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A Tribute to Hervey M. Johnson

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James J. Fishman*

I first met Hervey Johnson in 1970 in the worst possible circumstance: a job interview. I was the interviewee, and Hervey, a member of the Board of Directors of the particular organization to which I had applied for a position, was one of the interviewers. His questions were the most incisive, penetrating, relentless, and difficult I had ever faced. I returned home claiming that I would not work for that organization for double the salary, even if the job were offered, and particularly mentioned Hervey as being the most impossible and offensive interviewer. Of course, this all changed when I was offered the position. Hervey and I became colleagues and fast friends. At the time, he was working in a distinguished Wall Street firm, one of those that require associates to bill 3,000 hours of time per year. Additionally, Hervey seemed to spend at least that much time on pro bono activities.

Several qualities distinguished Hervey Johnson from other people I have known. One was an intense commitment, a passion for whatever he was doing. Second was the belief that if he worked hard enough, he could accomplish whatever he sought to achieve. A third was the time he always had for any individual, no matter how busy he might be. Anyone with a problem could always go to Hervey for help or support.

In his pro bono efforts, Hervey Johnson accomplished much. His commitment, certainty, and ability to stay the course can be seen in the creation of New York Lawyers for the Public Interest, one of the major pro bono organizations in New York City. Nearly twenty years ago, there was a movement to develop a structure to involve law firms as opposed to individual lawyers in pro bono projects. Firm involvement would almost always mean a more substantial public service contribution. Hervey was Chairman of the Steering Committee of the Council of New York Law Associates,¹ an organization of young lawyers devoted to pro bono activity. He developed one proposal for this project. The Young Lawyers Committee of the Association of the Bar of

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1. In 1992, the Council changed its name to the Lawyers Alliance for New York.

the City of New York developed another. The President of the City Bar selected the Young Lawyers' proposal. Hervey, however, felt that their proposal was unworkable. For at least two years, against all advice, he alone kept the Council proposal alive. It turned out that Hervey was right, and his proposal was later adopted, leading to the creation of New York Lawyers for the Public Interest, which is now fifteen years old. Hervey served on the first Board of Directors. These remembrances should not suggest that Hervey only worked. I remember many late evenings, description of which would be inappropriate in this dedication.

Hervey was one of the law school's original faculty members. He devoted endless hours to assisting Dean Fleming in creating a law school. His efforts in the early years were crucial to the school's success. He was one of the original faculty advisors of this Law Review. If there was one flaw in Hervey, it was that he cared too much about everyone and everything with which he was involved. Whether it was assisting someone, counselling them, or working for the law school, Hervey was willing to spend as much time as necessary, often at the expense of his own interests and career. I recall the lines of students outside his door.

His heart attack in 1985, I believe, was brought on by the excessive hours he spent as Chairman of the Curriculum Committee, shepherding through the faculty the last extensive revision of the curriculum. Upon his return to teaching after convalescence, Hervey, with his usual passion and dedication, threw himself into civil rights and civil liberties issues. Although bedeviled by increasingly bad health, in recent years Hervey found serenity after his marriage to Irene, and their adoption of Mary. I remember listening with wonderment as I heard this ex-bon vivant telling all who would listen of the joys of marriage and family. One would have thought he had invented the institution. Hervey was a complex and unique individual. I miss him greatly.