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In Memoriam: David P. Leonard

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professors, I had none of the above. As my first classes approached, I had a surplus of anxiety, excitement, and ideas, but a dearth of information about how to actually conduct a class.

David was invaluable in closing this gap, sharing with me lessons learned from his decades of experience. I incorporated much of what David taught me into my teaching approach and continue to incorporate his lessons to this day. As with the blog, he will always be a part of my classes.

*Professor Myrna S. Raeder*⁵²

It saddens me to realize I won't be talking to David Leonard anymore. David was one of those rare individuals who exuded decency, yet avoided being considered too solemn because of his great sense of humor. He was smart without being arrogant, and he genuinely cared about people and policy. *Schadenfreude* was not a word in his vocabulary. Instead, he was delighted when others succeeded, and always seemed surprised by his own success. In the more than twenty years I knew him, I never remember him raising his voice in anger, and he didn't sweat the small stuff. In retrospect, my informality led me to often call him Dave, not David, but he never protested or even gave me any exasperated looks for my repeated lapses, because substance was always more important to him than form. In fact, his general aura of serenity is one of the things I remember best, although his passion for teaching and scholarship was always evident.

My first recollections of David came from our discussions as members of the ABA Criminal Justice Section's Committee on Rules of Evidence and Criminal Procedure, which in 1987 produced a multiyear review of the Federal Rules of Evidence titled *Federal Rules of Evidence: A Fresh Review and Evaluation*. He headed the group examining character evidence, a subject he explored in well-

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respected articles and in the volume he authored for the New Wigmore treatise. It is fitting that he chose character as the focus of his scholarship, since his own character was beyond reproach. Who but David could seamlessly incorporate into his article, *The Perilous Task of Rethinking the Character Evidence Ban*, the essence of his own behavior “[to] speak ill of others not only hurts the subject, but also the speaker.”

Later, when David moved to California and Loyola, we would sometimes convene an informal lunch group of evidence professors at the various Los Angeles law schools. While we always tried to pick a place which included a vegetarian choice, David’s typical reaction was for us not to be concerned. In other words, he was always willing to put his own requirements second in order to facilitate the rest of us. More recently we worked together when he joined and then chaired the editorial board of *Criminal Justice*, the magazine published by ABA Criminal Justice Section. One incident that speaks volumes about David’s character occurred when we were asked to send our bios to the editor, evoking a number of ‘is mine more impressive than yours’ jokes, since hitting the “reply” button sent the bios to the entire Board. When asked about his bio, David responded by referring us to his “wonderful” “short and sweet” CV on the Loyola Law School Web site, which he had previously only sent to our editor. Despite David’s many accomplishments, his bio was minimalist at best. David emailed that he liked to be “kind of anonymous.” To me, that best describes David—never flashy, always unduly humble, but with a terrific sense of humor, and an understated tone and message that revealed his strong values.

I was always struck by David’s thoughtfulness, both as to people and in his analysis of ideas, whether in discussions or in his writings. Before composing this, I revisited some of David’s articles, which in addition to more typical subjects, included a lost treasure *Rethinking Rethinking*, a thoroughly witty gentle chiding of academics for taking ourselves too seriously. Ultimately, I was most touched by the way in which David responded to his illness during these last three years. Needless to say, David’s courage and dignity shone through as a beacon that those of us who tend to be more self-centered could only marvel at. Yet what I will never forget is David’s optimism in the face of pain and adversity, and his productivity until the bitter end.

At most, he would mention his frustration, but end by saying, “basically things are OK,” whether or not they were. In the same vein, while describing his upcoming surgery as “very low risk for someone of my age and general state of health,” David could not resist adding, “Reminds me of the line, ‘Other than that, Mrs. Lincoln, how was the play?’”

While others can attest to his dedication to teaching and deaning, I saw firsthand his continued contribution to *Criminal Justice* magazine. I should preface this by saying that David was always incredibly diligent about his work for the magazine. In particular, he never saw an article that wasn’t a candidate for his redlined tracking program. My favorite of his comments about this was when he wrote the following in his email: “I tried hard not to edit, but after getting about half-way through I couldn’t resist.” I have to admit I would hold my breath whenever I got back David’s edits of my own articles, and counted myself lucky if red wasn’t the predominant color. Needless to say, David’s editing made him one of our most valued members, and reflected his commitment not only to the magazine and its readership, but also to making every article the best it could possibly be. Illness did not diminish his editing, nor his reaching out to others to provide us with interesting topics and authors. Shortly before his death, David realized he could no longer continue chairing the magazine board because his health had taken a distinct turn for the worse, which led even him to reference his pain, yet true to his unassuming nature David included an apology for slowing down in the last few months. I regret that it’s unlikely David ever saw my response to his email commending him for his efforts, and that I did not have an opportunity to see him again, and I’m thankful to have this opportunity to pay tribute to him.
