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### Tribute to Randall Shepard

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# TRIBUTE TO RANDALL SHEPARD

Kevin Brown\*

## I. INTRODUCTION

I want to congratulate the organizers of this Symposium for understanding the need to recognize the contributions of Randall Shepard, the former Chief Justice of the Indiana Supreme Court, toward increasing diversity in the Indiana legal community. I also want to thank them for providing me with the opportunity to speak at this Symposium. The purpose of my talk is to honor Chief Justice Shepard for the tangible contributions that he has made to creating a more racially and ethnically diverse, as well as inclusive, legal community in Indiana.

Before I begin my discussion about Chief Justice Shepard's impact, I must provide some autobiographical background information. I recognize that it is somewhat unusual in remarks like this. Therefore, I beg your indulgence. However, the reason I do this is not to discuss myself. Rather, it is to present my *bona fides* to speak as one who is in a position to know the true magnitude of the Chief Justice's impact.

I started law school in August of 1979 at the Robert H. McKinney School of Law in Indianapolis, although we just referred to it as the "Indy Law School." Back then it was not the model of inclusion and diversity that it is today. Not only were there no professors of color, but, of the approximately 200 individuals who started in the day division of the law school with me, there were only two other blacks, Alan Mills<sup>1</sup> and Anthony Chinquee. I do not recall any Asian or Latino students.<sup>2</sup> That is not to say that there were not any, but at that time there was little discussion about other racial or ethnic minorities. I transferred to Yale Law School after my first year in Indianapolis, where I received my J.D.—a decade after the Chief Justice received his degree. Thus, many of the professors who taught at Yale while the Chief Justice was there,

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\* For Mr. Brown's biographical sketch and *curriculum vitae*, see Kevin Brown, MAURER SCH. L., <http://info.law.indiana.edu/sb/page/normal/368.html> (last visited Sept. 19, 2013).

<sup>1</sup> Alan graduated *summa cum laude* and was the first African American to make the Indiana Law Review. He became the first attorney of color to work at Barnes & Thornburg where he is now a partner. He was also the first person of color to come directly to a law firm and work his way up through the ranks to partner. In 2011, Alan was featured on the cover of *Who's Who in Black Indianapolis* and also authored the foreword for the publication. For his biographical sketch, see Alan K. Mills, BARNES & THORNBURG LLP, <http://www.btlaw.com/alan-k-mills/> (last visited Sept. 19, 2013).

<sup>2</sup> Anthony's father was Chinese and his mother was black. But, in the days of the one-drop rule, any black blood makes you black, there was no distinction drawn by anyone in the Indy Law School between Anthony and Alan or myself.

including Bruce Ackerman,<sup>3</sup> Boris Bittker,<sup>4</sup> Charles Black,<sup>5</sup> Guido Calabresi,<sup>6</sup> and Burke Marshall,<sup>7</sup> were also there when I attended Yale. These professors, and many others like them, deeply cared about social justice and the inclusion of minorities in America's mainstream. So, I know that a significant aspect of the Chief Justice's law school education included exposure to the need for American society to overcome its legacy of racial discrimination.

When I graduated from Yale, I joined the law firm of Feagre, Baker & Daniels (Baker & Daniels, while I worked there) as an associate attorney. One of my primary reasons for selecting Baker & Daniels was that two years earlier John Polly, the first African American to work as an associate attorney at a law firm of any significant size in the State of Indiana, had broken the color barrier there. To my knowledge, I became the second person of color to work as an associate attorney in one of Indiana's law firms of any significant size.<sup>8</sup> However, for the last three years that I was at Baker & Daniels, I was the only attorney of color.

In 1987, I joined the faculty of Indiana University Maurer School of Law as only the third law professor of color to have taught there in its 145-year existence. This was the same year that Governor Robert Orr elevated Justice Shepard to the position of Chief Justice.<sup>9</sup> When I started

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<sup>3</sup> Bruce Ackerman published one of the leading books on liberalism. See generally BRUCE A. ACKERMAN, *SOCIAL JUSTICE IN THE LIBERAL STATE* (1980).

<sup>4</sup> While a noted federal income tax scholar, Professor Boris I. Bittker wrote a book about black reparations. See generally BORIS I. BITTKER, *THE CASE FOR BLACK REPARATIONS* (1973).

<sup>5</sup> See *Memorial Service for Prof. Charles Black, Sunday, January 27*, YALE L. SCH. (Jan. 7, 2002), <http://www.law.yale.edu/news/3330.htm> (stating that Charles Black was one of the attorneys who worked on the *Brown v. Board of Education* litigation).

<sup>6</sup> See *Guido Calabresi*, YALE L. SCH., <http://www.law.yale.edu/faculty/GCalabresi.htm> (last visited Oct. 6, 2013) (providing a brief overview of Judge Calabresi's legal career).

<sup>7</sup> See *Prof. Burke Marshall Dies at 80*, YALE L. SCH. (June 2, 2003), <http://www.law.yale.edu/news/4586.htm> (providing a brief explanation of Professor Marshall's career). Robert Kennedy appointed Burke Marshall as Assistant Attorney General in 1961; Kennedy put him in charge of the Civil Rights Division. *Id.* Thus, he took the lead in a number of significant civil rights events, including the desegregation of the University of Mississippi by James Meredith. Douglas Martin, *Burke Marshall, a Key Strategist of Civil Rights Policy, Dies at 80*, N.Y. TIMES (June 3, 2003), <http://www.nytimes.com/2003/06/03/us/burke-marshall-a-key-strategist-of-civil-rights-policy-dies-at-80.html>.

<sup>8</sup> In the summer of 1982, Barnes & Thornburg hired Alan Mills and Ice Miller LLP hired Peyton T. Hairston, Jr. as their first black attorney and attorney of color, respectively. *Alan K. Mills*, *supra* note 1; see *Diversity Information*, ICE MILLER LLP, [http://www2.icemiller.com/diversity\\_information.aspx](http://www2.icemiller.com/diversity_information.aspx) (last visited Feb. 10, 2014) (noting that in 1982 the first African-American associate joined Ice Miller).

<sup>9</sup> See *Justice Randall Terry Shepard*, COURTS.IN.GOV, <http://www.in.gov/judiciary/citc/2828.htm> (last visited Oct. 4, 2013) (stating that Governor Orr nominated Justice Shepard to the Indiana Supreme Court in 1985, and Justice Shepard became Chief Justice in 1987); see also Robert D. Orr, 86, *Governor Who Revamped Indiana Schools*, N.Y. TIMES (Mar. 12,

teaching law at Maurer, we only had fifteen black and fourteen Latino students out of a student body of around 600 J.D. candidates.<sup>10</sup> In 1993, I became the first black law professor in the history of Indiana to go through the tenure process at one of the state's four law schools and only the second to have tenure.

In short, I started law school in Indiana thirty-five years ago, and I have been a law professor in the state for over twenty-seven years. Thus, I am the longest serving professor of color to ever teach at one of Indiana's four law schools. By my count, at least 2200 former students of mine are admitted to the practice of law. I suspect that at least 1000 of them are still living in the state. With this biographical information, hopefully I have established that I am one of the best persons to speak about the impact the Chief Justice had on increasing the number of underrepresented minorities in the Indiana legal community.

As you have heard, the Chief Justice was the driving force behind the Indiana Conference for Legal Education Opportunity ("ICLEO") Program.<sup>11</sup> Before I talk about the ICLEO fellows whom I have taught in Bloomington, I want to go back to June of 2003 and discuss the Diversity Summit held at the Indy Law School. The Diversity Summit was one of the most remarkable experiences of my thirty-plus years in the legal community of the state. The goal of the Diversity Summit was to increase diversity at all levels of the Indiana legal community. It was called by the Chief Justice and the President of the Indiana State Bar Association. They sent letters to small, medium, and large law firms; private corporations and state and local governmental units that employ staff attorneys; and all the deans of the state's law schools. In their letters they stressed that they wanted the law firms, corporations, and governmental units to send not only their chief lawyer to the Diversity Summit but also the individuals who had the authority to hire attorneys.

A group of us followed up those letters with telephone calls where we told those we talked with that we were calling at the behest of the Chief Justice and the President of the Indiana State Bar Association. The hiring attorneys, managing partners of the law firms, and deans of the law schools came to the Diversity Summit. They came from Lake

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2004), <http://www.nytimes.com/2004/03/12/us/robert-d-orr-86-governor-who-revamp-ed-indiana-schools.html> (reporting that Governor Orr was still governor in 1987).

<sup>10</sup> This number comes from the list of black and Latino graduates of the law school.

<sup>11</sup> María Pabón López, *The ICLEO Mentoring Legacy of Chief Justice Randall Shepard: An Essay*, 48 VAL. U. L. REV. 611, 613 (2014); see Andrew R. Klein, *Justice Shepard and Diversity in the Legal Profession: The Legacy of ICLEO*, 48 VAL. U. L. REV. 599, 608-09 (2014) (explaining Justice Shepard's efforts to start ICLEO). See generally Michael Hunter Schwartz, *50 More Years of CLEO Scholars: The Past, the Present and a Vision for the Future*, 48 VAL. U. L. REV. 621 (2014) (explaining the past, present, and future impact of CLEO).

County, Evansville, South Bend, Lafayette, and Indianapolis. They arrived for one simple reason: when the Chief Justice of the Indiana Supreme Court requests your presence, you come!

The Diversity Summit was extraordinary. My colleague Susan Williams organized it. I understand that few people reading this will know Susan.<sup>12</sup> However, without question, she is the most intelligent person I know, and I know countless intelligent people. Susan is not only a Phi Beta Kappa graduate of Harvard University, but a *magna cum laude* graduate of its law school.<sup>13</sup> She clerked for Supreme Court Justice Ruth Bader Ginsburg when Justice Ginsburg was on the Court of Appeals, D.C. Circuit.<sup>14</sup> A nationally recognized feminist scholar, Susan joined our faculty from Cornell Law School where she was tenured at age thirty-one.<sup>15</sup> She did a masterful job organizing the Diversity Summit.

The keynote speaker for the opening dinner of the Diversity Summit was then Stanford Law Professor, Charles Lawrence. His 1987 foundational article, entitled *The Id, The Ego, and Equal Protection: Reckoning with Unconscious Racism*, introduced the legal academy to the concept of “unconscious racism.”<sup>16</sup> Talk about something I never thought I would see, the leading authority on unconscious racism explaining to the leaders of Indiana’s legal community how unconscious racism negatively impacted their judgments about the quality and merit of law students and lawyers of color! The Chief Justice was the reason this extraordinary group of attorneys was present.

Another highlight of the Diversity Summit was Jimmie McMillian. In 2002, Jimmie graduated from the Robert H. McKinney School of Law in Indianapolis in 2002.<sup>17</sup> At the time of the Diversity Summit, he was a law clerk for Indiana Supreme Court Justice Frank Sullivan, Jr.<sup>18</sup> In a room with so many individuals who were at the Diversity Summit to increase the diversity of their organizations, Jimmie seized upon the extraordinary opportunity the forum presented to market himself. Jimmie, on his own initiative, confidently stood up in front of the

<sup>12</sup> For her biographical webpage, see *Susan Williams*, MAURER SCH. L., <http://info.law.indiana.edu/sb/page/normal/1431.html> (last visited Sept. 19, 2013).

<sup>13</sup> *Susan Hoffman Williams*, MAURER SCH. L., [http://info.law.indiana.edu/pub/libs/images/usr/9282\\_h.pdf](http://info.law.indiana.edu/pub/libs/images/usr/9282_h.pdf) (last visited Oct. 6, 2013); *Susan Williams*, *supra* note 12.

<sup>14</sup> *Susan Williams*, *supra* note 12.

<sup>15</sup> *Susan Hoffman Williams*, *supra* note 13.

<sup>16</sup> See generally Charles R. Lawrence III, *The Id, the Ego, and Equal Protection: Reckoning with Unconscious Racism*, 39 STAN. L. REV. 317 (1987).

<sup>17</sup> *Jimmie L. McMillian*, BARNES & THORNBURG LLP, <http://www.btlaw.com/jimmie-l-mcmillian/> (last visited Sept. 19, 2013).

<sup>18</sup> *Id.* See generally Frank Sullivan, Jr., “What I’ve Learned About Judging,” 48 VAL. U. L. REV. 195 (2014) (recounting lessons learned as an Indiana Supreme Court Justice).

assembled audience and discussed his exceptional legal qualifications, including his writing, research, and advocacy abilities and his law school grades, honors, and awards. Jimmie went on to say "given the purpose of this Summit, there have to be hiring attorneys looking for dependable, hardworking, and dedicated minority attorneys. And if you are, then consider me. I guarantee my future performance will justify the confidence you place in me." As I and everyone else watched Jimmie, we knew we were watching the creation of a legal superstar. On the following Monday, Jimmie received telephone calls from hiring partners of several large Indianapolis law firms. He joined the Indianapolis office of the firm of Barnes & Thornburg, where he is now a partner.<sup>19</sup>

Since the purpose of my remarks is to honor and praise the work of the Chief Justice in increasing the diversity of the Indiana legal community, I thought for months about the best tribute I could deliver. One day, I was looking at a coffee cup that I received for teaching the 2000 ICLEO fellows in Bloomington. The cup has a picture of all of the ICLEO fellows, the professors who taught that year, and Chief Justice Shepard. The caption underneath the cup says: "Together we will make a difference." At that moment, I realized that the best way to honor the Chief Justice was to provide testimony of the ICLEO fellows whom I have taught in my classes over the years that have been admitted to the practice of law in the state. They represent only a tiny fraction of the impact that the Chief Justice has had. However, like Jimmie McMillian, they represent an enduring part of the Chief Justice's concrete legacy to advancing the diversity of the Indiana legal community. Their accomplishments are part of his legacy and demonstrate that with the Chief Justice, they have made a difference. And, this difference is visible in the comments I received from former ICLEO students.<sup>20</sup>

## II. COMMENTS ABOUT CHIEF JUSTICE SHEPARD FROM FORMER ICLEO STUDENTS

Given the number of ICLEO students that I have taught, I could not include comments from all of them. Therefore, I contacted several of my former students who are admitted to the Indiana bar and asked for their comments about the Chief Justice. I picked a sample to include in this Lecture.<sup>21</sup>

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<sup>19</sup> Jimmie L. McMillian, *supra* note 17.

<sup>20</sup> See *infra* Part II (discussing comments from former ICLEO fellows).

<sup>21</sup> The author is in possession of all the comments received from former ICLEO fellows.

A. *Joe Villanueva – 2000 Maurer School of Law Graduate*<sup>22</sup>

Joe is now working as the Chief Deputy Prosecutor in the Johnson County Prosecutor's Office; he is also currently campaigning to become the Judge in the newly created Superior Court 4 in Johnson County.<sup>23</sup> Joe remarked:

I am sure there were many skeptics when this program (ICLEO) was initiated, but you, Chief Justice Shepard, had the long-term vision for this program. You could see the ripple effect ICLEO would have on our legal profession. Being an ICLEO fellow helped open up a world that many of us would have otherwise found to be inaccessible. Thank you, Chief Justice Shepard, for being an integral part in creating not only lawyers but leaders in our respective communities.

B. *Rudolph Pyle – 2000 Maurer School of Law Graduate*<sup>24</sup>

The Honorable Rudolph Pyle III worked as a Deputy Prosecutor in Madison County after law school.<sup>25</sup> In 2009, Governor Daniels appointed him to the position of Madison County Circuit Court judge,<sup>26</sup> making him the first black judge in Madison County. In August of 2012, Governor Daniels elevated Judge Pyle to the Indiana Court of Appeals for the Fourth District.<sup>27</sup> With that appointment, Judge Pyle became the first ICLEO fellow to be appointed to the appellate bench in the State of Indiana. Judge Pyle reflected:

If "commitment" means being dedicated to a cause, then former Chief Justice Randall Shepard exemplifies the meaning. He has been a steadfast steward in promoting diversity within the legal profession in the State of Indiana. The fruit of his labor is being harvested each day as exceptional attorneys representing different genders, races, and economic strata assist Indiana

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<sup>22</sup> See *A Message from Joe . . .*, JOE VILLANUEVA FOR JUDGE, <http://joeforjudge.com/> (last visited Sept. 19, 2013) (detailing Joe Villanueva's reasons for running for Superior Court 4 Judge).

<sup>23</sup> *Id.*

<sup>24</sup> See *Judge Rudolph R. Pyle III*, COURTS.IN.GOV, <http://www.in.gov/judiciary/appeals/2586.htm> (last visited Oct. 6, 2013) (providing a short biographical sketch).

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

citizens with their legal problems. I am proud to be part of a legal community that has, under his leadership, demonstrated a commitment to diversity.

C. *Kareem Howell – 2001 Maurer School of Law Graduate*<sup>28</sup>

Kareem worked as a patent attorney in the intellectual property group of Faegre Baker Daniels for five years. He is now the Vice President and Counsel for Integration Point, a global software provider.<sup>29</sup> Kareem is responsible for Integration Point's legal activities worldwide.<sup>30</sup> Kareem commented:

In my ICLEO classes at Valparaiso Law School, I received a very thorough preview of the law school experience. I would personally like to take this opportunity to thank Chief Justice Shepard for being an advocate for the ICLEO program and believing that the program could both serve as a catalyst to diversify the Indiana bar and benefit the State of Indiana.

D. *Marisol Sanchez – 2002 Maurer School of Law Graduate*<sup>31</sup>

Marisol is one of Chief Justice Shepard's former law clerks.<sup>32</sup> Marisol practiced law for eight years at Bose McKinney & Evans where she became the first Hispanic attorney to make it into the ranks of partnership at one of the major Indiana law firms. The *Indianapolis Business Journal* named her one of the "Forty under 40" in 2010,<sup>33</sup> and she founded and chaired the Indiana State Bar Association's Latino Affairs Community. Marisol left Bose about two years ago and is now the General Counsel for Endress & Hauser, Inc.<sup>34</sup> Marisol recalled:

I can't thank Chief Justice Shepard enough for the opportunities, support, mentorship, and advice provided to me throughout the years. Without his

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<sup>28</sup> See *Executive Team*, INTEGRATION POINT, <http://www.integrationpoint.com/company/executiveteam.html> (last visited Sept. 19, 2013) (providing a short description of Howell's duties).

<sup>29</sup> *Id.*

<sup>30</sup> *Id.*

<sup>31</sup> See *Marisol Sanchez*, LEGALSPAN.COM, <http://www.legalspan.com/catalog2/faculty.asp?UserID=D20111226214949T1H4Z23MY3D&OwnerColor=%237A8B3A&recID=20130326-024690-81353> (last visited Sept. 19, 2013) (providing a brief biographical sketch).

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

vision, I'm not sure where I would be today. But, what I do know for sure is that I am where I'm at because of it, and because he believed in me.

*E. Rafael Sanchez – 2002 Maurer School of Law Graduate*<sup>35</sup>

Rafael is a partner at Bingham Greenebaum Doll,<sup>36</sup> where he became the second Hispanic attorney to make it into the ranks of partnership at one of the major Indiana law firms. He is Chair of the Hispanic Business Council of the Indianapolis Chamber of Commerce and now serves as the Secretary for the 2018 Super Bowl Bid/Host Committee.<sup>37</sup> He was also named by the *Indianapolis Business Journal* as one of the “Forty under 40” in 2011.<sup>38</sup> Rafael stated:

I will always consider ICLEO an integral part of my legal education, and quite possibly, the spark that ignited my passion for community and civic engagement in Indiana. I cannot thank Chief Justice Randall T. Shepard enough for his vision and leadership in ensuring that ICLEO become a gateway of opportunity for future aspiring lawyers. And it is important for people to know that he was not just championing this program from the comfort of his courtroom—he was regularly on site, talking to students, and offering words of wisdom and encouragement.

*F. SaKinna Thomas – 2002 Maurer School of Law Graduate*<sup>39</sup>

SaKinna was one of my favorite law students. She was the first African-American student to receive an “A” grade in two different courses with me. SaKinna also participated in the Summer in Southern Africa Program that I started at Bloomington, where she spent four weeks working with Methodist missionaries in Soweto, South Africa. SaKinna went on to become a criminal defense lawyer and worked for

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<sup>35</sup> See *Rafael Sanchez*, BINGHAM GREENEBAUM DOLL LLP, <http://www.bgdlegal.com/professionals/950/rafael-sanchez/> (last visited Sept. 20, 2013) (providing a brief biographical sketch).

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> See *SaKinna Thomas*, HERMES SARGENT BATES LLP, <http://www.hsblaw.com/lawyers/LawyerInfo.php?LawyerID=148> (last visited Oct. 6, 2013) (providing a brief biographical sketch).

the Marion County Public Defender's Office.<sup>40</sup> She now practices in tort litigation at Hermes Sargent Bates in Dallas, Texas.<sup>41</sup> SaKinna commented: "Thank you Chief Justice for your vision in creating ICLEO. It was a defining experience in my life."

G. *Shontrai Irving – 2003 Maurer School of Law Graduate*<sup>42</sup>

Shontrai received the Outstanding Young Lawyer Award from the Indiana State Bar Association in 2010.<sup>43</sup> He is currently the President of the James Kimbrough Bar Association in Lake County.<sup>44</sup> Shontrai also worked as a deputy prosecutor for Lake County.<sup>45</sup> While doing so, he realized that he needed to keep the youth out of the criminal justice system rather than addressing their problems once they were in the system. As a result, Shontrai became a foster parent; to date, he has taken in over twenty children.<sup>46</sup> Shontrai remarked:

Thank you Chief Justice Shepard for not only being a visionary, but also an advocate for your commitment to diversity in the legal profession. As an ICLEO fellow, I will continue to follow in your footsteps and use whatever influence I may have to make a positive impact in the world.

H. *Davina Patterson (Biddle) – 2003 Maurer School of Law Graduate*<sup>47</sup>

Davina was an Articles Editor for the *Federal Communications Law Journal* while in law school.<sup>48</sup> She began her career as a Staff Attorney with the Indiana Department of Administration.<sup>49</sup> However, Davina is

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<sup>40</sup> *Sakinna Lavonne Thomas*, AVVO, <http://www.avvo.com/attorneys/46204-in-sakinna-thomas-4397433.html> (last visited Oct. 6, 2013).

<sup>41</sup> *SaKinna Thomas*, *supra* note 39.

<sup>42</sup> See Michael Hoskins, *Corporate Attorney Serves as Insurer's Litigation Counsel*, IND. LAW. (Nov. 10, 2010), <http://www.theindianalawyer.com/corporate-attorney-serves-as-insurers-litigation-counsel/PARAMS/article/25138> (providing a brief description of Irving's legal career).

<sup>43</sup> *Id.*

<sup>44</sup> *James Kimbrough Bar Association*, IND. ST. B. ASS'N, <http://www.inbar.org/LocalBars/JamesKimbroughBarAssociation/tabid/209/Default.aspx> (last visited Oct. 6, 2013).

<sup>45</sup> *Hoskins*, *supra* note 42.

<sup>46</sup> *Id.*

<sup>47</sup> See *Davina Patterson Biddle*, LINKEDIN, <http://www.linkedin.com/in/davinapatterson> (last visited Sept. 13, 2013) (providing a brief history of Biddle's legal career).

<sup>48</sup> *Id.*

<sup>49</sup> *Id.*

now Senior Legal Counsel at WellPoint, Inc.<sup>50</sup> Davina stated: “Chief Justice Shepard, thank you for advocating for ICLEO! This program provided key educational and networking opportunities as well as introduced me to individuals who have become lifelong friends and mentors.”

I. *Terrance Tharpe – 2003 Maurer School of Law Graduate*<sup>51</sup>

During law school, Terrance was the Managing Editor of the *Federal Communications Law Journal* and the President of the Black Law Students Association.<sup>52</sup> He worked as a Deputy Prosecutor in the Marion County Prosecutor’s Office for nine years, before becoming a Judicial Law Clerk for the Indiana Court of Appeals.<sup>53</sup> Terrance is currently the President-Elect of the Marion County Bar Association.<sup>54</sup> Terrance commented: “Chief Justice Randall Shepard will forever have my gratitude and respect for his efforts in starting the ICLEO program. His commitment went beyond words and superficial actions and he should be viewed as the model to those who truly care about diversity in our profession.”

J. *Kevin Renee Mason – 2006 Maurer School of Law Graduate*<sup>55</sup>

While in law school, Kevin was the Notes Editor of the *Indiana Journal of Global Legal Studies*.<sup>56</sup> She started off working for a labor law firm in Indianapolis but is now an attorney for a New Orleans law firm of Robein, Urann, Spencer, Picard & Cangemi, APLC.<sup>57</sup> Kevin remarked:

I would like to take this opportunity to thank Chief Justice Randall T. Shepard for the ICLEO program. My time in ICLEO was invaluable and I cherish every moment in that program. ICLEO taught me critical thinking and social skills that I still utilize today. More importantly, ICLEO was a unique program that I shared

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<sup>50</sup> *Id.*

<sup>51</sup> See *Terrance Tharpe*, LINKEDIN, <http://www.linkedin.com/pub/terrance-tharpe/7/178/678> (last visited Oct. 6, 2013) (providing a brief history of Tharpe’s legal career).

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> 2013 MCBA Executive Officers and Board of Directors, MARION COUNTY B. ASS’N, [http://www.mcbaindy.org/?page\\_id=48](http://www.mcbaindy.org/?page_id=48) (last visited Sept. 13, 2013).

<sup>55</sup> See *Attorneys*, ROBEIN, URANN, SPENCER, PICARD & CANGEMI, APLC, <http://www.ruspclaw.com/attorneys.html> (last visited Oct. 6, 2013) (providing a brief description of Mason’s legal career).

<sup>56</sup> *Id.*

<sup>57</sup> *Id.*

with a group of unique individuals that have now become my lifelong friends.

K. *Devin Schaffer – 2008 Maurer School of Law Graduate*<sup>58</sup>

Devin transferred to Maurer at the start of his second year, after finishing his first year at Valparaiso Law School. While at Maurer, Devin was the Managing Editor of the *Indiana Law Review*.<sup>59</sup> Following graduation, Devin joined the law firm of Ice Miller LLP where he engaged in a general corporate practice involving mergers and acquisitions, private equity, venture capital, and corporate governance. He is now an associate at the Chicago office of Jones Day.<sup>60</sup> Devin observed: “You’ve touched so many lives in a positive way and I want to personally thank you for the tremendous courage and effort that you displayed in establishing and nurturing the ICLEO program.”

L. *Christopher Hopkins-Gillispie – 2011 Maurer School of Law Graduate*<sup>61</sup>

Chris was the 2011 commencement student speaker at the Maurer graduation ceremony.<sup>62</sup> He worked as a summer associate at the Indianapolis office of Faegre Baker Daniels.<sup>63</sup> Upon graduation he joined the labor and employment division of the Washington, D.C. office of the law firm Morgan, Lewis & Bockius.<sup>64</sup> Chris commented:

I would like to thank Chief Justice Shepard for all that he has done to bring the ICLEO program to where it is today. I probably would not be where I am today if it was not for ICLEO. Thank you Chief Justice Shepard for your commitment to diversity in the legal profession and for helping me personally pursue my dream of becoming a legal practitioner.

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<sup>58</sup> See *Devin K. Schaffer*, JONES DAY, <http://www.jonesday.com/dkschaffer/?section=Experience> (last visited Sept. 19, 2013) (providing Schaffer’s professional profile).

<sup>59</sup> *Id.*

<sup>60</sup> *Id.*

<sup>61</sup> See *Christopher E. Hopkins-Gillispie*, MORGAN, LEWIS & BOCKIUS, <http://www.morganlewis.com/index.cfm/personID/f32c1fff-3ffa-4e0f-b739-9528445e7bb6/fromSearch/1/fuseaction/people.viewBio> (last visited Oct. 6, 2013) (providing a brief description of Hopkins-Gillispie’s legal career).

<sup>62</sup> *Id.*

<sup>63</sup> *Hopkins-Gillispie & Gentry Receive Baker & Daniels’ 2010 Diversity Scholarships*, FAEGRE BAKER DANIELS, <http://www.faegrebd.com/15356> (last visited Oct. 6, 2013).

<sup>64</sup> *Christopher E. Hopkins-Gillispie*, *supra* note 61.

*M. Rubin Pusha – 2012 Maurer School of Law Graduate*<sup>65</sup>

Rubin served as the Notes and Comments Editor for the *Indiana Journal of Law and Social Equality* and the President of the Black Law Students Association while at Maurer.<sup>66</sup> He is currently an associate at Barnes & Thornburg practicing in the Finance, Insolvency and Restructuring Department,<sup>67</sup> formerly co-chaired by Alan Mills.<sup>68</sup> Rubin remarked: “If I were present, I would raise a proverbial glass of scotch (probably aged about 17 years and really expensive) and say ‘Justice Shepard, with all due respect thank you for helping me with my boots.’”

### III. ICLEO BENEFITS

Since this is an all too brief list of comments from ICLEO fellows admitted to the Indiana bar that I have had the pleasure of teaching, it is only a small percentage of the tremendous impact that Chief Justice Shepard has had on diversifying the Indiana legal community. As anyone could tell, ICLEO fellows are not only outstanding law students, but they are also very intelligent, competent, highly motivated, and successful lawyers. They are community activists who are dedicated to improving the lives of all. In short, they have justified the faith required by the Chief Justice to engage in the work for diversity that he did. This list of comments from ICLEO fellows also demonstrates that I am one of the principal beneficiaries of the Chief Justice’s commitment to diversity. Because of him, I have had the pleasure of teaching so many outstanding minority law students. Thus, I too want to take this opportunity to add my deep and personal heartfelt thanks to him. His commitment to diversity has immeasurably increased my enjoyment of being a law professor.

To those critics of ICLEO who would say that “these students would have gone to law school without ICLEO” or that “they would have done as well in law school and the practice without ICLEO,” I can confidently say they would not have. Under the Chief Justice’s direction from the very beginning, ICLEO has not been a scholarship but a scholarship program. The six-week Summer Institute is an excellent way to prepare individuals for law school study. Because the courses in the institute are taught by law professors, many ICLEO fellows are taking courses from the very professors that they will have in their first year of law school.

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<sup>65</sup> See *Rubin Pusha*, BARNES & THORNBURG LLP, <http://www.btlaw.com/rubin-pusha/> (last visited Oct. 6, 2013) (providing a brief biographical sketch).

<sup>66</sup> *Id.*

<sup>67</sup> *Id.*

<sup>68</sup> *Supra* note 1.

This early introduction provides them with a huge advantage as they start their legal education.

Having taught in ICLEO on so many occasions, I know the preparation we as law professors put into our work. We are more conscious of the teaching we do during the Summer Institute than when we teach our J.D. students. We meet on a regular basis and discuss the curriculum, the weaknesses and the strengths of each student, and what we can do to improve their understanding of the law school experience. As professors, we also take pride in the accomplishments of the ICLEO fellows in law school and beyond. In addition, ICLEO assists fellows in locating law-related summer employment after their first and second years of law school with Indiana appellate courts, trial courts, other governmental employers, and law firms. These summer internships are vital to their development as lawyers. In short, *I have no doubt that this assistance helps to produce the kind of remarkable individuals noted above.*

#### IV. CONCLUSION

Before concluding my remarks, there is one last statement I want to make. In so doing, I want to refer back to the autobiographical information I included in the beginning but add some additional information. I am a life-long resident of Indiana who attended *de jure* segregated Indianapolis public schools in the 1960s, a member of the Indiana Bar for thirty-one years, the second attorney of color to work as an associate at a law firm of any appreciable size in the history of the state, the longest serving law professor of color in the state, and the father of a daughter, Crystal Williams, who is admitted to the Indiana Bar.

Also, I concentrated my scholarship for the past quarter of a century on the areas of race, law, and education. As such, I have published a book (with another one due out in the summer of 2014) and almost sixty other articles, essays, book chapters, and encyclopedia entries that address matters of race, education, and law. I have spoken about these matters nearly 200 times at leading universities including Harvard, Columbia, Cornell, Duke, Northwestern, and Texas, and before the Annual Braintrust Meetings of the Congressional Black Caucus, American Bar Association Conventions, and foreign audiences on four other continents.

African Americans as a people do not have mechanisms that would allow anyone to unquestionably claim to speak for the Black Community in the State of Indiana. However, surely by now, with all humility and without unnecessary bravado, I have established the credentials that would allow me, as much as anyone, to claim that ability in the context

of legal education in our great state. Thus, I want to close my remarks by saying: *If you, Chief Justice Randall Shepard, are candidly recognized for the impact that you have had in terms of increasing diversity in the legal community of the State of Indiana, then it must be stated that there is no single person in the history of the State of Indiana who has done more.* So from the bottom of my heart and with all of the conviction, authority, and legitimacy that I can muster: On behalf of the Black Community of the State of Indiana, we would like to thank you for your lifelong commitment to increasing the number of underrepresented minority, and particularly black, lawyers who are practicing law in the State of Indiana and beyond.