

Dean Smith immediately made it a priority to travel throughout both the State of Montana and the United States to introduce himself to University of Montana School of Law graduates and sing the praises of the school of law. Dean Smith has always felt that he was the beneficiary of the significant contributions of the deans that had preceded him and that the School of Law was doing an excellent job in producing practicing attorneys. Dean Smith's experience as a small-town lawyer, as well as a professor and administrator, allowed him to relate to and understand the concerns of practicing lawyers and their thoughts about the effectiveness of the school.

Dean Smith's vision of the law school, however, has not been limited to the State of Montana. He was convinced that it was necessary for the law school to develop a solid financial basis that would allow the hiring of the most capable professors available within the country, to recruit outstanding students from both within and outside the State of Montana, and to attract outstanding visiting professors and lecturers such as United States Supreme Court Justice Sandra Day O'Connor and Robert Bennett. As a result of the persistent effort of Dean Smith, many lawyers are sharing this vision and sharing their resources with the school of law. I have been particularly impressed by Dean Smith's commitment to long-range goals in allocating private funding to the establishment of endowments for the benefit of the faculty and the students. The recent law school banquet disclosed the growth of endowed scholarships and faculty awards.

Generations of law students and faculty will benefit from the efforts of Dean Smith to improve the educational opportunities for law school students. And, he has established relationships between the school of law and the practicing bar that are necessary for the practicing bar to become more involved in providing funds for the education of future lawyers. This, in turn, will help the practicing bar by allowing the school of law to produce well-educated and effective graduates.

Again, I would like to thank Dean Smith for the significant contributions that he has made not only to the University of Montana School of Law, but also to the practicing Bar of the State of Montana. We do appreciate all that he has done, and I, along with many other lawyers in Montana, will miss his friendship and his counsel.

Thomas Boone

FACULTY TRIBUTE

Rodney Smith has been the consummate colleague. Rod's greatest joy in being a dean has been facilitating the productivity of faculty at The University of Montana School of Law. He has delighted in making possible and fully supporting any and all faculty endeavors. Whenever a faculty member needed a quick read of a manuscript and sound advice, Rod reviewed and extensively commented on a document overnight. If faculty wanted to create a new course or to devise innovative teaching techniques, Rod was fully supportive. When faculty members needed to attend a conference to stay current in their specific fields or to recruit diverse students, Rod found a way to make those things happen.

When Rod saw the detrimental effect of having the lowest-paid law school faculty in the nation, he immediately devised a creative pay plan, secured faculty, presidential and regential approval, and began implementing the plan. Realizing that enhanced income must entail greater responsibility and accountability, Rod carefully linked salary raises to increased faculty productivity.

Rod has attempted to improve the School of Law in numerous other ways. He assembled the finest scholars in the nation for a conference on religious freedom at the school in September 1994. The papers which those scholars delivered at the conference which appear in issue one of this volume probably comprise the best edition of the Montana Law Review that students have ever published.

Rod has fostered dialogue and diversity among faculty, students and staff, with the remainder of the University, and in the community, state, nation, and world. Rod has promoted racial, gender, and ethnic diversity as well as diversity of ideas. Rod has strongly supported interdisciplinary efforts, one of which culminated in the establishment of a joint degree program in law and environmental studies.

We wish Rod the best as he departs The University of Montana School of Law to return to Capital University. Rod will rejoin the faculty there, actively participating in teaching, service and scholarship and pursuing his first love, a book about conscience.

Carl Tobias

STUDENT TRIBUTE

As co-editors-in-chief of the *Montana Law Review*, we are extremely grateful for Dean Smith's many contributions to the law school. Throughout his two years as dean, he provided tremendous support to the law review. His vision, enthusiasm and leadership enabled us to improve our journal and, in turn, the national reputation of our law school.

Dean Smith worked very closely with the board-of-editors to organize the first annual James R. Browning Symposium, which focused on the Religious Freedom Restoration Act. Initially, Dean Smith secured the funding necessary to establish the symposium series through a generous donation from Jack Hursh, an alumnus of the law school. Then, Dean Smith volunteered to contact scholars from around the country and helped us to secure their articles and participation in the symposium. As preparations proceeded, he continued to promote the event by encouraging the attendance of the Bench and Bar of Montana. During the symposium, he acted as a wonderful host and presented his own article on Native American religious freedom. Beyond any doubt, we would not have enjoyed such a successful symposium without his involvement and support.

Afterwards, symposium participants responded that their weekend in Montana was the best symposium that they had ever attended. Not only did they enjoy the intellectual events, but Dean Smith and the *Law Review* also organized dinners and activities such as fly-fishing and a football game for the participants. Professor Ira C. Lupu from George Washington University said, "Your students were more than up to the task of running this symposium. They were extremely well-organized and well-prepared on every front. Throw in their Montana pride and good nature and the combination was almost overwhelming." Professor William P. Marshall from Case Western Reserve University commented, "It was the perfect mix of intellectual and social interaction. I was also greatly impressed by the University of Montana students. Their enthusiasm was terrific and contagious, and in my opinion the success of the program was a direct result of their participation."

After publication of the symposium issue, Dean Smith sent copies to all judges on the Ninth Circuit, to the justices of the United States Supreme Court, and to the deans of other law schools. As a result of the timeliness of the debate on the consti-

tutionality of the Religious Freedom Restoration Act and the stellar contributing scholars, we have received two to three out-of-state requests per week for the symposium issue. This issue has significantly elevated the scholarly reputation of the Montana Law Review and, therefore, the University of Montana School of Law as a whole.

Although the Montana Law Review's closest work with Dean Smith involved the symposium, he supported the law review in many other ways as well. Last summer, Dean Smith encouraged the law review's transition to a more modern publishing system. He secured the finances necessary for our conversion to "desktop publishing" through a generous gift from Sherman Lohn, an alumnus and long-time supporter of the University of Montana. The conversion to our own publishing system updated our process to the level of other law schools and enabled us to save both money and time.

Dean Smith not only receives our gratitude and admiration as members of the Montana Law Review, but as students in general. Dean Smith was extremely active in fund-raising and the promotion of scholarships and aid for students. He initiated the first Awards Banquet, which recognized scholarship donors and recipients and allowed them to meet each other. Similarly, Dean Smith always made time to encourage the post-graduation pursuits of his students. He was more than enthusiastic about writing a letter of recommendation, acting as a reference, or offering advice to the students that sought his help. Dean Smith's opinion of and vision for the University of Montana Law School is limitless, and he encouraged many students to pursue and achieve positions that they would not have otherwise thought possible.

Throughout Montana, people were impressed by the speaker at our law school commencement—Sandra Day O'Connor. All in attendance at graduation felt moved and inspired by Justice O'Connors' wisdom and love for the law. Dean Smith was entirely responsible for the procurement of her attendance at the graduation ceremony. He said that he simply wrote her a letter inviting her to speak and she accepted. Surprisingly, it turned out to be one of his easiest accomplishments—requiring only the willingness to believe and make the effort.

As a person, Dean Smith has been an example of a hard-working, open-hearted, and scholarly attorney. We are extremely grateful for his dedication to the improvement of the law review and his contribution to other scholarly attributes of the Universi-

ty of Montana School of Law. His enthusiasm and commitment to the law school remained constant and did not wane toward the end of his tenure in Montana. Current and future generations of Montana attorneys will benefit from the enhanced scholarly reputation of the Montana School of Law as a direct result of Dean Smith's endeavors. As students, we greatly appreciate his leadership and willingness to give of himself. We would like to thank Dean Smith for his generous support and for the inspiration he offers on a daily basis. We extend our best wishes to Dean Smith and his family in the future.

*Hertha Lund
Stephanie Stimpson*