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Tribute to Professor Mary Z. Natkin

David Carson

23rd Judicial Circuit of Virginia, carsondb@wlu.edu

Christine Greene

CMG Law Office, PLLC

Mark Grunewald

Washington and Lee University School of Law, grunewaldm@wlu.edu

Howard Highland

Brianne Kleinert

Washington and Lee University School of Law, kleinertb@wlu.edu

See next page for additional authors

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Tribute to Professor Mary Z. Natkin

Authors

David Carson, Christine Greene, Mark Grunewald, Howard Highland, Brianne Kleinert, Brian C. Murchison, Debbie Price, Sheryl Salm, and Joan Shaughnessy

Tribute to Professor Mary Z. Natkin

Tribute to Mary Natkin

Judge David Carson*

Mary Natkin was a surrogate mother for many a law school student—including me. Her first year on the faculty (1987) coincided with my final year in law school. Among many responsibilities she had that year was the oversight of the Burks Scholars, of which I was one. At that time, the Burks Scholars were in charge of the first-year writing and legal research program.

None of us really knew what we were doing, but Mary sure made it easy for us. She developed extensive lesson plans, sat in on numerous classes, and even handled our problem students. I remember thinking that no one has enough time to do all that she does at the law school, but she found a way. If memory serves, she also found a way to give birth to her first child that year.

As professors have retired and familiar personnel have left the law school, there has always been one constant—Mary Natkin. She keeps in touch with all of us. She asks about our careers, our spouses, our children, and always wants to know when we are next returning to Lexington to visit the law school. She is a terrific ambassador for the law school, and I fear it will become a less kind spot without her.

Knowing Mary, she long ago “trained” someone to fill her large shoes because she is so devoted to the law school. Nevertheless, it will never be quite the same in her absence.

* Chief Judge of the 23rd Judicial Circuit of Virginia. Adjunct Professor of Law, Washington and Lee University School of Law.

Tribute to Mary Natkin

Christine Greene*

I am honored by this opportunity to laud Professor Mary Natkin as she had a profound and positive impact on both my law school experience and legal practice.

Professor Natkin recognized the importance of practical legal education long before it became popular. I remember the excitement I felt when I learned that I'd been accepted into the Western State Legal Practice Clinical Program—it was the highlight of my entire three years at W&L Law! As a student caseworker under Professor Natkin's instruction and supervision, I learned the immense value of practicing law with compassion. Her student- and client-centered approach truly resonated with me. Through Professor Natkin, I also learned that skilled, holistic legal services are essential for positive client outcomes. For this, I am forever grateful.

Professor Natkin is gifted with a rare and invaluable combination of extreme intellect and emotional intelligence. These are the very qualities that make her an outstanding, lawyer, educator, leader, and human being. She believes that every person—including those who are traditionally underrepresented in the legal system—deserves access to justice. This is the resounding premise from which she taught her students.

Last, but not least, I will always appreciate Professor Natkin's kindness, sense of humor, and infectious laugh. I was fortunate to see her at a conference a few years ago and, as expected, she hadn't changed a bit. She is authentic in every way!

* Washington and Lee University School of Law, Class of 1996. Senior Counsel, CMG Law Office, PLLC.

Tribute to Mary Natkin

Mark Grunewald*

I joined the W&L Law faculty just a few years before Mary Natkin arrived as a student. For me, most importantly, that means for almost forty years I have had a wonderful colleague and friend in Mary. But more broadly it means I have a good understanding and deep appreciation for the tremendous impact Mary has had on the Law School institutionally and on its students.

When Mary was a student, legal clinics were certainly part of our curriculum, but I think it is fair to say the faculty had a somewhat ambivalent attitude toward clinical education. While it probably sounds quaint now, the term that was used in describing our clinics then was that they were “taught clinics.” I was relatively new and was never quite sure what that term meant. Formally, it meant that clinics were “taught” by regular faculty members as part of their larger “teaching” load. But more significantly, I think it meant the faculty was struggling to define the role clinical education should play in the overall curriculum and how it should be delivered. That was an important question and one that needed a more thoughtful answer than whether or not the Law School should have a clinical faculty, common by then in legal education.

No one was more important than Mary Natkin in guiding the Law School through its consideration of that question, which turned out really to be many questions. But Mary did not simply lead the faculty’s thinking on this set of questions, she became the embodiment of our numerous experiments along this path. “Embodiment” in Mary’s case meant performing many thankless tasks and serving in new, untested roles. Then with the enormous credibility she had developed over this time and with the tact and perseverance she had long possessed, Mary helped the faculty design and implement what has become an impressive range of programs that are now vital parts of and

* James P. Morefield Professor of Law, Emeritus, Washington and Lee School of Law.

well-integrated into the professional education we offer our students.

Sometimes Mary worked as an administrator, sometimes as a teacher, and sometimes as a director or as a committee chair. The form of her service to the Law School and its students, however, was not what really mattered. Rather, it was her commitment to what we were doing in the areas of legal education about which she had amassed sophisticated knowledge and experience: clinical education, externships, professional standards and professionalism, and other experiential methods of teaching. And within those areas, Mary was also committed to instilling in our students a sense of the importance of public service, and she worked tirelessly to create and monitor a structure in which students could at least begin to experience that professional obligation.

Mary was our first Assistant Clinical Professor of Law, our first Associate Clinical Professor of Law and then our first full Clinical Professor of Law. That simple linear description of a part of Mary's W&L career says a lot, but her career was neither simple nor linear. I worked with Mary at many points along the way. I regularly saw, close up, how Mary operated with positivity, intelligence, and a sense of humor to bring people together in the surprisingly complex environment that a law school is. Most of the time her efforts succeeded; sometimes they did not. But I always knew the next time I encountered Mary I would find a smile and a bundle of restored energy.

Law school and cinema are worlds apart, but I know "*There's Something about Mary.*" And her students, her colleagues, and the Law School itself have richly benefited from that.

Tribute to Mary Natkin

Howard Highland*

Mary Natkin has been a great mentor to me—first as her student in the Black Lung Clinic, and later as a first-time

* Washington and Lee University School of Law, Class of 2008. Attorney & Counsellor-at-Law. Oliver Hill Fellow, 2008–10.

faculty member. I am fortunate to have experienced what makes Mary such an amazing teacher and wonderful colleague: instead of an open-door policy, Mary chose to knock down the wall between our faculty and law students. In other words, Mary Natkin embodies everything that makes Washington and Lee Law School the community that we love.

“Please—call me Mary,” she reminded me (and every other student) who called her “Professor Natkin” during their interview for a clinical placement. As a 2L, I thought that Mary’s egalitarian approach to running the Black Lung Clinic was just the consequence of her spending the late 1970s at UC-Berkeley. It was only when I joined her as a co-instructor in an externship class that I discovered the greater pedagogical purpose behind Mary’s empowering approach to clinical teaching.

Externs at W&L enjoy an eclectic range of placements, from non-profit organizations to government and corporate opportunities. Once every week, I witnessed how Mary brought all our externs together into one classroom and transformed their diverse experiences into a unified curriculum for building the skills needed as a first-year attorney. It did not matter how different students’ placements might be—Mary made sure that our externship students learned essential skills from one another. In particular, student discussions emphasized the importance of developing the communication skills needed to clarify what supervising attorneys expect on a given assignment. Some of the biggest mistakes that a first-year attorney can make come from a fear of admitting to a more experienced attorney that you may not have understood something fully. For that reason, Mary helped our students build the confidence to discuss their accomplishments, as well as the courage to admit their missteps.

Self-reflection and communication are critical skills that Mary has bestowed upon countless law students—not only her own students, but now every new W&L Law graduate also benefits from Professor Natkin’s vision of experiential education. As the American legal profession increases its demand that law schools must better prepare students for first-year practice, none of us will be surprised if every law school adopts her pedagogical philosophy. Mary’s legacy may

start at Washington and Lee, but it will continue to transform American legal education in the decades to come.

Mary's legacy is not only important to our law school, but also to Washington and Lee University as a whole. W&L's Commission on Institutional History and Community has recommended that the University ought to "[a]pprove the School of Law's proposal for creation of a Center on Civil Rights and Racial Justice."¹ If the Board of Trustees is committed to "[i]ncreas[ing] the racial, socioeconomic, and international diversity of our students, faculty, and staff[.]"² then programs like the Immigrant Rights Clinic, which Mary helped to found during her tenure as Dean, are vital to the future of the University.

Mary first laid the groundwork for the Immigrant Rights Clinic back in 2008, when she hired me to run a community lawyering clinic for clients in the Roanoke Valley. We didn't know yet which community would be best served by a W&L Law clinic. But Mary made it our mission to inspire W&L students to follow the trail blazed by Oliver Hill, one of the NAACP's attorneys representing Virginia schoolchildren in *Brown v. Board of Education*,³ whose boyhood home in Roanoke served as the launch pad for our program.

In the early days of the program, our students helped to organize a nationwide coalition of activists and non-profits opposed to Virginia's law permanently disenfranchising anyone convicted of a felony. The "ex-convict" label is not a terribly sympathetic one in the United States. Mary, however, saw past that label, and recognized that our students could join with the Brennan Center for Justice, the ACLU, and the NAACP in the effort to fight against the disproportionate impact of felony disenfranchisement on African Americans. As a result, students in our program helped to prove that Virginia's history of residential segregation and Jim Crow voting restrictions directly contributed to the disparate rate of felony arrests,

1. See *Report of the Commission on Institutional History and Community, Part II: Reflecting on the Legacy of the Past*, WASH. & LEE U., <https://perma.cc/2K5G-S484>.

2. *Washington and Lee University Strategic Plan*, WASH. & LEE U., <https://perma.cc/Z28K-ETUE>.

3. 347 U.S. 483 (1954).

charges, and convictions from which Black Virginians still suffer. Our program's work product helped the ACLU eventually convince Governor McAuliffe to restore voting rights to hundreds of thousands of ex-felons in Virginia.

Mary ultimately found the perfect fit for our community lawyering clinic within the twenty-first century civil rights movement: helping to protect immigrants' rights in central and southern Virginia. Knowing that our law school could step in and help where federally-funded legal aid providers could not, Mary quickly realized that our program could have an enormous impact on racial justice in Virginia if it became dedicated entirely to immigration work.⁴ The Immigrant Rights Clinic is now teaching our law students what it means to be working at the forefront of the civil rights movement. Dean David Baluarte contributes to the national dialogue defending the rights of immigrants from Latin America and predominantly Muslim countries and decrying the xenophobic practices of the current administration. Under his supervision, our students zealously advocate to bring stability to the lives of asylum seekers, immigrant victims of violent crimes, and abandoned immigrant children.

I am personally grateful that Mary had the foresight to commit our community lawyering clinic to the work of the twenty-first century civil rights movement. As our university grapples with its own institutional history, we should take the time to reflect on one of the greatest lessons Professor Natkin ever taught me: when our law students take up the fight against racism, they will continue this fight as alumni. Teaching our students to build a better future is just as important as redressing the misdeeds of our institutional past. As more young Americans are becoming "woke" to the evidence of systemic racism within the United States, programs like the Immigrant Rights' Clinic make Washington and Lee University a place where prospective students concerned with racial justice can see themselves beginning their journey to make the world a better place.

4. See 45 C.F.R. § 1626.3 (2014) (restricting the kinds of immigration assistance that legal aid can offer).

Thank you, Mary, for helping to make W&L Law a place where every graduate now asks themselves, “How can I make the world a better place?” I love knowing that every new W&L Law alumna/us can now trace the start of their pro bono practice back to their time in Lexington. And as more and more W&L Law graduates make their way into the legal profession, we will all carry Mary Natkin’s passion for public service to the rest of Virginia, the United States, and the entire globe.

Tribute to Mary Natkin

Brianne Kleinert*

I am honored to pay tribute to Mary Natkin. I am, however, filled with mixed emotions and a tad surprised that she is no longer in Lewis Hall. I started working with Mary in 2009 as her administrative assistant in the Faculty Services office. I was excited because several individuals said, “Mary is great” and “You will love working with her.” The previous comments are 110 percent accurate but do not even begin to truly describe Mary.

I feel as though Mary made my job too easy as her administrative assistant. She would often stop by my office and say, “I don’t need anything—just checking in.” I know someone stopping by to say hi is a small gesture, but for me, being relatively new to the law school, it was a thoughtful and kind way to help me adjust to the new environment. Even when Mary needed assistance, she was always understanding of the fact that I assisted other professors and gave plenty of time to complete each task or project. If she needed something completed sooner than she anticipated, she was always apologetic about intruding upon my current workload.

Mary is funny, caring, and genuine. She always puts others before herself and seeks to make all those feel comfortable and welcome. Whenever I see Mary in the building, she makes sure to ask how I am doing and how my family is doing. These are minor things but the small things in life truly matter. It has been a privilege for me to work with her. Mary’s presence in the building will truly be missed, but I hope she knows how many lives she has

* Senior Legal Assistant, Washington and Lee University School of Law.

touched, including mine, during her tenure at the law school. Thank you, Mary, for being my mentor, colleague, and friend.

Tribute to Mary Natkin

Brian C. Murchison*

One of the smartest decisions ever made in Lewis Hall was to offer Mary Natkin a position on the law school faculty. Over a phenomenal thirty-year career, she has come to personify the school's values and commitment to excellence. Her effect on all of us—faculty, staff, and students—has been profoundly positive.

We all have wonderful stories to tell about Mary and her impact. In the mid-1990s, I had the good luck of working closely with her on a new venture: the Black Lung Clinic. It was a daunting experience; I had done no clinical teaching. Our much-loved colleague, Uncas McThenia, had been teaching a seminar entitled “Lawyering for Social Change,” focusing on the plight of underground miners suffering from lung disease in the coalfields of West Virginia. When ALJs from the Department of Labor visited Uncas's class, they graphically described the miners' medical problems and their need for legal help. Though many of the miners had strong claims under a federal workers' compensation act, few could find lawyers to assist them. Uncas gingerly approached Mary and me about creating a clinic: would we take this on? He was forthright about the challenge: the cases involved complicated medical evidence, expert witnesses, and a labyrinthine schedule of motions, hearings, and appeals. Uncas is a persuasive man, as was our inspiring dean, Barry Sullivan, who expressed keen support. So Mary and I decided to make a go of it, and in the summer of 1993, we excitedly drove over bumpy roads to Pipestem, West Virginia, observed several hearings, met with the Black Lung Association, and began to comprehend why the clinic would provide a tremendous educational opportunity for our students and serve a real public need as well. We then spent weeks camped out at a long

* Charles S. Rowe Professor of Law, Washington and Lee University School of Law.

conference table in the bowels of Lewis Hall, surrounded by treatises, CFRs, restatements, Fourth Circuit decisions, and coffee mugs of all descriptions. Our job was to decipher black lung's arcane legal world.

Mary's sense of humor and savvy legal ability brought hope to the new project, and our assistant Sheryl Salm brought great skills of organization and office management. As the students returned in August and the school year began, it was a privilege to learn from Mary the ropes of clinical teaching. In the classroom component, I saw first-hand her distinctive ability to combine wit with subtle analysis, ensuring that the students were involved and engaged. As she supervised the students in individual cases, she modeled careful, ethical lawyering at every turn of the road. In the day-to-day grind of depositions, interrogatories, and other pre-trial preparation, she gave the students perhaps their first real look at the meaning of professionalism. I was learning too.

Mary's legacy extends well beyond that experience. She was a galvanizing force in improving the curriculum in countless ways. She sought out externship opportunities that placed students in law offices up and down the Valley, and she required them to reflect seriously on what they were doing and why. She made the course in Professional Responsibility a core experience. She helped design first-year orientation, she crafted and oversaw enrichment programs, and she contributed time and energy to all of the events and competitions that make Washington and Lee a genuine community.

For us on the faculty, Mary Natkin has represented the best of Washington and Lee: devotion to innovative legal education, intrepid work on behalf of the public good, and the day-to-day work of keeping a law school community a joyful and exciting place. I cannot thank her enough for her constant collegiality and friendship. She has been a key element of the greatness of this institution.

Tribute to Mary Natkin

Debbie Price*

Working with Mary was a joy, privilege, and undeniably fun. One of the first things I quickly discovered was that Mary is equally brilliant, caring, and humorous. She cares deeply for her students and desires for them to understand the law and succeed. If you spent any time around Mary, you immediately recognized that she is honest and insightful, with a quick-witted humor to lighten the day. Although I will refrain from sharing any specific examples, her turn of phrases and comedic candor often kept me in stitches. I am thankful that I was able to come along beside her in her work. However, it is important to explain that Mary was not all about her work. She loves her family, kids, and grandkids, and was always quick to share photos of them. She even devoted a whole wall in her office to photos of her grandchildren. It pleases my heart to realize that now she has more time to spend with them and I know they will love getting more time with her. I am thankful to be your friend and you should know that you are and will be missed. Mary, you are amazing, and Washington and Lee Law School will not be the same without you.

Tribute to Mary Natkin

Sheryl Salm*

A word that comes to mind when I think of Mary Natkin is inspirational. Mary's work-life balance has always been an inspiration to me. She is a professional with a brilliant mind, all the while devoting herself to her family and Washington and Lee Law School.

I've known and worked with Mary for nearly three decades—from her time as a professor and supervising attorney in the Legal Practice Clinic in the early '90s to her time as the

* Administrative Assistant II - Law Admissions, Washington and Lee University School of Law.

* Senior Legal Assistant, Black Lung and Criminal Justice Clinics, Washington and Lee University School of Law.

Director of the Black Lung Clinic, and beyond. I have so many memories of her that to recount them would fill a multi-volume set.

Mary is generous, compassionate, and truly one of the kindest individuals I have ever known. Both personally, and professionally she has been a source of great strength and support. Mary also has a fantastic sense of humor. I can recall one Halloween many years ago, the staff of the Black Lung Clinic dressed as the characters from *The Wizard of Oz* and visited various classrooms to hand out candy to the surprised students and faculty.

I walked by Mary's former office this afternoon, and a sense of sadness came over me. Being down in the Black Lung Clinic, I could still imagine she was at the Law School, either teaching a class or in her office providing guidance to a student. To see someone else's name on her door took me aback; that Mary really has "left the building." It was a vivid reminder of how much I miss her, but also of how happy I am for her that she is on a new and wonderful journey, enjoying her grandchildren and so much more.

*Clear Eyes, Full Hearts, Can't Lose—A Tribute to Professor
Mary Natkin*

Joan Shaughnessy*

I am not much of a football fan. (I don't think Mary is either, but I could be mistaken. She is a woman of many dimensions.) I am, however, a huge fan of *Friday Night Lights*, the TV series that used Texas high school football as a vehicle for telling stories about character—how it is built, cultivated, and challenged. Clear Eyes, Full Hearts, Can't Lose is the team slogan in the show. To me, it perfectly describes both Mary herself and the lessons she so successfully conveyed to generations of students.

One of Mary's most admirable qualities is her clear, unflinching view of the people and world around her. She has a

* Roger D. Groot Professor of Law, Washington and Lee University School of Law.

razor-sharp eye for pretense and delusion. Over the years the law school benefited from Mary's ability to see clearly the challenges and opportunities we faced. That clarity is essential to good decision making and Mary's clear, grounded vision helped us all stay focused during our most difficult deliberations.

Clear vision alone is not enough, however. It too easily leads to cynicism and alienation. It needs to be tempered by kindness and warmth. Mary has the qualities in abundance. Mary brings her full heart to her family, friends, neighbors, students and colleagues every day. I can't count the number of times Mary offered me help, counsel, and comfort. I know the same is true of countless others. Her generosity of spirit is also evident in the many different community groups to which she contributed over the years. Mary has served on the boards of groups ranging from Yellow Brick Road Preschool to Appalachian Citizens Law Center to the Mental Health Association of Virginia. We are all fortunate that Mary has so much room in her heart.

Can't Lose also helps describe Mary. Not in a sentimental, rose-colored glasses sense. Mary knows the world can be hard and wins few and far between. But she has a fundamental optimism, a sense of hope, that is inspiring to everyone who knows her.

Mary, through her personal qualities, exemplifies the Clear Eyes, Full Hearts, Can't Lose motto, but she also understood and strove to teach the qualities of professionalism and character exemplified in that slogan. She was a demanding teacher, expecting her students to spend the time and effort needed to understand and master the material they would need as lawyers—from Professional Responsibility doctrines to the craft of oral advocacy. She expected them to conduct themselves with mature professionalism. She brought the same clarity to her work with students that she brings to other areas of her life. As one student observed, "[She] is a very intelligent and approachable professor She was great about incorporating real world applicability for the material." Her many awards for teaching excellence are a tribute to her rigor.

Mary also brought her full heart to her work with students. They confided their problems—personal and professional, large and small—to Mary. She was always a caring, patient,

sympathetic listener. As one student said, she “really cares about the individual student and takes the time to get to know everyone personally.” I would only add that she seemed to have a particular eye out for the students who were a little lost and alone. She was all about watching out for the odd person out and bringing them on to the team.

Mary brought all of her outstanding qualities as a teacher, mentor, and role model to the work that was most central to her career here—her clinical teaching. In her role as a clinician, Mary supervised students in representing clients with urgent, difficult, intractable problems in settings from the federal women’s prison at Alderson, West Virginia, to Western State Mental Hospital up the road in Staunton, Virginia. For those clients, and the students who represented them, triumph was seldom an available outcome. *Can’t Lose* exemplified Mary’s teaching as a clinician—that standing with disempowered clients, giving them a voice to the very best of your ability is how public service lawyers win, for themselves and for their clients.

Clear eyes, full hearts, can’t lose. Thank you, Mary. Lewis Hall will never be the same.