



Fall 2020

Tribute to Professor Samuel W. Calhoun

Doug Ammar
Georgia Justice Project

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

Kelly Faglioni
Hunton Andrews Kurth LLP

John Fishwick
Fishwick & Associates, PLC

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

See next page for additional authors

Follow this and additional works at: <https://scholarlycommons.law.wlu.edu/wlulr>



Part of the [Legal Biography Commons](#), and the [Legal Education Commons](#)

Recommended Citation

Doug Ammar, David Carson, Kelly Faglioni, John Fishwick, Mark Grunewald, Stephen Halpin, Brandon Hasbrouck, Brant Hellwig, Lyman Johnson, Bill Johnston, Rick Kirgis, Brian Murchison, Joan Shaughnessy, and Howard Wall, *Tribute to Professor Samuel W. Calhoun*, 77 Wash. & Lee L. Rev. 1427 (2020).

Available at: <https://scholarlycommons.law.wlu.edu/wlulr/vol77/iss4/3>

This Tribute is brought to you for free and open access by the Washington and Lee Law Review at Washington and Lee University School of Law Scholarly Commons. It has been accepted for inclusion in Washington and Lee Law Review by an authorized editor of Washington and Lee University School of Law Scholarly Commons. For more information, please contact christensena@wlu.edu.

Tribute to Professor Samuel W. Calhoun

Authors

Doug Ammar, David Carson, Kelly Faglioni, John Fishwick, Mark Grunewald, Stephen Halpin, Brandon Hasbrouck, Brant Hellwig, Lyman Johnson, Bill Johnston, Rick Kirgis, Brian Murchison, Joan Shaughnessy, and Howard Wall

Tribute to Professor Samuel W. Calhoun

Tribute to Sam Calhoun

Doug Ammar*

My work study job during my years at W&L was working in the admissions office. For three years, I was stationed outside of Susan Palmer's office—the then Dean of Admissions. One of my responsibilities was to pick up prospective scholarship students or visiting scholars from the Roanoke airport. As someone who had virtually no money during law school, I was happy to oblige. The vehicle that helped me earn such untold riches was a 1976 Chevrolet Chevette—the first of its kind! To say that it was a clunker, a beater, that it had seen its better days, was a gross understatement.¹ Regardless, she got the job done. After dropping students off at the school, if time allowed, I would take them on a tour of the law school and then to lunch.

I loved giving them the tour, answering their questions, talking about and touting the school. For the final leg of the school tour, I saved the top floor—the faculty floor. It was the *pièce de résistance*. I would usually come up a back staircase, a bit off the beaten path, so that when we arrived in the hallway, we were 15–20 yards from the closest faculty office. Then I would pause and tell them where we were. Their reactions and responses became predictable: “What—you mean those are

* Washington and Lee University School of Law, Class of 1989. Executive Director, Georgia Justice Project.

1. It was a double hand-me-down. It had been my mother's car before she gave it to my brother when he finished graduate school in 1983. Then my brother gave it to me during my first year of law school in 1986. It was not unusual for the car to overheat, causing me to pull over and wait for hours. Or for smoke to be billowing off the engine due to an oil leak. For a visual reference, see Scotty Gilbertson, *Charming Survivor: 1976 Chevrolet Chevette*, BARN FINDS (May 27, 2018), <https://perma.cc/Q337-DZHB>.

faculty members? Right there?” Some wanted to turn away or reacted as if they had just seen an alien. Others thought I was joking. They were intimidated; some had rarely been this close to faculty members.

As we continued to walk around the entire top floor—and I did it every time—I would make a point of speaking to at least one professor as a way to prove that this was not a hoax or some recruiting trick. It was here, on the faculty floor, that I would talk about the school’s commitment to treating students like individuals, that students were “known” by the school and by the faculty. It was here on my tour that I spoke of community, of connections, and of mutual respect and recognition to show how the school was invested in its students in a remarkably unusual way. These were not recruiting materials that I memorized. These words I spoke came from my heart, from my own experience.

Among the many amazing attributes W&L has to offer its law students, chief among them is this commitment the faculty has to students. I would argue that the faculty’s dedication to students is something more intentional than a formulaic teacher-to-student calculation. It is a commitment to creating a relational academic setting—a rare and precious thing. There is no person who better represents this commitment to community, superb teaching, and student engagement than Professor Sam Calhoun.

I remember when I met Professor Sam Calhoun for the first time. He was my first-year contracts professor. Sam is hard to forget—tall, lanky, and a deep South Georgia accent. After first meeting him, he seems quiet and reserved. And that is true to an extent. But sitting in one of his classrooms, being one of his students, he transforms. He becomes animated and theatrical. The pitch of his voice changes. He pivots left and right around the front lectern with vigor—like a basketball player looking for the feed pass and an easy lay-up opportunity. It is a mesmerizing experience.

It is hard not to get excited about contracts—or anything for that matter—while he is teaching. At first, I thought he was simply passionate about “the Code.” Sometimes I wondered if I made a wrong turn and ended up in a tent revival for the Uniform Commercial Code. “The Code! The Code! What about

the Code?” he would exclaim, holding up an open copy of the UCC high above his head. “Wow. He is really into contracts,” I thought. “He loves the UCC!” Who knew that contracts could be so fascinating? Who knew that a subject that is so dry to so many could jump to life? Of course, this is just a testament to Sam’s amazing ability as a teacher. Repeatedly I witnessed him effortlessly pivot from enthusiastic proclamations to thoughtful analysis to patiently considering and responding to students’ questions. Professor Sam Calhoun is the epitome of a great law professor.

My life as a criminal justice attorney has never brought me in the vicinity of a contract or UCC issue. But every now and then, while trying to make a point with some of the younger lawyers in our office, I’ll grab a copy of the Georgia criminal code, jump on my feet, raise the book above my head, and try to channel Prof Sam Calhoun: “The Code! The Code! Did you look at the Code?” (Ironically, having lived in Georgia for the last thirty plus years, I too bellow out these questions with a southern accent).

Sadly, yet honestly, I confess that I remember very few case studies from law school. But I will never forget one case presentation from Professor Calhoun’s contract class. We had thoroughly dissected a breach case involving a contract to purchase goods. The first session was spent on examining the contract to uncover any fatal flaws or a way to legally cause the contract to fail. Alas, the contract was good and legally binding. The second session covered the economic implications of the contract’s completion. If memory serves, the purchaser of the goods would be in a better position if they broke the contract. It wasn’t personal, just business.

By the beginning of the third session, the entire class accepted the implications of the contractual dilemma for the purchaser. The purchaser was bound to the contract without a legal way out. Fulfilling the terms of the contract would result in significant financial losses while breaking the contract would save the purchaser money, even with the ensuing damages. It was then that Sam asked the class a question rarely raised in legal academia (and rarer still during the first-year core curriculum): “Although the contract can’t legally be broken, SHOULD the purchaser break the contract?” At first there was

silence. My classmates looked stunned. Was this a trick question? Had they missed something, maybe a loophole buried in an obscure footnote? No, it was more fundamental. Professor Sam Calhoun was asking us to consider the moral and long-term implications of breaking a commitment.

Over thirty years later, I still remember the discussion that followed. Regardless of the law, regardless of the economic impact, we were asked to struggle with questions rarely presented in that setting: what is the impact of broken agreements? Was it the right thing to do? What is our role as lawyers, as members of the community, if our clients ask us to help them break a legitimate and binding commitment? We were invited to bring into the discussion, into the law school, part of ourselves that we *thought* was supposed to remain outside. This was not the last time Professor Calhoun would challenge us to think about how our individuality may affect our decision-making as future lawyers. We learned to not divorce ourselves from our moral understandings and analysis grounded in a higher ethic.

My relationship with Professor Sam Calhoun grew after that first class, both in and outside of school. During my first year, a number of local folks decided to start a homeless shelter. Because of some of my past volunteer activity, I was asked and gladly joined the effort. Between Sam and Professor Uncas McThenia signing me up to help, I am not sure how much rest I got during those cold winter nights. During my second and third years, I led the Christian Legal Society group at the school. Sam was the organization's advisor during my tenure. He was my thought partner as we tried to find a relevant way to support law students who might be struggling with the weight and demands of law school. Sam and I also shared the basketball court: first as competitors and then as teammates for the University's intermural leagues. He was always too good for me to guard. Plus, as I mentioned, he is quite tall.

Sam was also an excellent Sunday school teacher. Though my attendance record was spotty, I would marvel at the depth of theological analysis that Sam offered on those early Sunday mornings. His preparation for our small early-morning group was impressive. The perennial teacher and professor. Our shared faith continued throughout my time at law school.

During my last year, Sam and I made an agreement. We would meet once a week, early in the morning, in his office for prayer. Being someone's prayer partner creates a distinctive and intimate bond between two people. It is a relationship of radical vulnerability. I remain humbled that Sam invited me into such a meaningful and supportive relationship.

I cannot count the number of meals I had with Sam—at his home or in the community. He and his family welcomed me numerous times into their home. During one unforgettable trip back to campus, Sam and his family offered their cabin for me and my young son to stay in. In the middle of the night, I was startled awake by several bats that emerged from the chimney. For the next few hours, we worked to trap the bats and release them outside. It was quite an adventure.

Perhaps the strongest of all the ties that Sam and I share is our faith as Christians. My faith journey led me to a life of service. Feeling called to use my law degree to serve the poor, for the last thirty years I have worked with those involved in the criminal justice system. Our work isn't simply about representing people or doing policy work to improve the lives of those affected by the criminal justice system. We see being someone's lawyer not as an end, but a beginning. Our work is about acceptance, rehabilitation, and community. It is about standing with our clients long after the case is over. Our work is about creating community for those who are too often shunned and excluded.

Sam and his family have been gracious and generous supporters of our work since I first joined Georgia Justice Project² as a staff attorney in 1990. In fact, a number of years ago, Sam and his wife Jackie went a step further. When their youngest son, Stephen, was still an undergraduate student and thinking about pursuing a legal career, they encouraged him to apply for an internship in our office. He did apply and then spent a summer working with GJP. One of the highest compliments

2. Georgia Justice Project (GJP) is one of the leading providers of legal aid services in Georgia. In addition to representing low-income communities in a variety of legal matters, GJP has also directly contributed to significant legislative criminal justice reform. See GEORGIA JUSTICE PROJECT, <https://perma.cc/B3ZT-NZPQ>.

that a parent can pay is to entrust their child to another's care. I remain humbled by their trust with such an assignment.

I started this piece reflecting on community. The power of community. The pull of community. And even the promise of community. Creating an authentic sense of community, a community of acceptance and love, is one of the few salves in a broken world. It is one of the few concrete ways we can work to heal the world. The promise of such a thing and the effort to create it, helps to keep us grounded and engaged with the other, and humble. In so many ways, my life as a lawyer, my calling as a Christian, is an attempt to work toward this promised goal of community. I am not sure I would have the vision or the confidence for such a goal, certainly not as a lawyer, were it not for my experiences at W&L, and were it not for the example of and support from people like Sam Calhoun.

The law school offers a community, a sense of connectedness, and a feeling of being valued and known. In our current culture of isolation, individualism, and narcissism, the law school's accomplishment seems more like a miracle than a brochure takeaway. But those of us who cherish this reality that the school creates and nurtures should be worried when one who so personifies and demonstrates this reality is retiring. The law school should worry. It will never be the same again.

Tribute to Sam Calhoun

Judge David Carson*

I arrived for the first time in Lexington, Virginia, on a Friday in August 1988. I believe my law classes were to start on Monday. In the interim, I wandered about the beautiful campus and generally tried to entertain myself. I, of course, did not know a soul.

I made my way to Doremus Gym looking for a basketball game. There was in fact a pick-up game ongoing, and one of the players asked if I would like to join the group. While we were waiting for the game to begin, he quickly learned I was a new

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

law student and told me he was a law school professor named Sam Calhoun.

As we played the game, I was in such awe of this nice man, who had at least somewhat taken me under his wing, that I kept referring to him as “Professor Calhoun”—“Pass me the ball, Professor Calhoun” and “Good play, Professor Calhoun.” After a few minutes, he stopped the game, pulled me aside, and told me that on the basketball court, he was “Sam”—NOT Professor Calhoun. I still chuckle thinking about that.

My professors that first semester were Joe Ulrich, Bill Geimer, Roger Groot, and Sam Calhoun. When I got to know some of the veteran law students, they were amazed at my luck in getting some of the best law professors at the school. I, of course, did not appreciate it at the time, but I certainly do now.

About three weeks into my contracts class with Sam Calhoun, I arrived at class about five minutes before the start of class and could not find a seat. I quickly noticed that a couple dozen older law students were in class. I knew one of them and asked what he was doing there. He said he just wanted to hear Sam Calhoun give his famous speech.

What then occurred was a class I will never forget. Sam did not mention law school or contracts or studying. Instead, he gave what I will describe as his “big picture speech.” While the particulars escape me, the message was clear: success in life is much more than learning the words in a book. On a regular basis, stop, appreciate where you are, the history that surrounds you, the opportunities that you have, and you will be a better person for it.

I left the law school a better person and a better lawyer because of Sam Calhoun. As I told him when I learned he was retiring, I am certainly excited for him to enter this next stage, but I am sad for the law school and for those students who will not get to experience his wisdom—legal and otherwise.

Tribute to Sam Calhoun

Kelly Faglioni*

I had Professor Sam Calhoun for Commercial Transactions II, following on the heels of having had Dean Roy L. Steinheimer, Jr. for Commercial Transactions I. Dean Steinheimer was a *big* personality and had a *big* booming voice to go with it. Enter then Professor Calhoun, who had some *big* shoes to fill in picking up and teaching Commercial Transactions II to our class. Professor Calhoun—with his soft-spoken, southern drawl—did not attempt to match the bigness of the personality or the bigness of the voice, but he expertly filled those BIG shoes! He instilled practical knowledge and an appreciation for the subject that was just as big. His voice may not have BOOMED, but you might instead call him the UCC whisperer by comparison in terms of literal volume and in terms of his effectiveness! Professor Calhoun embodied the great W&L tradition of being an effective and approachable professor who demonstrated every day that he was there to teach. Professor Calhoun was a quality teacher, an excellent role model in collegiality and professionalism, and a kind professor who demonstrated that he cared about his students.

Tribute to Sam Calhoun

John Fishwick*

In the fall of 1980, a very young-looking Sam Calhoun taught me and half of the class of 1983 the law of contracts. In 1980 he looked younger than most of us in the class, and I can assure you that he still looks young today. There was no internet in the early 80s, so professors used old-school methods of visual

* Washington and Lee University School of Law, Class of 1992. Partner, Hunton Andrews Kurth LLP.

* Washington and Lee University School of Law, Class of 1983. Founding Attorney, Fishwick & Associates, PLC. Previously served as the United States Attorney for the Western District of Virginia.

aids, and I remember Sam passing around a stamp of Oliver Wendell Holmes and telling us, "What a man he was!"

Teacher: Sam has a razor-sharp mind and eclectic interests within the law. He has taught contracts, debtor/creditor relations, and other traditional law school classes. Sam has also bravely written and taught about abortion laws and looked at various aspects of Abraham Lincoln's life, including Lincoln as a lawyer. In each of these subject areas, Sam has a complete and total grasp of the subject matter and teaches in a thoughtful and effective manner.

Family: Faith and family are at the center of Sam's life. Sam's wife, Jackie, and Sam model what it means to have a great marriage. Their three boys and multiple grandchildren are a tribute to their great parenting skills. They are pillars in their church, not just because of all the selfless work they do, but because of their deep and strong faith.

Athlete: For over twenty years, I have gone on an annual golf trip to Pinehurst, North Carolina, with Sam and another good friend. Often times the fourth golfer is a member of Sam's family or mine, which makes the trip even more memorable. Sam is great fun to be with on the golf course, and like me, he enjoys the challenge of a very difficult game. Sam is a very honest person. Several times, Sam has returned to me \$0.50, and even \$0.25, because he miscalculated a golf bet. Further evidence of his prowess as an athlete is the fact that until recently, Sam has played competitive basketball with college and law students.

Person: I feel very fortunate to have had Sam Calhoun as a professor, and I use what I learned from him in my practice today. While I look forward every year to golfing with Sam in Pinehurst, what I enjoy most is not the golf, but the time I am able to spend with Sam, talking life, golf, politics, and families. I have benefited immensely from Sam's insights and thoughtful responses.

There are many more chapters to be written in Sam's life, and I am honored to borrow something that he said about another great man and apply it to Sam—"What a man he is!"

Tribute to Sam Calhoun

Mark Grunewald*

Sam Calhoun and I are different. It's like the difference between North and South. Sam is from a small town in South Georgia, and I am from a small town in North Georgia. And my town was even smaller than Sam's by several hundred.

Despite these differences, Sam and I, over forty years, have become close colleagues and friends. It is not, however, the differences between Sam and me that this is about, but rather I use the term to highlight some of the "differences" Sam has made at Washington and Lee, more specifically some of the extraordinary contributions Sam has made to the Law School and its students.

In the classroom, Sam takes subjects like Contracts and the UCC, which few would consider the most exciting parts of the curriculum, and makes them something special for his students in so many ways. How does he do that, and how do I know that he does? I have space for only a single example of the differences in his approach. Sam knowledgeably and skillfully weaves American history into these classes. Abraham Lincoln appears in Contracts. And though unfortunately I've never seen him do it, I've heard the stories from so many students over the years, I feel like I've been there. Sam's classes stand as among the most prized in the Law School.

Through his scholarship, Sam has chosen a different approach as well. Many teacher-scholars build their scholarly agenda around their primary teaching areas. Sam has built his around a social issue initially unrelated to his teaching and developed it into not only an area of scholarship but also an area of teaching. Sam writes and has taught a seminar on the topic he calls, "The Abortion Controversy." An aspect of this difference is that both in his writing and in his teaching Sam understands that he must be constantly alert to the strong emotions this topic generates and must work to make room for and address views that differ from his own. On a number of

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

occasions, I have had the opportunity to comment on drafts of Sam's work in this area. I have always been impressed by the care and thoroughness with which Sam writes. More importantly, our exchanges on the substance of his work have reflected Sam's deep commitment to achieving the best possible scholarly product and his openness to being pressed on issues where we recognize that part of the critique I offer is based on underlying differences in our perspective. While I cannot know how these experiences have affected Sam's work, I personally value them highly.

The Law School, institutionally, has also benefitted greatly from the scope and special character of Sam's service to it. In our time together, Sam and I have shared many of the common experiences of collegueship in the structure of faculty governance. I will mention only two. Faculty meetings are hardly experiences to rejoice in, but when you've shared hundreds, one of the finest moments comes after some particularly rarified discussion and a colleague, with complete honesty and plainspokenness, reframes an issue in a way that brings the debate to an overdue conclusion. That colleague would be Sam on more occasions than I can remember, and it reflects perfectly much of Sam's character. Apart from the forms of institutional service that all faculty share in, Sam unselfishly took on the role of Associate Dean at a point when a cloud had settled over the Law School's future, and when the faculty would most benefit from collegial leadership that was honest and plainspoken. Sam provided that kind of leadership and character, and in doing so, helped steady the Law School.

I will conclude with a more personal image of Sam, or I should say Sam and me, that reflects a part of our time together that would strike most readers as very "different," and that I might caption, "This could be the beginning of a beautiful friendship." I have the photo, but you will have to use your imagination. On the opposite ends of a black and white image, you find two thirty-somethings, Sam and me. Between us are about a dozen five- and six-year-olds, including a son of each of ours, who are learning to play soccer, and whom Sam and I are barely staying one week ahead of in learning the game. We had an outstanding season, but only because one of our players was the son of the W&L soccer coach. Sam and I just served to loosely

hold things together and to make sure someone brought cookies for halftime. Our contracts were not renewed. But Coach Sam made the best of it, returning to law teaching and completing forty winning seasons as Professor Calhoun.

Tribute to Sam Calhoun

Stephen Halpin*

It is my great pleasure to offer a tribute to Professor Sam Calhoun, whom I will call “Professor” here despite his insistence over the years that I address him as “Sam.” I had the good fortune of spending my first semester of law school in Professor Calhoun’s small section Contracts class and its accompanying legal writing component. Since then, Professor Calhoun has been a mentor, friend, and someone I have always looked forward to seeing whenever I return to Lexington. Although there are many memories from which to choose, I will share three below that resonate particularly strongly with me even today.

First, I recall with a mix of nostalgia and horror the initial reading material Professor Calhoun assigned to my small section. As will be familiar to legions of former law students, our semester opened with a court case about a doctor, Edward McGee, who had promised to repair the injured hand of a boy named George Hawkins. Hawkins had suffered scarring of his hand after contact with an electrical wire. Utilizing a procedure Dr. McGee did not fully understand, he lifted a graft of skin from the boy’s chest and transplanted it onto the boy’s injured hand. Unsurprisingly, complications followed. Litigation ensued.

So for our first several Contracts classes, Professor Calhoun patiently led us through the “case of the hairy hand,” prompting and probing us to grapple on our own with a foundational question of contract law: How does one measure a broken promise in the eyes of the law? It was the first of many times Professor Calhoun would challenge us to think critically about a legal concept so that we would better understand it, rather

* Washington and Lee School of Law, Class of 2015. Associate, Hughes Hubbard & Reed LLP.

than simply offering a blackletter “rule” that we could add to our outlines.

Second, I remember fondly a handful of occasions throughout our Contracts semester when, as our first hour slipped into the second during our once-a-week double period, Professor Calhoun would offer a tenuous segue from a principle of contract law to a prominent figure of U.S. history, the latter of which was nowhere to be found in the day’s assigned reading. Notwithstanding the loose transitions, the mini-lectures that followed were not spontaneous frolics or larks. Rather, they were thoroughly researched and prepared set pieces delivered with great enthusiasm, as evidenced by the twinkle in Professor Calhoun’s eye while he made frequent visits to his satchel to quote from heavily bookmarked tomes. Any prospective law student who may have wandered in during one of these performances could have been forgiven for thinking she had stumbled into an advanced history lecture one would expect to encounter across the footbridge.³

One might ask: What purpose did these decidedly “non-Contracts” lectures serve other than to consume an hour of precious time during a first-year law student’s hectic day? I submit that for many of my classmates and me these were hours of immense pleasure—or at least immense relief. We had come to appreciate quickly that topics such as the finer details of Abraham Lincoln’s upbringing would not be covered on our final exam for Contracts, so for these hour-long sessions we would set down our pens, withdraw from our hunched-over positions on top of our notebooks and laptops, cast aside our fears of being cold-called, and yield to the unburdened joy of learning something without obsessing over how it would be tested.⁴

3. Professor Calhoun seemed to possess a particular affinity for the footbridge connecting the undergraduate and law campuses. As I recall, the footbridge was a favorite source of inspiration for his Contracts hypotheticals, including on “offer” and “acceptance.” To date, Professor Calhoun has never actually offered to pay me in exchange for walking across the footbridge.

4. For the record, my good friend and fellow small-section member Brendan McHugh informs me that he distinctly recalls drawing on one of Professor Calhoun’s “history” lectures to support a policy argument on our final exam. Acquaintances of Mr. McHugh are likely not surprised to learn this fact. Mr. McHugh also reminds me how generous Professor Calhoun was

Finally, I recall a wonderful evening several of my classmates and I spent with Professor Calhoun and his wife Jackie at their lovely home outside of town. We had placed the high bid at the PILSA Auction one year for a night at the Calhouns' featuring dinner and Professor Calhoun singing along to his acoustic guitar. In what I have come to view as his typical self-deprecating humor, Professor Calhoun greeted us when we arrived that evening as if we were the greatest living fools on Earth for having willfully parted with money to hear him play live music. But of course, the conversation was lively and welcoming, the home-cooked meal was delightful, and Professor Calhoun showcased his skill on the guitar.

I could continue on by describing how much Professor Calhoun's steady guidance during my first semester helped me improve my legal writing (a Herculean task), as I know he did for countless others; how I appreciated his support during my searches for summer internships and gainful employment; and how I admired that, after my first year at the Law School, he accepted an administrative position on top of teaching duties in what I viewed as a selfless act of service to a community he had already served so long. But instead I'll close simply by wishing Professor Calhoun all the best in a well-earned retirement after a distinguished teaching career. Here's to more time to work on your short game, Sam.

Grace—A Tribute to Professor Samuel W. Calhoun

Brandon Hasbrouck*

I am thrilled to pay tribute to a legend at Washington and Lee University School of Law, Professor Calhoun. My excitement mostly derives from memories as a law student in Professor Calhoun's Contracts and Payment Systems classes. In the classroom, Professor Calhoun had the extraordinary ability to make concepts—from the statute of frauds to

with his time after class, fielding questions on subjects ranging from the Universal Commercial Code to the Newburgh Conspiracy.

* Assistant Professor of Law, Washington and Lee University School of Law.

indorsements—understandable for all, even if that required him to spend a month on the material. And, no, this is not an exaggeration.⁵ Rather, it is a testament of his love for his profession—a law professor deeply committed in service to *his students*.

Oh, his students—a great source of Professor Calhoun's daily inspiration. Professor Calhoun always made time to discuss history (guaranteed to spend an hour in his office if you mentioned President Abraham Lincoln) or to play pick-up games of basketball with law students. Truth be told, his basketball game reminded me of Boston Celtics' Bill Walton—powerful and rugged. His game did have one element of finesse. Every so often Professor Calhoun would try to drop the Kareem Abdul-Jabbar skyhook on you—and he was more often than not successful. It is these moments that Professor Calhoun will reflect on during the twilight of his *memory*.

Perhaps my fondest memories of Professor Calhoun are our conversations about how to improve the *Law Review*. As the Editor-in-Chief, I was very concerned about our write-on process, specifically how we selected our members. In my view, the *Law Review's* membership then (and still today) lacked diversity and did not reflect the overall diversity of our institution. For that reason, I discussed possible changes that would increase diversity in our membership with several professors, including Professor Calhoun. We discussed these issues intensely with the overarching goal to improve our *Law Review*. Although we had our disagreements, we were never disagreeable. We understood that the time to do what is right and just is always right now. And, ultimately, Professor Calhoun supported the recommended changes, which included a personal statement component. This change made our *Law Review* better—it immediately increased gender diversity.⁶ It is my hope that this *story* inspires those who carry the *Law Review* mantle in the future.

5. Just ask any student from Professor Calhoun's Fall 2008 Contracts class.

6. We continue to struggle with racial diversity. To my knowledge, there has not been a Black student on *Law Review* since me (a full decade ago). More must be done to make our *Law Review* more diverse, inclusive, and equitable.

A story. In many ways, Professor Calhoun's story was never about him but about us—all of us. He showed us that it is never too late to learn and to grow—as a professional and a person. On one occasion, over Frank's pizza, we discussed mass incarceration and transformation measures that would involve all criminal legal actors—from police to prosecutors. I think it is safe to say that we may not agree on every issue, but one comment struck me as profound—"we must show *grace*." A kind of grace that appreciates that we all are in this together. A kind of grace that will dismantle all inequality in law and society. A kind of grace that marches because Black Lives Matter. A kind of grace that bends the arc of the universe towards justice. *Grace*.

Tribute to Sam Calhoun

Brant Hellwig*

As a brief tribute to my colleague Sam Calhoun, I would like to reproduce a portion of the remarks I was fortunate to deliver at his celebratory retirement dinner held near the end of 2019. While they by no means capture all that Sam contributed to our school over his forty-two years of service to W&L Law, I hope they convey the critical role he played in shaping the character of our law school:

We recently had the opportunity to showcase Sam's scholarly achievements through his installation as the Robert O. Bentley Professor of Law, and I am pleased that Sam will retire with that emeritus title.

This evening, I would like to use my brief remarks to highlight and celebrate what Sam brought to the classroom.

On a faculty known for its depth of prolific teachers—individuals who possess a broad range of effective teaching styles—Sam Calhoun belongs in the teaching hall of fame. When I think of the class sessions I have witnessed

* Dean of the Law School and Professor of Law, Washington and Lee University School of Law.

and the many more I have heard about from our students and alumni, one word comes to mind: energized. There simply is no doubt that Sam is energized not just by the course material alone but more so by the prospect of discussing it with his students—and getting them to understand just how interesting and important that material is. Students can tell that he loves being in the classroom with them. That feeling is genuine. It matters to them, and it is easy to tell that they appreciate it. It is one of the reasons so many of his current students were in the room to hear Sam’s chair installation talk—coming off a full-throttled Contracts class that I could hear as I walked down the hallway from the Moot Court lobby.

The level of connection between faculty and students is a significant part of what has made our law school such a unique place over the years. Alumni who graduated decades ago—many of whom will recall Sam being the new guy or young gun on the faculty—repeatedly cite Sam’s classes as among their most memorable and enjoyable at W&L. That feeling has remained consistent over the decades, with one current student recently telling me, “Aw man, I love that guy.” I think that captures it perfectly. We feel the same way.

In addition to the skill and dedication Sam displays in the classroom, Sam has made significant contributions to the successful operation of the Law School in ways that often go unheralded. One such role with which I am well familiar is Sam’s service as Associate Dean for Academic Affairs from 2013–16, a period that included our most recent accreditation review by the American Bar Association. (While we have the tribute to the ABA presidents in the hallway to Classrooms A–D, I think our next tribute of that nature should be to Associate Deans who successfully navigated accreditation reviews. If we do that, I want to somehow showcase Sam’s red University of Georgia plastic cup alongside his picture.) Sam approached that critical role with professionalism, good humor, and common decency—characteristics that benefitted us all.

One of the best gifts I have received in my administrative role has actually been a series of small gifts from Sam and that is his willingness to laugh at my jokes. And I mean

really laugh. It always brightened the day and lifted the mood in the deans' suite, which I very much appreciated.

The extent of Sam's contributions to the Law School and to the University cannot be captured by a recitation of the various roles he has held at the school.

The following description may not be too colorful, but in my mind Sam has consistently provided a source of what I will call "Institutional Glue" for our Law School. His common decency, compassion, sound judgement, and good humor all have contributed to our school being a better place. He sees and presumes the best in others. This generosity of spirit can fill in gaps that exist or develop in an institution, generating bonds that make our school stronger as a whole.

In my letter nominating Sam Calhoun for the Robert O. Bentley Professorship of Law, I concluded as follows: "Sam is a true gem of a faculty colleague. Talented, hard-working, genuine, honest, and good-humored are all traits that come to mind. His approach to his faculty responsibilities has helped shape the character of our institution." I hope all of us on the faculty can achieve that same level of contribution over the course of our careers.

A Tribute to Sam Calhoun: Extraordinary Colleague

Lyman Johnson*

Good colleagues bring good judgment to faculty governance and their opinions warrant careful attention, particularly on controversial subjects. During my thirty-four years of teaching at W&L Law School the faculty faced many tough decisions. I listened attentively to all of my colleagues and respected their views, but I always paid special attention to the opinions of a small handful of professors who had unusually good judgment. Sam Calhoun was one of those colleagues.

* Robert O. Bentley Professor of Law, Washington and Lee University School of Law, Emeritus; Professor of Law, University of St. Thomas (Minneapolis) School of Law. Professor Johnson taught at Washington and Lee University School of Law from 1985 until 2019.

Sam and I often agreed, but we also disagreed, and when I found myself disagreeing with Sam it gave me pause and I made very sure I knew why we differed. On a few occasions I entered a faculty meeting with a clear view on how I would vote. But after listening to Sam's well-reasoned arguments bathed in his melodic South Georgia drawl, I sometimes had to rethink my position and, now and then, I changed how I voted.

Sam was an extraordinary colleague not only because he had excellent judgment—that would not be enough. Sam possesses a host of other admirable qualities I saw in action over the years. He was kind, generous, fair, polite, courageous, honest (he could not and would not hide the ball, a move some others had down pat), humble, and keenly devoted to W&L and its students, as well as enviably intelligent, learned about history, fiercely committed to his chosen scholarly endeavors, and a man of great integrity.

I know this because I spent a lot of time with Sam, and not just in faculty meetings. We often talked in our offices, in the hallway, and in the faculty lounge, but also while running (well, that stopped around 1990) or, quite frequently, on the golf course. We didn't just talk about law. Sam can converse intelligently on a wide array of subjects. We also had the kind of relationship that allowed us to share personal challenges and to seek each other's advice and to pray together for guidance. Sam, in fact, prayed every day when he arrived at work, for one different colleague each day, and before faculty meetings. I believe that many colleagues were blessed as a result of Sam's prayerful entreaties, though they never knew why. Sam's strong Christian faith guided all that he did at the Law School.

Sam had a great sense of humor; he had to or he would have quit golfing a long time ago.⁷ He also had a remarkable, if unintended, capacity to make me laugh or startle me with his views. As to the latter, he once supported a faculty candidate that I in no way would have expected, and he was charitable

7. This being a law review article, it needs at least one footnote. So, I'd like to qualify my earlier statement that Sam has excellent judgment. When it comes to reading how a golf putt breaks, Sam has horrible judgment. I learned the hard way over the years that the takeaway from getting Sam's advice on how a putt breaks was to say to myself, "Well, at least it won't break that way."

toward some who I thought deserved a quick ding. As usual, Sam had his reasons. Sam saw the best in people. As to making me laugh, he could do it straight away or by being, as he sometimes was, genuinely taken aback and near speechless at how somebody could say or do the (stupid/crazy/nasty) things they did. Sam was never a cynic, which endeared him but also sometimes amused me, while giving me pause, as I shared with benevolent, gracious Sam my more jaded response to the reliable frailties of the human heart.

W&L lost a great professor when Sam retired—teacher, scholar, and colleague. I regret that he and I no longer are colleagues. He greatly enriched my years at the Law School. But Sam was never just a faculty colleague to me, even though he was an extraordinary one. He was and is a friend, a true friend. Thank you, Sam.

Tribute to Sam Calhoun

Bill Johnston*

It is my privilege and pleasure to offer this tribute to Professor Sam Calhoun on the occasion of his retirement from teaching—a person of faith, family, and friends.

I have known Sam for over forty years. We met in my first year Contracts class. We found ourselves back in class together the following year, for Creditors' Rights. And, during that second year, I was a member of the Jessup International Moot Court team for which Sam served as the faculty advisor.

Whether in class or working with the Jessup team, I benefited time and again from Sam's expertise, wise counsel, and good humor. I also benefited from Sam's deep religious commitment and his warm invitation to join him, his wife Jackie, and sons Ben, Brian, and Stephen for worship at their church and fellowship afterward. Throughout, Sam and I were developing a close and enduring friendship.

When my (now) wife Mary came to W&L Law in my third year to begin her own law school career (after a career in music),

* Washington and Lee University School of Law, Class of 1982. Partner, Young Conaway Stargatt & Taylor, LLP.

she, too, was adopted into the Calhoun family. Post-graduation, Mary and I enjoyed visits with the Calhouns and we were honored to be asked by Sam to meet and speak with Law School members of the Christian Legal Society. Our daughter Ellen arrived in Lexington in 2012 to start her law school career. She, too, became, part of the Calhoun family, and she very much enjoyed time with Sam, Jackie, and other Christian Legal Society members.

Of course, Sam has contributed immeasurably to the Law School as a professor and dean. And he has done the Law School proud with scholarly publications recognized nationwide. But, for me, Sam will always be “Sam,” and I will always be blessed by having come to know him and having been inspired by all that he holds dear. I, and my entire family, wish him the best in the new, exciting chapter upon which he is embarking!

Tribute to Sam Calhoun

Rick Kirgis*

Sam and I share a deep Christian faith. Sam has always lived his faith and has let his faith be known at the Law School (and elsewhere) without in any way trumpeting it or trying to force a similar faith on anyone at the law school (or elsewhere). He is modest in character and demeanor, so much so that some folks might not immediately recognize his keen intellect and excellent judgment. The world needs more Sam Calhouns.

Tribute to Sam Calhoun

Brian Murchison*

It is hard for me to accept that my colleague Sam Calhoun is retiring. He joined the law faculty in 1978, four years before I

* Professor of Law, Emeritus, Washington and Lee University School of Law.

* Charles S. Rowe Professor of Law, Washington and Lee University School of Law and Director of Roger Mudd Center for Ethics, Washington and Lee University.

arrived. I remember interviewing for a vacancy on the faculty in 1981 and feeling quite nervous when the professors listed the expectations for W&L faculty. To succeed in teaching, the professors gravely intoned, a faculty member had to be more than just decent—he or she truly had to excel in the classroom. The example they gave of an excellent classroom teacher was Professor Calhoun.

At our first meeting, Sam certainly struck me as having a big enough personality to fill any classroom. Not only that, he seemed to fit in well with those other larger-than-life W&L personalities: Roy Steinheimer, Roger Groot, Uncas McThenia, Lash LaRue, Joe Ulrich, Rick Kirgis, Tom Shaffer, Jim Phemister, Mark Grunewald, Bill Geimer, Ned Henneman, and Steve Hobbs. It was like being at Mount Rushmore. As a group, they seemed to say to the world: “You may think this is a tiny school in an obscure one-restaurant, nineteenth-century town on the very edge of the known world, but actually we are an interesting faculty. Read some of what we are writing; look at our approach to teaching, especially our focus on the written word; look at what our clinics are doing, and take note of how our Law Center is geared to law reform. Besides all that, we actually know the names of our students. They have more than a little accountability: they have us to contend with!” Sam Calhoun was definitely a part of that message. And although it took some time to know him, I early concluded that anyone who was married to a woman as interesting, intelligent, and fun as Jackie Calhoun had to have some good qualities of his own.

Soon enough, I learned about those qualities in Sam. First, he was a soccer coach in the local RARO organization, and my son Matt, then five- or six-years-old, was on the Calhoun team. They were the Bobcats. Under the tutelage of Sam and his fellow coach Mark Grunewald, the Bobcats were a fierce collection of ruthless soccer prodigies. Well, sort of. They loved their coaches. They occasionally scored, and they did a lot of running. Recently I asked Matt what he remembers about that experience, and he quickly answered: Coach Calhoun’s voice, booming, “Keep wide! Keep wide!”

The last game of the season was a come-from-behind thriller, played on the Waddell Elementary School field in the icy cold of November. Somehow the Bobcats prevailed, with

Sam's son Brian in the goal deflecting countless shots, and the Bobcats making far-fetched, brilliant scores. They had kept wide! Afterwards Sam, Mark, and every player and parent piled into Lexington Coffee Company on Washington Street for cups and cups of cocoa. The euphoria lasted for days.

Proudest of all was Sam. It was a team effort, and he took community seriously. I saw this in a different context in 1986, when our colleague Professor Wilfred "Bill" Ritz suffered a terrible stroke and lost his ability to speak. Bill already had retired from teaching but had kept his office in Lewis Hall. Now, suddenly, he was absent from the building, from the hub, from our bustling little universe, never to return. He lived another nine years. Some faculty members did not forget him: Lash LaRue, for example, helped Bill publish a final scholarly project. And Sam would visit Bill at home or drive him up, down, and around the roads of Rockbridge, giving him a change of scenery, a way to keep active even if in a small way. Sam's kindness to Bill made an impression on me; it reflected the webs of relationships and responsibilities that could be found all over Lexington and that helped define the community.

Within Lewis Hall, Sam always knew that building community meant being present, sometimes just walking the halls and striking up conversations. Alumnus Matt Calvert, a partner at Hunton Andrews Kurth LLP, recently wrote of Sam: "I remember well Sam's first year at W&L, which was my last year at Lewis Hall. I spent most of my time in the Law Review office on the third floor. Sam used to walk down from his office from time to time to visit us and play darts. He was assigned, for some reason, to teach Bankruptcy law that year. I enjoyed having him as a teacher. Because Congress was still working on, but had still not enacted the 'new' bankruptcy act, he had to teach both the old and new codes, a tall order, I suspect, for a rookie faculty member. He took that in stride."

Alumna Kelly Faglioni, also of the Hunton firm, wrote this: "I had Dean Steinheimer for Commercial Transactions I. Talk about a 'big' personality and a 'big' booming voice to go with it. Dean Steinheimer's voice still booms and echoes in my head as he admonished us not to 'skulk around the ATM machine' but to march into the bank and declare, 'I am your creditor . . . YOU are my debtor.' Enter then Professor Calhoun, who had some

'big' shoes to fill in picking up and teaching Commercial Transactions II to our class. Prof Calhoun—with his soft-spoken southern drawl—expertly filled those BIG shoes! He instilled practical knowledge and an appreciation for the subject that was just as big. You might call him the 'UCC whisperer' by comparison in terms of literal volume and in terms of effectiveness! Professor Calhoun embodied the great W&L tradition of effective teaching with approachable professors who demonstrated every day that he was there to teach. Much appreciated—much remembered.”

Besides teaching Commercial Law and his seminar on abortion, Sam and a number of us took turns teaching “writing sections” of substantive first-year courses. Is there anything more challenging in law teaching? In those days, how many times did I track down Sally Wiant in the library, or knock on Joan Shaughnessy’s door, asking their advice about how to squeeze into one semester the grading of two drafts of two memoranda and the scheduling of two substantial conferences for each student? If you blinked, you might miss a day, and the whole semester’s schedule would fall disastrously off course. Sam was particularly helpful in the grading aspect. I regularly knocked on *his* door, with calculator in hand and arms full of crumpled spreadsheets, seeking yet another math lesson on how to accord different weights to different assignments and bring it all in for a landing. More than that, Sam helped guide faculty newcomers in determining which sorts of assignments worked and how to keep the students striving to improve. Sam fully subscribed to the mantra from the years of Rick Kirgis’ deanship and later Randy Bezanson’s, that we were teaching “writing as thinking.” The idea was that students would learn Contracts or Torts or Civil Procedure much better if they are forced to write coherently about legal issues in one of those areas.

How else did Sam serve this community? He accepted a stint as Academic Dean during the time when the law school was experiencing a budgetary crisis and had to make cuts. It was up to Sam to do a lot of this work, and none of it was easy. He also was instrumental in the architectural facelift of Lewis Hall that took place several years ago. These were substantial assignments, and no one can calculate the hours involved or the accompanying stress.

While he was Academic Dean, he began thinking how W&L could teach and articulate its history more fully and truthfully. Then, in 2017, in the wake of the events in Charlottesville, when President Dudley created a history commission to examine W&L's own seldom-told history, Sam offered his considerable knowledge to the commission. In particular, he wrote helpful memos about how the University could tell a more complete and balanced story of its namesakes.

A final memory is that Sam was always interested in great writing. He made a specialty of the writings of Lincoln and Holmes. One day he arrived at my house in Lexington carrying a large box containing some sort of grand present, for he had a pleased look on his face. I can't recall the occasion, only the contents of the box: the collected Yale Shakespeare, twenty hardbound plays of the Bard, that collectively have become my prize possession. My family knows how much I treasure those books. On a given weekend, if I have been thumbing through one of the plays Sam gave me, and happen to leave it lying around the house, one of the kids will surely pick it up and conspicuously return it to its place on the bookshelf, with the reprimand, "Dad, you can't leave Mr. Calhoun's Shakespeare all over the house."

But that's the point. Just as all over my own house there are traces of Sam's generosity, you can find traces of that same heart all over Lewis Hall. Thank you, Sam, for your years of teaching, for being the UCC whisperer, the dart thrower, the bearer of great plays, the coach. Thank you for keeping wide.

A Tribute to Sam Calhoun: Living a Life of Faith in the Legal Academy

Joan Shaughnessy*

Anyone who has known Sam Calhoun for any length of time knows that he is a person of deep faith. He is an Elder and Sunday School Teacher at Grace Presbyterian Church here in Lexington. He has served on the Boards of the Rockbridge

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

Christian Action Council and the Lexington Organization for Religious Development. For many years he served as the advisor to the Christian Legal Society, a W&L law student organization.

His faith has permeated his life as a legal scholar and teacher. Sam has written and spoken often over the years about law and religion, most notably about the issue of abortion.⁸ He has described these issues as “provid[ing] a lifetime of engagement . . . to my ‘inner core of ultimate personal values.’”⁹ And indeed, Sam has remained steadily and passionately engaged with the questions of how his faith and the law intersect and diverge and of how to reconcile the divergence with his commitment to both law and faith. His scholarship on these questions has been enlightening for many—including readers who share his faith and others who come from different faith traditions or none at all.

Most inspiring to me is the example Sam has set as a thoughtful, ethical teacher. He has thought long and hard about how and whether to bring his faith to bear in his interactions with students in a secular university where a diversity of student views is sought and encouraged. He has been open and honest about the challenges he has faced in reconciling his deeply held commitments to faith and to teaching. Sam discusses the challenges at length in *Impartiality in the Classroom: A Personal Account of a Struggle to be Evenhanded in Teaching About Abortion*.¹⁰ In it, Sam describes developing his seminar, “The Abortion Controversy.” He explains his

8. See generally Samuel W. Calhoun, *If Separation of Church and State Doesn't Demand Separating Religion from Politics, Does Christian Doctrine Require It?*, 74 WASH. & LEE L. REV. ONLINE 565 (2019); Samuel W. Calhoun, “Partial Birth Abortion” Is Not Abortion: Carhart II’s Fundamental Misapplication of Roe, 79 MISS. L.J. 775 (2010); Samuel W. Calhoun, *Grounding Normative Assertions: Arthur Leff’s Still Irrefutable, But Incomplete, “Sez Who” Critique*, 20 J.L. & RELIGION 31 (2004); Samuel W. Calhoun & Andrea Sexton, *Is It Possible to Take Both Fetal Life and Women Seriously? Professor Lawrence Tribe and His Reviewers*, 49 WASH. & LEE L. REV. 437 (1992); Samuel W. Calhoun, *Are Religious Arguments Appropriate in Civil Discourse?*, CHRISTIAN LEGAL SOC’Y Q., Fall 1988, at 32.

9. Samuel W. Calhoun, *Impartiality in the Classroom: A Personal Account of a Struggle to be Evenhanded in Teaching About Abortion*, 45 J. LEGAL EDUC. 99, 100 (1995) (quoting Lyman Johnson, *New Approaches to Corporate Law*, 50 WASH. & LEE L. REV. 1713, 1713 (1993)).

10. *Id.* at 99.

concern that only students who shared his known views would enroll. He reacted to the concern by going beyond the usual course description and writing a memorandum to possible enrollees in which he explained his teaching philosophy for the seminar. Here is some of what he wrote:

Some of you, knowing of my prolife perspective, may have wondered how this would affect the manner in which the seminar is taught. I do not consider the course as a soapbox for me to proselytize about abortion. Rather, my chief goal is to challenge all students, regardless of their position on the issue, to think more deeply. This will require that the very best arguments on both sides be presented and evaluated.

An important secondary goal is to ensure that the seminar demonstrate the possibility of discussing this most controversial issue in a calm and respectful manner. I hope that the atmosphere will be such that each participant will actually hear other points of view before rushing to assert his/her own.

The seminar's prospects of achieving my two goals will obviously be significantly impaired if the students who take it are either all prolife or all prochoice. I therefore encourage students on both sides of the controversy (plus those who are unsure of their position) to take the course.¹¹

Sam's first goal—to challenge all students to think more deeply—is of course a critical goal of legal education and Sam's article explains at some length his efforts, some more successful than others, to accomplish that goal. To me Sam's second goal was at least as important as his first. That goal was to “demonstrate the possibility of discussing [a] controversial issue in a calm and respectful manner . . . [to] actually *hear*” another person.¹² That goal was vital when Sam launched his seminar in the 1990s. It is at least as important, and perhaps even more elusive, today. In his article, Sam describes two insights that were critical to him in developing and maintaining relationships with students who disagreed with him. First, he strove to show that his disagreement with their positions was not a “personal,

11. *Id.* at 101.

12. *Id.*

moral condemnation of them as individuals.”¹³ Second, he came to believe that it was not his personal responsibility to change his students’ minds about abortion. “This realization,” he reports, was “enormously freeing. It has enabled me to relax around prochoice students. It is also key to their being able to relax around me.”¹⁴ As much as anything else, Sam himself modeled for his students the calm and respectful manner he expected of his students. He set the tone in that seminar, as he has done with students in many different settings over the years. His example is no small part of the reason that Lewis Hall is and continues, for the most part, to be a place where students truly hear each other and treat each other with respect.

As a colleague, Sam sought to abide by the same expectations he expressed in his memorandum. He was always calm and respectful in faculty debates, no matter how contentious they became. He went out of his way to seek individual conversations with those who expressed different views on the issues facing the faculty. His example was an enormous help over the years when faculty discussions became difficult. His soothing presence will be missed.

I am afraid I might have left a picture of a somber teacher, scholar, colleague. Nothing could be further from the truth. Sam had a real zest for teaching and brought real joy and enthusiasm to the classroom. He also has a passionate avocation which he incorporated in his teaching and scholarship—he loves American history. His publications include works on John Adams, Jefferson, Lincoln, Martin Luther King, Jr., and Custer. In fact, the first scholarly paper I heard Sam give was on Custer and the Little Big Horn. By the end, we were all engrossed in the whys and wherefores of that debacle.

It has been an honor and pleasure to be a colleague of Sam’s over these many years. He has enriched my life as he enriched the lives of countless students and colleagues.

13. *Id.* at 108 n.23.

14. *Id.*

Tribute to Sam Calhoun

Howard Wall*

I am honored with the opportunity to provide a tribute to my former professor, and friend of forty years, Professor Sam Calhoun. My first instinct was to attempt to put into words the way in which Sam Calhoun has mastered the fine art of teaching law. That task, however, is better left to the generations of law students who have passed through Lewis Hall to preserve their own recollections of the dynamic and dramatic approach to law school instruction that marked the career of Sam Calhoun. My fellow law alums will each retain their own memory of how the self-described “Georgia Swamp Boy” made subjects like Contracts, Bankruptcy, and the UCC come alive and actually seem interesting. As I sort through my own recollections, I will never forget that a Virginia Court held that Mr. Zehmer had to sell his farm to Mr. Lucy, despite the fact that the former was “as high as a Georgia Pine” when he entered into the contract. I, like so many of my classmates, will never forget the significance of Newburgh, New York, in American history. In his emotional retelling of the tale of George Washington’s speech to his mutinous officers in 1783, Sam reached the crescendo of the story, by explaining that as Washington prepared to read a letter, he reached for his eyeglasses and said, “Gentlemen, you must pardon me. I have grown old in the service of my country and now find that I am growing blind.” Sam then added, “There was not a dry eye in the house.” In much the same way that Washington’s officers found their eyes filled with tears, the eyes of all of the law students in the classroom were also filled with tears.

My brief words today, however, are primarily about Sam Calhoun beyond the classroom—as a person of faith, a friend and mentor, and a man devoted to family. Sam Calhoun is a Christian. He brings that perspective into all aspects of his life and career. Beyond his extensive research and writing about the

*Washington and Lee University School of Law, Class of 1983. Executive Vice President, Chief Administrative Officer, General Counsel and Secretary for RegionalCare Hospital Partners.

intersection of faith and the law, he has acknowledged and supported law students who shared his faith or perhaps were just grappling with, or questioning, matters of faith. Sam encouraged charitable discourse around topics on which people of faith have genuine disagreements and attended and sponsored gatherings of faith-based students without excluding or denying students with different beliefs or no beliefs at all. Beyond his service to law students and his scholarship and writing on matters of faith and the law, he has and continues to live out his faith in service to his church and community. Whether serving as an Elder at his local church, performing acts of mercy to those less fortunate in the community, or leading music with his guitar and mellow voice, he is an example of humility and service.

On a very personal note, the friendship that Sam and his wife Jackie extended first to me, and then to my wife Kim, was one of the most rewarding aspects of my law school experience. Sam and Jackie gave my wife and me the gift of being with their family at a time when Sam was still a relatively new law professor and he and Jackie were learning to balance the demands of work and family. We were able to participate in life with them and observe the way in which Sam and Jackie interacted with, and adored, their three very energetic, free spirited, young boys, who always seemed to be eating or in desperate need of food! We even experienced firsthand the grace and patience exhibited by Sam after the family dog had come out on the wrong end of an encounter with a skunk. Jackie, and the boys, and Kim and I, who were house guests at the time, all experienced the very dominating aromatic evidence of that infamous skunk encounter. We were able to leave the house, but unfortunately it was Sam who had the task of giving the dog a bath!

Times with the Calhoun family instilled in us our own desire to make sure that our children always felt loved, encouraged, and never limited in their own dreams. When we have the opportunity to get together with Sam and Jackie even today the conversation quickly turns to family. Their children, like our own, have pursued their dreams and grown up to be accomplished, creative, diverse, independent individuals, reflecting the way in which they were raised. I would venture to

guess that despite his many awards, honors and achievements as a teacher, a scholar and a person of faith, Sam's greatest pride is the legacy of family that he can see as he looks into the faces of his children and grandchildren.

Thank you, Sam, for your contributions to my life, as a lawyer, as a person grappling with issues of faith, as a friend and mentor, as a student of history, and as a husband and father. In your retirement may you be content in the knowledge that your work continues through the lives of the countless number of students influenced by you.