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William J. Pierce

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WILLIAM J. PIERCE

*Theodore J. St. Antoine**

Bill Pierce gets things done. When I became Dean of this Law School in mid-1971, Bill had already been on the job as Associate Dean for several months. My predecessor, Frank Allen, upon learning that Bill would be my choice for that position, had decided to appoint him immediately. There was no sense, Frank explained, in postponing the opportunity for the Law School to take advantage of Bill's formidable practical talents. I soon learned what that meant.

One day Bill padded into my office and quietly announced that I would shortly realize the largest (he did not say "most important") task of my deanship would be to raise the money for a new addition to our overcrowded and inefficient library facility. I winced. One of the reasons I had become a lawyer and a law teacher was to escape the sales career of my father; I naively failed to realize that all lawyers, not excluding academic lawyers, are essentially salespersons. Bill was quick to reassure me that asking for money and planning a building would not be all that hard or distasteful. (He was entirely right but that is a story for another day.) He then intoned some words of wisdom of the sort I came increasingly to expect from him over the years: "You will find, Ted, that the only really bad problems are always *people* problems."

Bill chaired the faculty building committee that was subsequently created. He had major responsibility for deciding how we would select an architect for the library project. Bill arranged for all-day presentations by six leading architectural firms. University representatives later told me that all the architects came with well-conceived proposals, but none was prepared for Bill's withering cross-examination. Bill had compiled a list of two or three dozen specific questions, which ended with the lethal inquiry: "If we don't choose you, which of the other five candidates would you recommend?"

After this screening process, we narrowed our choice to two architects, one among the most prominent on the international scene and the other Gunnar Birkerts of Birmingham, Michigan, less well known but with a fast-growing reputation for imaginatively designed and smoothly functioning structures. I myself was initially inclined to favor the former candidate, simply because of the beauty of his con-

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cept. But Bill insisted that before we made a final selection, he and other committee members should pay visits to some of the architects' completed works and observe them in actual operation. The results were eye-opening. In a word, Birkerts' buildings were always user-friendly and too often his rival's were not. We thus settled on Birkerts, and the Law School's now-famous underground library has been drawing kudos ever since. A lion's share of the credit goes to Bill Pierce's savviness and his refusal to be bamboozled by big names.

As in such monumental projects, so too in many small matters, Bill constantly eased my burdens and kept the Law School's administrative machinery running in high gear. In seeking swift and decisive resolutions of issues, he may sometimes have kept his cards too close to his chest, at least appearing not to give the fullest consideration to the views of all interested parties. But any such failings were those of a person striving mightily to advance what he perceived to be the best interests of an institution he deeply cherished.

Bill was my eyes and ears during the deanship. He had an uncanny capacity to ferret out what was happening around the Law School, including things administrators weren't supposed to know about. Bill and I did not always agree on how to respond to these revelations, but there were countless times I was the grateful beneficiary of his unblinking gaze and unvarnished appraisals.

Others can speak more knowledgeably than I about Bill's contributions as president and then executive director of the Uniform Law Commissioners over the past quarter century. For the last four years, however, I served as a reporter to a ULC drafting committee and I, too, have been a witness to Bill's legendary wizardry in dealing with statutory language — or with overly abstract arguments. He once dropped into a session of our committee while I was in the midst of an unsuccessful effort to explain to a couple of commissioners why a certain statutory standard should be phrased in terms of "reasonable" rather than "good faith." It was not long after the disclosure that some of the decisions of the Reagan Administration were based on the advice of Nancy Reagan's astrologer. "Well," drawled Bill in his best oracular style, "I suppose if an employer said he fired an employee because his astrologer told him to, that might be in good faith — but it wouldn't be reasonable!" End of debate.

Bill Pierce will not leave behind an extensive body of traditional scholarly writings. But if some Great Scorer came along to assess the achievements of Bill's generation, few if any other academic lawyers would be found to have had a greater or more salutary impact on the whole range of American law.