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In Memoriam: David P. Leonard

Laird Kirkpatrick

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an understatement to say that Lisa had nothing but good things to say about David. She raved about his contributions to Loyola Law School and about what a fabulous colleague and friend David was.

Like Lisa, I have nothing but good things to say about David. In some cases, your initial impressions of a person prove to be wrong. I have to confess that I am sometimes not the best judge of character. In other cases, though, those impressions reassuringly turn out to be accurate. My initial impressions of David were that he was potentially a first-rank scholar and an even better person. In this instance, my impressions proved to be entirely correct. I am proud to be able to say that I was one of David's collaborators, and even more privileged to have been one of David's friends.

*Professor Laird Kirkpatrick*⁴⁷

Even if I had never met David Leonard in person, he is someone I would have known through his extensive contributions to evidence scholarship and his outstanding reputation in the legal academy. He has written for audiences at every level—from exhaustive treatises for judges and lawyers, to an innovative casebook for students learning evidence law for the first time, to a helpful student textbook on the subject as well as several study guides.

He is the author of two volumes in *The New Wigmore* series on evidence that rank among the best and most thorough analyses that can be found on the rules in Article IV of the Federal Rules of Evidence. His work represents treatise writing at its best. His research is meticulous and his analysis keen, insightful, and persuasive.

He is also the author of more than thirty law review articles on various aspects of evidence law. His articles often focus on cutting edge issues or problems with the Federal Rules that have escaped the

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attention of other scholars. They have had a significant impact and are often cited and sometimes reprinted in other publications.

I view myself as fortunate that I knew David not only through his writings but through our personal contact over the years. We entered the teaching field at almost the same time and got to know each other at meetings of the Evidence Section of the American Association of Law Schools (AALS) and the Rules Committee of the American Bar Association (ABA), as well as at law school conferences and symposia where we were both participating. We became friends, and David was someone I would always look forward to seeing when attending a meeting of the AALS or ABA.

We found that we had much in common even though we taught at different law schools. We shared an interest in the same academic issues. He taught at Indiana University at Indianapolis for many years, and Indiana is the state where I grew up. We each were raising sons, and we shared stories about our boys. David ended up moving back to Los Angeles, and that is where both of my sons now live and work (one as an attorney who, like David, attended UCLA School of Law). So we always had much to talk about and share.

We worked closely together on the Criminal Rules Committee of the ABA, a committee which analyzes proposed amendments to the Federal Rules of Evidence and Federal Rules of Criminal Procedure and sometimes proposes new rules on its own. After hours of interesting intellectual discussion there came a time when someone needed to prepare a report or write a letter on behalf of the Committee. More often than not, it was David who stepped forward to translate the discursive Committee discussion into a carefully drafted document that could be presented to the higher echelons of the ABA or to the Evidence Advisory Committee of the U.S. Judicial Conference. He always did a brilliant job. He had the utmost respect of the members of the Committee, which led to his election to serve as co-chair of the Committee for a number of years.

David was always kind, congenial, soft-spoken, courteous, and remarkably modest given the extent of his accomplishments. He will be missed not only by his family, his colleagues, and his students, but also by the larger academic community. His passing, at such a young age and at the peak of his career, is a very sad loss for all of us.