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David A. Moran

University of Michigan Law School, morand@umich.edu

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I OWE MY TEACHING CAREER TO PETER HENNING

DAVID A. MORAN[†]

In the late 1990s, I was very happily working as an appellate public defender in Detroit when the then-dean of Wayne State University Law School, Jim Robinson, contacted me to ask if I could teach a section of Criminal Procedure at night. Joe Grano, who had taught at Wayne for many years, had fallen ill, and so a replacement was needed. Dean Robinson was a close friend of Ralph Guy, the judge for whom I had clerked some years earlier, and Judge Guy had recommended me. I accepted the offer.

Even though I was just a lowly adjunct scheduled to teach a single class at night, Peter Henning, whom I had never met, immediately reached out to help me get ready for this daunting task. He offered to meet with me, helped me put together a syllabus and critiqued my draft, answered the many questions I had about running a large class (do I need to take attendance, how long should I spend on each cold call, how do office hours work for night students, etc.), and was just generally very reassuring in every possible way.

That first night class went pretty well, and so I was invited to teach it again. That class went even better, and I knew then that I really liked teaching. I started to think about the possibility of doing it full time.

Tragically, Joe Grano's illness worsened (he died in 2001), and so the law school decided in 1999 that it needed to hire a full-time Criminal Procedure professor to replace him. And so I went to Peter and asked him if I would be a viable candidate for the slot.

Peter very kindly informed me that I wouldn't be a plausible candidate for a tenure-track teaching job until and unless I had written and published at least one full-length article in a reputable law review. Not only had I not written such an article, I hadn't even been on law review in law school.

So, once again, Peter took me under his wing and told me everything I needed to know about how to write a law review article, how to shop it to law reviews, when to accept an offer for publication, and so on. I eventually came up with a topic to write about and spent much of my free time during a summer researching and writing a draft. Even though the article was about Fourth Amendment doctrine, a topic Peter never wrote about, he generously agreed to read and critique the article. Once I sent the article out to law reviews and offers of publication started to come in, Peter coached me through the process of requesting more time to decide on an

[†] Clinical Professor of Law, University of Michigan Law School.

offer while simultaneously contacting other journals higher in the academic food chain.

Miraculously, a good law review accepted the article.¹ And just like that, I suddenly became a viable candidate for a faculty job.

But Peter had a lot more valuable advice. He said I couldn't just apply for the Wayne State job; to be a truly viable candidate, I needed to go on the national market and apply for teaching jobs all over the country. But, I protested, my wife has a great job here in Michigan, and we don't want to move. Peter, without rolling his eyes, patiently explained that I wouldn't actually have to accept any job offers I received from other law schools. I just needed to show that I was a valid candidate by getting interview offers from other law schools so that the faculty at Wayne could feel good about hiring me.

So I attended the so-called meat market in Washington and interviewed with about a dozen law schools from all over the country. Then I received callback invitations from several of those. And, *voila*, I was a real candidate for the Wayne position, just as Peter said. Peter helped me prepare for my Wayne callback, and I got the job. I became an assistant professor at Wayne Law in the fall of 2000.

Once I was on the Wayne faculty, Peter continued to be my mentor. He helped me immeasurably with new course preparations, especially in courses such as Criminal Procedure II, which he also taught. He guided me through the tenure process, helping me understand exactly what I needed to do before applying for tenure.

Through it all, he was a great friend. He had a booming laugh and a wonderful, sardonic sense of humor. I always felt better after I went to his office to discuss some issue I was having. And I loved that he was so willing to help me out no matter how trivial my problem was.

After I left Wayne in 2008 and joined the faculty at Michigan, Peter and I stayed in touch. We talked about issues in criminal procedure. When I had an argument in 2012 before the United States Supreme Court on a double jeopardy issue,² Peter helped talk me through some of the questions I had about my position.

Peter helped me and many other junior faculty members in so many ways for so many years, all while establishing himself as one of the nation's top experts in criminal law and procedure, particularly white collar criminality. He was one of the kindest, most generous people I have known in my career.

1. David A. Moran, *Traffic Stops, Littering Tickets, and Police Warnings: The Case for a Fourth Amendment Non-Custodial Arrest Doctrine*, 37 AM. CRIM. L. REV. 1143 (2000).

2. *Evans v. Michigan*, 568 U.S. 313 (2013).

I was so saddened to hear from Peter's beloved wife, Karen, of the cruel disease that robbed Peter of his brilliant mind and, ultimately, his life. I wish I could have told him while his brain was still intact how much he meant to me. I would have told him that without him, I almost certainly never would have made it as a legal academic. And I would have told him how much his friendship meant to me personally.

From the bottom of my heart, thank you, Peter Henning.