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## Tribute To Professor Ken Margolis

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the Milton A. Kramer Law Clinic Center today. When he became director of the clinic, he led discussions among the funders, an advisory committee of nationally known academics, and the faculty, to implement that philosophy. Throughout these discussions, Ken led with great attention to the academic content of the evolving programs. He understood the value of the legal service model, but knew that the higher mission of the Milton A. Kramer Law Clinic Center is to help students reason about the law and the problems that lawyers address. For him, the most important skill was the skill of reasoning, and in emphasizing that skill, he used his prodigious powers of analysis to integrate the clinical and nonclinical aspects of academic education.

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*Peter A. Joy†*

The first time I saw Ken Margolis was in the fall of 1974. I had just arrived at Case Western Reserve University School of Law as a first-year law student, and in the first week or two of school, I attended a student organization meeting and Ken was there. I do not remember the exact topic of that meeting, but I do remember that most of the first-year law students (or at least me) were having doubts about law school and whether we were cut out to make it. Remember, this was just a year after the movie *Paper Chase* came out, and more than a few law professors at Case Western and elsewhere still believed that terrifying 1L law students in class would motivate them to learn better. Indeed, one classmate of mine went to see one of our professors to discuss his self-doubts, and the professor advised him that if he had doubts perhaps law wasn't a good career choice. Unlike those professors, Ken was standing in the front of the classroom in an unthreatening manner. At one point he dispensed the sage advice that only an upper-level student can give a 1L: "Don't worry, you can do it. It is going to be alright."

More than his words, I remember Ken as warm and welcoming, measured and calm, and obviously bright. Although still a student, standing in front of that classroom Ken was commanding it much like he would go on to command classrooms for the more than thirty years once he became a law professor.

That first year I got to know Ken better, and I also got to know Sally, his wonderful spouse. Ken invited me and other law students to their rented house with a large yard, and we had potlucks and listened to Ken play the keyboard and sing songs that he composed. Ken had been a member of The Choir, a Cleveland rock band, and he remains a

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terrific musician. Ken was very smart, energetic, and he had a lot of common sense—traits that he has retained from his days as a student to his transition to first becoming a highly regarded lawyer and later a respected, innovative law professor with a national reputation both as a clinical teacher and also for law school curriculum development.

Like a lot of law students, I was finding it hard to find a summer associate or law clerk job for the summer after my first year of law school. I found a non-law related job working for a social service agency, but I wanted some practical legal experience. Ken had been working part-time during the school year for the law office of Eugene Bayer, and that summer he was going to work full-time for Gene. Still, Gene had a booming practice that included civil rights, landlord-tenant, divorce, and domestic violence cases, as well as some criminal appeals, which was made even busier because Gene took on many clients pro bono and was known as never turning down a client because the client couldn't pay. Ken arranged for Gene to interview me to work part-time, and I joined the office.

Ken excelled as a law clerk/paralegal, and he seemed to know the law as well as any lawyer, even though he was just a rising third-year law student. Gene was a mentor to several newer lawyers starting in practice, and they visited the office frequently. When Gene was tied up on the phone or with a client, on more than one occasion a new lawyer would ask Ken what he thought, and Ken would help them with a pleading, interrogatory, or some other matter.

Ken's love of the practice of law, even as a law student, was also reflected in his dedication to the study of law. Although Ken was married and working part-time during the school year, Ken was serious about his studies. I remember that he never appeared worried or stressed out as a law student, but always seemed to understand whatever subject he took. When he later graduated as one of the top students in his class and Order of the Coif, I understood why Ken took going to law school in stride while being married and working part-time.

After law school, Ken and Sally planned to return to California where they had lived and gone to college before law school. Ken and Ed Putka, a classmate heading out to the state of Washington, priced moving companies and figured it would be cheaper to buy a truck, move themselves, and then sell the truck. I remember helping them pack, and wondering if the \$900 truck would ever make it. It made it, and they were right. They resold the truck for almost the same amount that they had paid for it.

Ken arrived in California without a job in hand, but soon founded a law firm with another lawyer in Santa Cruz and began building a general practice with cases in both state and federal court. I recall visiting Ken and Sally in Santa Cruz during the break between the fall and spring semesters of my third year of law school, when his practice was just getting off of the ground. I visited again in the early 1980s

after they moved to Soquel, California, a short distance from Santa Cruz. By that time his practice was flourishing.

A few years later, the pull of family brought Ken and his family back to Cleveland. We reconnected then, and Ken began to build a new law practice. Within a year, though, there was an opening in the law school clinic, and Ken applied. He was clearly the most qualified, was hired, and in addition to us being friends, we became colleagues for the next fourteen years.

When Ken joined the law faculty to work in the clinic, he had been out of law school for approximately the same amount of time that most lawyers at large law firms will have completed their first year as a new partner. Unlike most newly minted partners, Ken had already first-chaired several trials, including some serious criminal cases. In addition to his trial experience, Ken brought experience in transactional matters, including forming and representing small businesses and wills and estates. For a clinical program that took a wide variety of civil and criminal matters, the law school could not have hired anyone better.

In addition to his legal experience, Ken also brought law practice management experience. That experience and interest led to him evaluating and implementing the clinic's timekeeping system for law student interns. His reputation within the law school was growing, and then-Dean Ernie Gellhorn tapped Ken to become the inaugural director of the law school's Continuing Legal Education (CLE) program for the next four years, during which time the program turned a significant profit every year that Ken directed the program. When he transitioned out of the CLE program, Ken moved on to direct the Project on the Delivery of Legal Services for three years, during which time the project studied client satisfaction. All the time Ken was doing this, he was not only teaching full-time in the clinic, but he and Judy Lipton developed the Family Law Clinic and co-taught the family law course on a yearly basis.

Perhaps more than all of these accomplishments, I remember Ken mentoring students. No matter what the issue was, Ken not only helped them learn how to become effective, ethical lawyers, but he also had an open door for whatever advice they might seek. This was especially true for those students considering starting their own law practices or combining the practice of law with some other profession. Some former students kept calling or coming back to continue to learn from Ken.

I left the law school in 1998, and Ken joined Judy Lipton to co-direct the Kramer Law Clinic until 2011. During that time, he also conceived of and directed the CaseArc Integrated Lawyering Skills Program, which has become a hallmark of the law school and a model of an integrated lawyering skills program. Then, starting in 2011, Ken became the inaugural Associate Dean for Experiential Education for the next two years.

I have had the privilege of knowing Ken Margolis for more than forty years as a friend, worked with him as law students clerking for

the same lawyer for a year, and was a colleague of his for fourteen years in the clinical program. Ken is a good friend, a wonderful colleague, and one of the best lawyers and law professors I have ever known. I know that the faculty and staff of the law school will miss Ken greatly as he heads into his retirement.

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*Judith Lipton*<sup>†</sup>

Kenneth Margolis has served the Case Western Reserve University School of Law since 1984 as a valued teacher, mentor, advisor, and leader. He served as Co-Director of the Milton A. Kramer Law Clinic Center for fifteen years, and was the law school's inaugural Associate Dean for Experiential Education. From modest beginnings in that maid's quarters of a neglected old mansion across the street from the law school, under Ken's leadership, the Milton A. Kramer Law Clinic Center grew to become one of the most well-respected programs of its kind in the nation. The Clinic now has a prominent place in the building, it has tripled in size, clinical faculty are now hired on the tenure track, and the clinical program forms the pillar of our curriculum and our recently established capstone requirement. Those are the facts, but they are not the story.

Ken and I joined the Case Western Reserve University clinical faculty within six months of each other. We worked in offices next door for over thirty years. It is impossible for me to separate the personal from the institutional. We co-taught, co-supervised, and co-directed. For Ken, collaboration was not a policy or an intellectual theory; it was a way of being. Our decision-making, planning, testing, and designing often took place around a table, coffee in hand, struggling to imagine all of the potential and possible pitfalls of our ideas. Ken built the clinical and experiential program, always with the biggest picture in mind, never narrow, never focused on himself. He has always been a superb advocate for clinical education and clinical faculty nationally and locally. The lawyering-skills program grew and improved significantly under Ken's leadership. He was the primary architect of the CaseArc Writing and Skills Program, which laid the foundations for the school's current ambitious LLEAP Program. He also helped

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