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Dedication

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DEDICATION

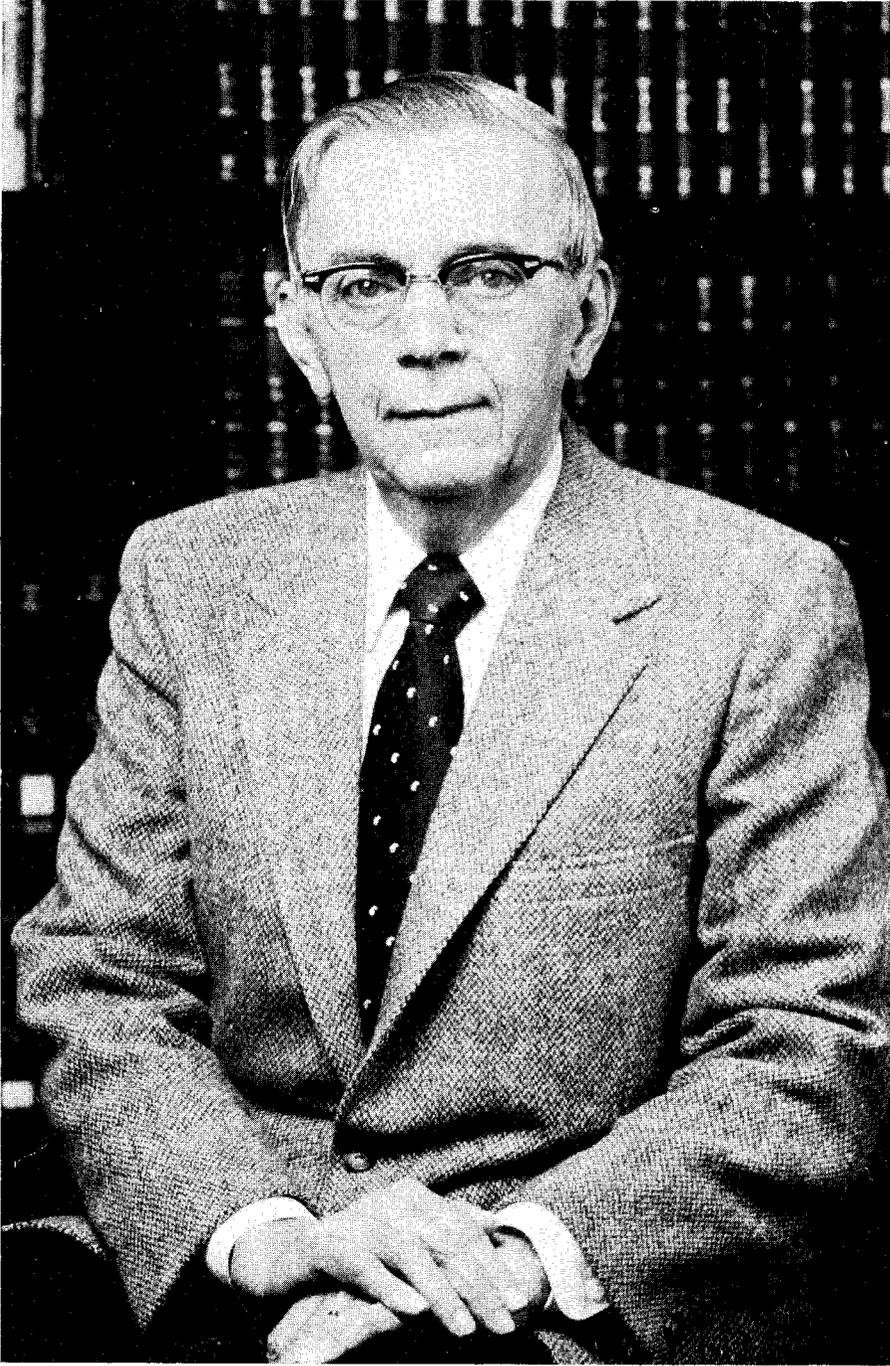
It is both a singular and genuine pleasure for the Editorial Boards of *The Journal of Contemporary Health Law and Policy* to dedicate this volume to John L. Garvey, the Whiteford Professor of Law and Dean Emeritus of The Columbus School of Law here at The Catholic University of America, and to Raymond C. O'Brien, Associate Professor of Law. The strength, grace, abiding faith, friendship, trust and steady encouragement which these two gentlemen have given to us as students and as colleagues, alike, have sustained us in our periods of stress and given us all the courage and hope to ever strive to attain higher goals thereby extending our reach beyond our immediate grasp. Their vision, integrity and spirituality have led us to subscribe, as they, to Adrian van Kaam's idea that, "Life is a mystery to be lived, not a problem to be solved."

All who meet or are fortunate enough to claim Professor Garvey and Professor O'Brien as friends, can see readily that their lives may well be thought of as the living prayer of St. Francis of Assisi:

LORD MAKE ME AN INSTRUMENT OF THY PEACE;

Where there is hate that I may bring love,
Where there is offence that I may bring pardon,
Where there is discord that I may bring union,
Where there is error that I may bring truth,
Where there is doubt that I may bring faith,
Where there is despair that I may bring hope,
Where there is darkness that I may bring light,
Where there is sadness that I may bring joy,

O Master, make me not so much to be consoled as to console;
not so much to be loved as to love; not so much to be understood
as to understand; for it is in giving that one receives; it is in self-
forgetfulness that one finds; it is in pardoning that one is pardoned;
it is in dying that one finds eternal life.



JOHN L. GARVEY: A MAN OF INTEGRITY, WISDOM AND MODESTY

The Oxford English Dictionary defines integrity as "freedom from moral corruption" and "the character of uncorrupted virtue, especially in the relation to truth and fair dealings; uprightness, honesty, sincerity."¹ This definition describes aptly John L. Garvey—a man of extraordinary grace, modesty and humility in style and one whose deep empathy, wise counsel and kind understanding of all is a hallmark of his personality and his life style. Integrity is his core value, with his life enriching and ennobling those with whom he associates. Supported by a devoted and charming wife in Virginia, John has been blessed immeasurably in his life work and journey.

As the Whiteford Professor of Law at The Catholic University of America, John L. Garvey began teaching at The Columbus School of Law in 1951 and, this year, celebrates his thirty-eighth year of distinguished service. On March 3, 1984, Pope John Paul II presented the Benemerenti Medal to Professor Garvey in honor of his distinguished service to the University. In honor of his thirtieth anniversary, the Pope conferred his Apostolic Blessing on John and *The Catholic University Law Review* dedicated an issue to commemorate that anniversary.² In the dedicatory essay to that issue, Professor Garvey was recognized as a dedicated and conscientious supporter of the University, one who has brought "constancy, commitment and quality" to legal education as an exemplary classroom teacher, and one whose probing scholarship has enhanced the law.³ To mark this second and notable anniversary date, it is altogether fitting for us to honor his thirty-eighth anniversary by this dedication.

John L. Garvey received his A.B. degree from Xavier University in Cincinnati, Ohio, in 1945 and his LL.B. from The Catholic University of America in 1948. After engaging in the private practice of law in Covington and Erlanger, Kentucky, for three years, and teaching law for five, he commenced his post graduate studies at The University of Michigan Law School where he was awarded an LL.M. degree in 1957 and the S.J.D. in 1967. The honorary LL.D. degree was conferred upon him by Xavier University in 1978. During his doctoral studies at Michigan, his graduate committee consisted of the legendary Lewis M. Simes as Chairman and the equally distinguished Olin L. Browder, Jr. and George E. Palmer as readers. His dissertation was entitled, "Revocable Non Trust Gifts."⁴

1. THE OXFORD ENGLISH DICTIONARY 368 (compact ed. 1971).

2. See 31 CATH. U.L. REV. 1 (1982).

3. *Dedicatory Essay*, 31 CATH. U.L. REV. 1 (1982).

4. See generally Garvey, *Revocable Gifts of Personal Property: A Possible Will Substitute*, pt. I, 16 CATH. U.L. REV. 119 (1966), *Revocable Gifts of Personal Property: A Possible Will Substitute*, pt. II, 16 CATH. U.L. REV. 256 (1967); Garvey, *Revocable Gifts of Legal Interests*

Although, as observed, his teaching career at The Catholic University Law School began in 1951, when his student years are included, a progressive period of four decades bears witness to his influential span of service. Indeed, during this tenure, he has always epitomized the dedicated, conscientious and unflagging spirit of a loyal son of the University⁵ and one willing to prove that commitment time and time again with major and demanding committee assignments.

In spite of his continuing and heavy administrative responsibilities over the years, Professor Garvey has shown himself to be a conscientious participant in The American Law Institute and The American College of Probate Counsel. Not an ascetic scholar, Professor Garvey has assumed a vital interest in interpretation and reform. To this end, since 1952, he has prepared the supplements to the second edition of V.S. Mersch's *Probate Court Practice* (1952), and is now tackling the monumental task of preparing the third edition of this three volume work.

In no small measure because of his selfless devotion to the Law School, Professor Garvey was persuaded by the then President of the University, Dr. Clarence C. Walton, to accept the Deanship of the Law School at a particularly volatile period in its history. He declined the traditional four year decanal contract and, instead, elected to take but a two-year appointment. In a Citation of Honor given subsequently by President Edmund D. Pellegrino and the University Board of Trustees December 15, 1979, to Dean Garvey in gratitude for his service from July 1, 1977-August 31, 1979, his ability "to unite the Faculty of the Law School, consolidate its resources and maintain its academic standards during a period of transition," was praised. Recognizing his administration as one "marked by the personal qualities which have made him respected as an academic lawyer within the School, the University and the Nation," the Citation continues by paying respect to "his integrity, his dedication to ideals of Catholic higher education within that context as well as his personal scholarship," that have served the University community for many years.

The last verse of the poem *Contentment* by Oliver Wendell Holmes captures well the essence of John L. Garvey's philosophy of life:

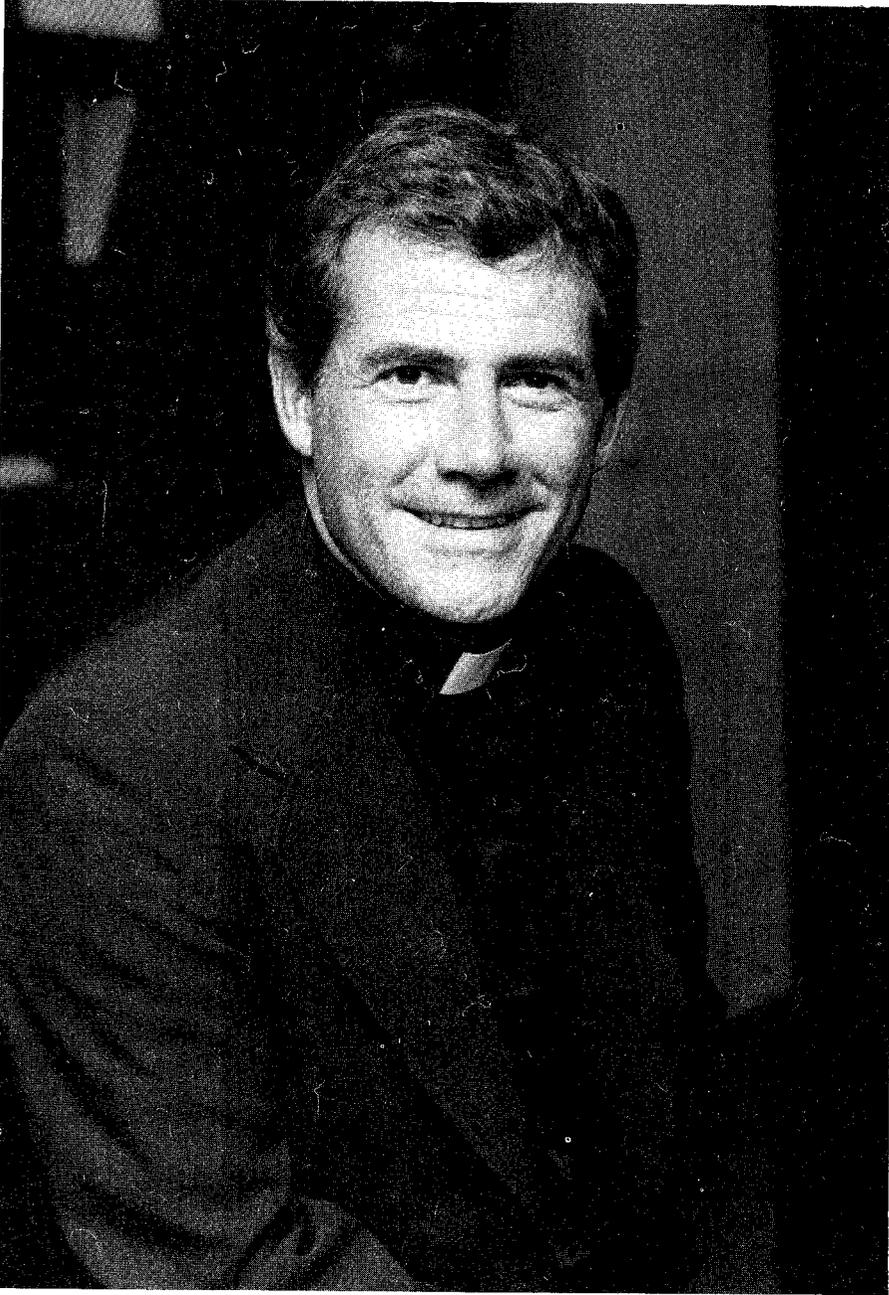
"Thus humble let me live and die,
Nor long for Midas' golden touch;

in Land, 54 KY. L.J. 19 (1965); Garvey, *Some Aspects of the Merger of Law and Equity*, 10 CATH. U.L. REV. 59 (1961).

5. *Dedicatory Essay*, *supra* note 3.

If Heaven more generous gifts deny,
I shall not miss them *much*, —
Too grateful for the blessing lent
Of simple tastes and mind content!"⁶

6. Holmes, *Contentment*, in 3 ENGLISH POETRY: FROM TENNYSON TO WHITMAN 1368, 1370 (C. Eliot ed. 1938).



RAYMOND C. O'BRIEN: A MAN OF THE SPIRIT AND OF THE LAW

Raymond C. O'Brien received his B.A. in 1966 from La Salle College in Philadelphia, his J.D. in 1969 from The University of Virginia Law School, his Master's in Church Administration from The Catholic University of America in 1975 and his Doctor of Ministry from Catholic University in 1985. Professor O'Brien served as a Captain in The United States Army from 1969-71 where he possessed the highest security classification and was not only an Instructor at the Army Security Agency School at Ft. Devens, Massachusetts, but was also sent to numerous areas throughout the world to teach classified material. He was ordained a priest in the Archdiocese of Washington, D.C. in 1975.

Father O'Brien brings an enthusiasm and excitement to his teaching in Estates and Family Law which he began at the Columbus School of Law here at The Catholic University in 1977 as an Assistant Professor and Assistant Dean for Admissions and Student Affairs. He relinquished his responsibilities as Assistant Dean in 1983, yet he continues as a vital force in law school recruitment. Indeed, his imagination and conscientious approach to law school recruitment has led to an efficient and exceedingly well coordinated effort in national approaches to securing the finest students for law study at the University. His diligence and unflagging commitment to law school admissions first, as a member of The Services Committee of The Law School Admission Council from 1979-84, culminated in his election in 1988 as a Trustee of The Law School Admission Council — the organization that is responsible for administering and coordinating the complex national Law School Admission Tests throughout the country.

From 1971-1976, Father O'Brien not only assisted in the developmental phase of the new George Mason University Law School toward its full accreditation, but served as an Adjunct Professor as well. During the Summers of 1983, 1986, 1987 and 1988, he has served as a Visiting Associate Professor of Law at St. Mary's University School of Law in San Antonio, Texas. During the Spring term of 1985, he taught the course in Decedent's Estates at The American University School of Law and since 1986, has taught in this field, each Spring at The Georgetown University Law Center as a Visiting Associate Professor.

Father O'Brien's rich record of scholarship has always shown and proved the inextricable relationship between outstanding teaching and creative scholarship—be the area Family Law,¹ Estates,² or Legal Education.³ His

1. See, e.g., O'Brien, *Pedophilia: Legal Predicament for Clergy*, 4 J. CONTEMP. HEALTH L. & POL'Y 91 (1988); O'Brien, *Illegitimacy: Suggestion for Reform Following Mills v. Habluetzel*, 15 ST. MARY'S L.J. 79 (1983).

outreach ministry to persons with AIDS in helping them prepare basic estate plans, has a rich scholastic complement in his studied efforts to understand and offer thoughtful approaches to resolving the vast complexities of this pandemic.⁴

A particularly impressive and successful clinical outreach program which Father organized in 1978 and continues to direct is the Catholic Service Clinic/Volunteer Income Tax Assistance Program designed not only to introduce interested students to various facets of legal Washington (from child abuse to battered wives, etc.) but, in the Spring term of each school year, provide the students with a clinical opportunity to assist modest income families with the completion of their federal and state tax returns. Throughout the year, Father collects clothes from the law school community for distribution to the Spanish Catholic Center.

Father's law school office is always open for tutorials, counseling and a countless variety of student services. For those who come, they always leave refreshed from Father's ministry of healing. An engaging smile, firm hand shake or hug, solicitous manner and—when necessary—a reassuring hearty laugh disarm even the most cynical.

Carved prominently over the entrance to The University of Virginia Law School is the following inscription: "That those alone may be servants of the law who labor with learning, courage and devotion to preserve liberty and promote justice." In truth, Father O'Brien is an exemplar of this inscription.

George P. Smith, II, for The Professional Editorial Board
Francis J. Hearn, Jr., for The Student Editorial Board

2. See, e.g., O'Brien, *Analytical Principle: A Guide for Lapse, Survivorship, Death Without Issue and The Rule*, 10 GEO. MASON U. L. REV. 383 (1988).

3. See, e.g., R. O'Brien, *LEGAL EDUCATION AND RELIGIOUS PERSPECTIVE* (1985); O'Brien, *A Theological Method for Legal Education*, 1985 J. CHRISTIAN JURISPRUDENCE 87; O'Brien, *Religious Education in the 1980's: Perspectives and Challenges*, 1982 J. CHRISTIAN JURISPRUDENCE 205 (1982).

4. See O'Brien, *AIDS and the Family*, in *AIDS AND THE LAW* (W. Dornette ed. 1987 & Supp. 1989); O'Brien, *AIDS: Perspectives on The American Family*, 34 VILL. L. REV. — (in press 1989).

