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Dedication to Mary K. DePoy Harris

In recognition of her accomplishments at the Washington and Lee University School of Law and her contributions to the community of Evanston, Illinois as an attorney and civic leader, the Editorial Board of the Washington and Lee Law Review respectfully dedicates this issue to Mary K. DePoy Harris.

The Honorable William R. Price, Jr.*

It is a sad task to write in memory of a classmate. It is especially sad on this occasion because of the untimely death of Mary Kay. I am pleased, however, that the *Law Review* has chosen to honor her in this edition.

I do not recall speaking with Mary Kay or Jeff since graduation and the dispersal of our class throughout the country. I cannot write of her accomplishments or life since then. But, one of the great joys of attending W & L law school was the deep personal relationships that developed among all of us during our law school years. I am certain that the same qualities that caused us to admire Mary Kay then carried her through professional and personal successes for the remainder of her life.

Beyond her keen intellect, Mary Kay had the perfect personality for a lawyer. She was certain in herself without being boastful or presumptuous. She had the ability to focus precisely on the task at hand, to carefully analyze the considerations involved, and then to separate the wheat from the chaff and pursue an appropriate resolution. She was open to the ideas and suggestions

* Judge, Missouri Supreme Court. J.D., Washington and Lee University, 1978.

of others, but had no room for counterproductive bickering or foolishness. Quite simply, she was a strong quiet leader. Mary Kay was also fun. She had a quick smile and she loved humor. Despite the many pressures of law school she kept her balance. We all liked being around her and we all treasure her memory.

Jeffrey W. Morris*

It is with great sadness that I participate in this special recognition of Mary DePoy Harris. Mary was an extraordinary person. She always had a noticeable impact on all that she touched yet accomplished all of that without ever seeking to be noticed herself. Humility, quiet strength, and professionalism marked her character. We all have suffered a great loss from her passing, but our loss, of course, pales in comparison to that suffered by her husband Jeff, and their three children, Andy, Laura, and Kevin. For all who knew Mary, her life offers a wonderful example of how truly to live well. Consequently, it is fitting that we recognize her so that those who did not have the good fortune to know Mary nevertheless can know of her accomplishments and character.

The law school at Washington & Lee witnessed many changes in the 1970s. Women were admitted to the school in 1972, and in the Fall of 1976, Lewis Hall opened. In March of 1977, Mary Kay DePoy was the first woman selected as Editor in Chief of the *Law Review*. I would like to be able to say that the outgoing board understood, or at least appreciated, the significance of that appointment. Speaking for myself, it didn't occur to me that we were making any kind of history by electing Mary as the first female EIC. And by my recollection, there was no discussion of that fact during the selection meeting or thereafter. Instead, we exercised our right to make an obvious choice.

From the perspective of a law student, the work of the *Law Review* has two predominant yet oxymoronic features: it is cyclical and it is constant. First, the makeup of the editorial board and writing staff changes each Spring. A new board is selected, and a new crop of eager upcoming second-year students qualifies to participate as writers for the next year. Second, by the time the new board and writers are in place, they are already behind schedule. As I recall, the Spring of 1976 was no exception.

* Professor of Law, University of Dayton School of Law. Professor Morris served as Executive Editor of Volume 34 of the *Washington and Lee Law Review* in 1976-77.

In 1976, the newly selected board was unusually small in number, though the number of writers for the following year would match the number regularly selected in the past. Consequently, the Board of Editors anticipated a more stressful than usual year ahead for the *Law Review*. As one of the two Executive Editors in 1976, I had the distinct pleasure of overseeing the work of one-half of the Staff writers. My belated apologies to those of you who were directed to my side of the *Law Review* office! In his infinite wisdom, our EIC, George Moore, included Mary among the writers whose work I would participate in editing. By virtue of having Mary as one of "my writers," my workload was reduced and the damage I could inflict was restricted.

Mary's first article, *Pleasure Boat Torts in Admiralty Jurisdiction: Satisfying the Maritime Nexus Standard*,¹ presented something of a challenge because we knew little or nothing about admiralty. Nonetheless, Mary threw herself into the project and submitted a timely draft that exceeded the editors' expectations. In fact, her article was the first to appear among the student works published in Volume 34 of the *Law Review*. Along the way, Mary carefully and expertly completed her other assignments as a Staff writer for the *Law Review*, always without complaint (at least to the editors!).

Mary's second article² was much like her first. It was concise. It might even take the prize for the shortest title of any law student piece ever published.³ In that sense, it was indicative of Mary herself. Brief; to the point; honest.

Throughout the 1976-77 "law review" year,⁴ Mary never seemed to change. Deadlines and excessive workloads didn't appear to affect her like they did the rest of us. She was always ready, willing and able to pitch in to complete whatever tasks remained at the end of the day. And she always approached those jobs without the slightest sense of indignation that she would have to clean up someone else's mess.

Notwithstanding a number of extremely talented individuals from the Staff of Volume 34, when the time came for the outgoing Board to meet to discuss and select the Editor in Chief for Volume 35 of the *Law Review*, we needed very little discussion to arrive at our choice. Her hard work and dedication to the *Law Review* made Mary an obvious candidate for the position of Editor in Chief. Even more importantly, however, we knew that

1. Mary Kay DePoy, Note, *Pleasure Boat Torts in Admiralty Jurisdiction: Satisfying the Maritime Nexus Standard*, 34 WASH. & LEE L. REV. 121 (1977).

2. Mary Kay DePoy, Note, *Sentencing Antitrust Felons*, 34 WASH. & LEE L. REV. 1097 (1977).

3. Mary followed tradition in fixing the title to her first article. It contains the ubiquitous colon found necessary by most writers of law review articles.

4. A law review year exceeds an academic year by approximately four months.

Mary could both inspire others to perform at their utmost and possessed the quiet dignity and sense of purpose that would enable her to exercise the leadership essential to the continued improvement of the *Law Review*.

Perhaps the most striking thing about Mary was the lack of anything striking. She simply did her job in the most professional manner we could imagine. She was incapable of self promotion. Of course, given the quality of her work, it was absolutely unnecessary. We knew that when Mary became Editor in Chief she would have the utmost respect of the other members of the Editorial Board, and when the announcement of her selection was made, we noticed not even the slightest indication of surprise as to the selection.

As I recall, there was not much hoopla surrounding the announcement that Mary had been named Editor in Chief. We did not focus on, or likely attribute much significance to, the fact that Mary would be the first woman to serve as EIC.⁵ We simply made the obvious choice when the time came. I hope and believe that our selection of Mary had an even greater impact than the very positive one that we knew would accrue for the *Law Review*. Mary was a pioneer. Her success was a testament to her character. She personified Oliver Wendell Holmes's comment that "the mode in which the inevitable comes to pass is through effort."⁶ Remember her quiet strength and perseverance. Remember her patience and tolerance. It should inspire us all.



5. I am confident that Pam White, the only woman on the Editorial Board of Volume 34, was acutely aware of the significance and yet was kind enough to endure our ignorance of the matter with the wonderful good humor and spirit that she brought to her work every day.

6. Oliver Wendell Holmes, *Ideals and Doubts*, 10 ILL. L. REV. 1, 2 (1915).

ARTICLES
