

REFLECTIONS ON THE DECANAL CAREER OF CHANCELLOR EMERITUS GERALD L. BEPKO

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Fifty years ago, in the 1970s, the faculty's younger cohort competed with student teams in touch football games. As the faculty aged out, and every year brought new student recruits, the faculty team struggled to keep up. We were down but not quite out. Jerry Bepko, a stalwart member of the team, later published his account of the final season's most dramatic play:

Somewhere there is an eight-millimeter film . . . of [a] spectacular catch of a long pass which produced the [faculty's] winning touchdown. . . . It was such a memorable gridiron moment that it has since been referred to as simply 'The Catch.'¹

In his telling, Jerry credited me with the reception but made no mention of the quarterback, the person who called the play, escaped a converging defense, and launched the pass that hit its mark. The quarterback, of course, was Jerry, doing what he did throughout his long career as dean and then chancellor: give credit to others rather than claim it for himself. He was an unselfish leader, colleague, and friend.

During the decade of the 1970s, three different deans occupied the office, the last of whom left unexpectedly after only two years of his five-year term to become the law dean at the University of Florida. His precipitous departure in 1981 was disappointing and disconcerting, especially for those of us who had bet on him as the dean who would lead the school forward into the next decade.

In this somewhat unsettled time, the first order of business was the appointment of an acting dean who would get the school back on track. Already an influential voice within the faculty, and with two years' experience as the academic dean in the truncated administration of the departing dean, Jerry was the obvious choice.

Soon after his appointment, Jerry showed up, out of the blue, in my office. Would I join him as acting academic dean? My job, he said, would be to partner with him in fostering stability and inculcating a renewed sense of enterprise and momentum in the life of the school. His energy and enthusiasm were contagious, and I signed on. After a year, our "acting" titles were removed, and we continued to work together shoulder to shoulder until Jerry was appointed chancellor in 1986.

Jerry's leadership abilities were on display from the beginning. His modest mien and mild disposition promised an open mind and willingness to engage. Yet, balancing these attributes was his strong sense of self. Knowing what he wanted to accomplish, he was a forceful advocate for his own ideas, goals, and

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1. GERALD L. BEPKO, *Jeffery W. Grove Tribute*, 41 IND. L. REV. 273, 274 (2008).

methods. He soon gained a reputation as a leader who valued consensus without compromising his ability to get things done.

In my experience, deans spend a fair amount of time promoting collegial relations between administrators and faculty and among strong-willed faculty. They are not always successful. Naturally, “getting things done” is sometimes accompanied by disagreement and contention, but Jerry handled them with aplomb. His disarming manner and reputation for honest dealing meant that ill will, if it ever existed in the event, never followed him. He was liked and respected in equal measure.

Early in 1981, an accreditation team representing the American Bar Association and the Association of American Law Schools descended on the law school. Its charge was to determine whether our school was in compliance with accreditation standards. Its five members spent three and a half days monitoring classes and interviewing members of the school’s many constituencies and stakeholders. As Jerry explained:

[W]e wanted to make the most compelling case to show how aggressively the School was pursuing a strong academic vision as well as full compliance with [accreditation] standards. Because we had a tiny staff . . . [we] threw ourselves into this work and tried to be everywhere and do everything to help the visitors understand our growing program quality.²

During one of our many meetings with members of the accreditation team, its chair referred to us as “Batman and Robin.” It was a light and amusing touch, which Jerry modestly parried: “Well, that’s not the first time we’ve been called names.” In the team’s final report, a variation on the moniker appeared: “The Dynamic Duo.”

Jerry and I often discussed the development of new programmatic initiatives. He was always looking for ways of expanding opportunities for students and faculty alike.

Creation of a Master of Laws (LL.M) degree was always on our list but remained aspirational until 2002 when Jupiter aligned with Mars,³ and we saw the dawning of our first graduate law degree: the LL.M. in American Law for Foreign Lawyers. Additional LL.M. specialties soon followed, along with the terminal degree in law, the Doctor of Juridical Science (SJD).

As chancellor, Jerry followed these developments with interest and welcomed them. Navigating the shoals of IU’s dense bureaucracy to get these new degree proposals before the Board of Trustees for approval, I was especially grateful to Jerry for his advice and wise counsel. He was well-known and highly regarded throughout the university and knew his way around.

After completing his exemplary seventeen years as chancellor—the longest serving chancellor in the history of the campus—Jerry returned to his home at the law school and introduced a new course, called “Leadership and Law.”

2. *Id.* at 275.

3. THE 5TH DIMENSION, *Medley: The Age of Aquarius/ Let the Sunshine In (The Flesh Fails)*, on THE AGE OF AQUARIUS (Soul City 1969).

Students of a new generation were in his classes, including for the first time LL.M. students. He prized his return to the classroom, and his reputation as a talented law teacher picked up where it had left off.

Another idea we kicked around was the organization of a program for study abroad. We wanted, first, to offer our students new opportunities to learn about foreign laws and legal cultures *in situ*; second, to establish contacts with law schools abroad, opening the way for collaboration between our colleagues and legal scholars working in other legal systems; and third, to enhance our school's professional profile and leaven our reputation within the legal academy.

A phone call set the stage for the realization of this idea. Jerry made a point of getting to know academics at other law schools. One of them, a well-known law professor at Columbia, chaired the Committee for Legal Education Exchanges with China. He asked Jerry whether our school would host a Chinese visiting scholar, Professor Wang Qun, for the 1984–85 academic year. Jerry agreed. Knowing that I shared his enthusiasm for international outreach, he gave me responsibility for structuring and managing the visit and exploring ways of developing other programmatic initiatives in the People's Republic of China (PRC). These opportunities that Jerry opened up and encouraged led to my thirty years of affiliations with Chinese law schools and legal academics.

As soon as Professor Wang arrived at the school, Jerry greeted him with the patented Bepko Charm. We showed him his own office (a perk rarely seen in Chinese law schools), and Jerry ceremoniously presented him with a nameplate for his door. A faculty welcome reception followed. Professor Wang was abashed but appreciative. Years later, I met him at his small apartment in Shanghai. The nameplate Jerry gave him was on the door to his crowded office. Wang pointed to it: "Bepko" he said, with a smile. "My dean."

During Professor Wang's visit, Jerry and I talked with him about the possibility of placing a summer law program at his school, the East China University of Politics and Law in Shanghai. Wang was enthusiastic and offered important insights, but because he was not a member of the Chinese Communist Party (CCP), he doubted that he would have much influence on the Chinese side. We decided to make some tentative overtures, and the powers that be in China expressed interest. Negotiations continued into 1986, when we submitted a proposed contract. With his expertise in contract law, Jerry's fingerprints were all over it, and he continued to participate in follow-up discussions until he took the reins as chancellor in the summer of 1986. Finally, in 1987 we inaugurated the program in East China, one of the first of its kind in the PRC. In 1998, the program was relocated from Shanghai to Beijing at Renmin (People's) University of China Law School, one of the nation's first-rank law schools. In 2018, we celebrated the program's twentieth anniversary as the longest-running summer law program in China.

When I took emeritus status in 2008, Jerry published a tribute in the *Indiana Law Review* that rehearsed, *inter alia*, our years together in the deans' suite. He quoted from a handwritten note he gave me when he left: "I've never worked so

closely with anyone, appreciated a colleague more, or had a better friend than you have been these last five years.”⁴ His words capture exactly my own perceptions of our mutual experience. The five years we worked together, during which our lasting friendship took root and matured, are among the most satisfying and gratifying years of my life at the law school.

After Jerry and I had mostly slipped our traces and had a little more time on our hands, we got together whenever we could. When we were both in Florida, we met for long lunches, reminiscing about many yesteryears and solving a few of the world’s thorniest problems. He and Jean, Claire and I, and other friends from days of yore—Jim and Chris Torke, Larrie and Sharon Wilkins, Susie and Jack Mead—gathered for reunion dinners. Many of us traced the lineage of our friendships to the time when we were young adults making our way in Indianapolis nearly 50 years ago.

When I saw Jerry at Hoosier Village, he had moved to a Memory Care apartment. Jean invited several of their friends to join her and Jerry for dinner. It was a bittersweet and cherished occasion. I’m deeply grateful to Jean for giving me the chance to be in Jerry’s presence for what turned out to be the final time.

Jerry lived a remarkably productive and judiciously balanced life. A truly good man, his goodness enriched the lives of innumerable others who were fortunate to know him. A strong but unselfish leader who achieved worthy goals by honorable means; a colleague whose esteem among his peers was built on trust and goodwill; a generous and faithful friend: Behold, a man in full.

4. BEPKO, *supra* note 1, at 278.