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Marcus L. Plant

*Allan F. Smith**

It is easy for me to express the high regard in which Law School colleagues held Mark Plant, and I think I speak for many who knew him. Throughout his long career at Michigan, which spanned some thirty-seven years, he was respected as a perceptive scholar in his chosen fields, and admired as a superb teacher, particularly in his work with first-year law students.

My association with Mark began before either of us started teaching law. The Office of Price Administration, in Washington, D.C., was one of the agencies which, during the early war years, was given authority to break some of the Civil Service rules concerning the salary level at which professional personnel might be newly hired. It was also one of the most rapidly expanding agencies, and one which required a large number of lawyers. I had joined its predecessor, the Office of Price Administration and Civilian Supply in July 1941, and became acquainted with Mark and his wife, Gerry, when he joined the burgeoning legal staff a little later.

As was true at many law schools in the years immediately following World War II, the Michigan faculty brought in a rather large number of newcomers to the teaching profession. Those newcomers had to cope not only with massive student enrollments, but with revitalizing the curriculum and expanding the scope of legal education. I shared with Mark and others those early post-war years at Michigan, which in retrospect can only be described as exciting and demanding. Those of us who shared that experience can attest to the splendid contributions which Mark made. We all taught what would now be regarded as outrageously heavy teaching loads, and Mark's was among the heaviest. Yet he found time to produce an excellent casebook in the field of Torts, to handle a multitude of committee assignments, to work with others on the integration of first-year instruction, and to provide instruction of high quality in areas not otherwise attended. Those were days when newcomers to law teaching were more likely to be told what they would teach than to be asked what they would like to teach.

Mark grew with his subject, and his growth is attested by his writ-

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ing and his teaching. A seminar in Law and Medicine was added to his schedule as medical malpractice suits multiplied and the University's Medical School demanded help in preparing medical practitioners for their increasing contacts with the legal system. And, with Burke Shartel, he produced a book, *The Law of Medical Practice*, in 1959. There followed a casebook on *Employment Relations* (with Malone and Little) in 1974, and a casebook on *Workers' Compensation and Employment Rights* (with Malone and Little) in 1980. These works were reflected also in his teaching schedule which remained heavy throughout his career.

I should not neglect Mark's personal side. He was a calm and quiet man, but it was not the quietness of withdrawn introspection. Rather, it was the quietness that goes with the inner confidence that he was in the right profession and was performing at an extraordinarily high level. He was pleasant and possessed a dry wit which showed itself often in his conversation.

One aspect of Mark's career at Michigan, quite unrelated to law teaching, must be mentioned. When the late Ralph Aigler retired from his position as Michigan's Faculty Representative to the Big Ten Conference, Mark was chosen as his successor. To some this came as something of a surprise, for Mark was not noted for any particular personal athletic prowess, nor even for being a particularly devoted spectator of intercollegiate sports. But our surprise was groundless, for he became an outstanding representative. The conference representatives, both faculty and athletic directors, have praised his ability to grasp quickly the complexities of structure in a national intercollegiate organization, to appreciate the problems of administering athletic programs, and to get to the heart of problems when discussions seemed only to obfuscate the real issues. He was noted also, for his extraordinary patience in seeking compromise between competing viewpoints with respect to any issue.