

appearances and detention hearings for federally charged defendants in the northeast part of the state. His service has continued. Yet all of that is only part of Jim Sickel's contribution to the community. One of his partners told me that Jim is the most generous person he has ever known. Jim's commitment to the poor, reflected in his willingness to represent non-English-speaking litigants in the criminal and civil courts of the area, is also seen in his community involvement. Jim served as president of the board of Legal Services of Northeast Wisconsin, a provider of legal services for the indigent, and as a member of board of directors of the Wisconsin Equal Justice Fund. He is a former president of the Brown County Bar Association.

Jim's contributions have also extended to preserving the historical significance and beauty of the Green Bay area. In addition to his involvement with the Brown County Historical Society, he was a charter member and fundraising chair of the Allouez Beautification Committee, a board member of the Heritage Hill Foundation, which operates Heritage Hill State Historical Park, and chair of the Hazelwood Restoration Committee,

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which restored the home of Morgan L. Martin, chief draftsman of the Wisconsin Constitution.

Here, too, there are many more things that could be said about Jim, as a husband to his dear wife, Kathie, and as a father and grandfather to their children and grandchildren, as well as about his notable work in support of civic and other organizations in our community. But hopefully from what I have highlighted, together with his service to the court as the part-time magistrate judge, for now going on some 33 years, you have some idea why I am deeply honored to present the Judge Robert W. Warren Public Service Award to U.S. Magistrate Judge James R. Sickel.

Permit me this final observation. In considering these remarks, I reflected on how often, as a judge, I am called upon to talk about the actions and qualities of a particular person who

appears before me. Usually, this is at a sentencing hearing, when I am required to impose a punishment for a crime. This, of course, is not that kind of occasion. But I have sometimes said to the defendant at a sentencing, "Reading your presentence report about your upbringing and your past criminal history is like reading your obituary before you die." I also tell these defendants, "Fortunately, it's not the end of your life, and there is nothing to prevent you from making a better ending."

How much more enjoyable this sort of occasion is. We present honors such as the Reynolds and Warren awards to people who have demonstrated the qualities of character and professionalism to which we should all aspire. They—both the awards and, far more, the awardees—remind us of the important role that members of our profession play in a healthy, flourishing society. ■

**Joseph D. Kearney**

## **Some Observations on Jesuit Education, the Law, and Even Commerce**

On April 4, 2024, Marquette Law School Dean Joseph D. Kearney spoke to the Business Honors Seminar at Loyola University Chicago's Quinlan School of Business, at the invitation of Professor Bjorn Berg, L'07. His opening remarks touched on some themes that may be of broader interest.

**M**y thanks to Professor Berg for inviting me and to all of you for welcoming me today. My own background or experience is in civil litigation, yet I am familiar enough with the law generally (and with Latin) to know the criminal-law term "right of allocution." It is a defendant's prerogative to address the decision-maker before sentence is announced. I rather doubt that I will remember my time with you today that way, but lawyers have a tendency

to imagine the worst, so that we may try to ward it off. Primarily, I am looking forward to the Q&A, as we may call it, which I very much hope will prove a genuine conversation. Yet let me take up three things at the outset, and hopefully not merely for the sake of some obligatory upfront throat clearing to mark the beginning of a conversation.

First, I come by this maroon-and-gold tie honestly—or, if you prefer a less metaphorical but still true statement,

I am very glad to be here at Loyola University. I have connections with Loyola going back more than 75 years—from my father’s enrollment here in a Ph.D. program in history in 1947 and my mother’s transfer here, as a freshman from Marquette University, in the spring of 1949.

I won’t take you through all of the connections, but I do want to note that, growing up on the South Side of Chicago, I used to come down to this campus, from time to time in the 1970s, when my mother, an English teacher, taught a course here on Saturdays for many years. My mother especially loved Loyola: As she put it in her memoir, looking back decades after arriving here in 1949, “Though I was not in a position to know it then, I had found my home.”

So, like a good son, I have adopted the loyalty, even if I myself have especially embraced Marquette University, as she urged me. And we all rooted for Marquette in 1977, as Al McGuire coached the school’s team to the NCAA men’s basketball championship. We found it strange at the time that my parents kept harkening back to Loyola’s winning the NCAA tournament in 1963; as we teenagers saw it, 14 years earlier was ancient history. I thought of this in 2018, when we were all cheering for Loyola in the Final Four, and I recalled that it had been 15 years since 2003, when Marquette last found itself in that group.

In terms of family connections, there is as well the fact that my sister, who now teaches at a law school in Pennsylvania, spent three years on the faculty here in the late 1980s, teaching business law courses. I do not know whether your school was still called “the college of commerce” at the time (all of this was before Mr. Quinlan made his notable gift). It certainly was so known during my parents’ earlier time in Lewis Towers, as Loyola’s location in this area was then called

and thus came ever to be known to my siblings and me. (The fancier “Water Tower Campus” name apparently had not yet been invented during my parents’ time as students.)

In wrapping up this first point, I omit the other family connections, in favor of one of my own: I am a high school graduate of St. Ignatius, the school out of which Loyola University actually grew, more than a century ago. Your university was born in some of the same buildings that St. Ignatius continues to call home on Roosevelt Road.

So, on this first point, I trust you will see, I consider this almost a homecoming.

My second interest is to encourage you with respect to the legal profession. By this, I don’t mean necessarily to suggest that you should enter the law yourself. You may elect to do so, and I expect that in it you would find rich and varied experiences. That is not to say wealth. Some lawyers do very well, but the substantial majority do not earn especially impressive salaries. Yet the law involves noble work—it is a learned and helping profession, as I say to our students.

And none of you should regard yourself as having closed the door to a legal education. I was a Classics major (the Latin and Greek that I had first learned at St. Ignatius served me well in college also), so perhaps I had more incentive to look for a professional degree than one who takes a business degree. Yet there are so many routes to law school: I can simply note that, in our most recent entering class of about 190 full-time students, they represented 46 different college majors. In fact, one of the most powerful combinations that I have seen in the legal profession involves people with an accounting education (whether a C.P.A. or not) along with the law degree.

But permit me to say that, even if you never set foot inside a law school, you should respect the legal profession. That should be the case for general and important civic reasons. An American society that routinely denigrates judges, the legal system, or the law has lost its moorings, it is not too much to say. I hope that, whatever your particular political partisan preferences, you understand that someone has to call the



Joseph D. Kearney

Mike Gryniwicz

balls and strikes, according to whatever precepts, general or specific, vague or precise, liberating or constraining, are teased out of our society's rulebooks, written or unwritten. There is an alternative—fighting in the streets—but not a civilized one.

I hope that, though not lawyers yourselves (as most of society is not), this exhortation resonates with you. Let me note, if close-at-hand self-interest is necessary to get you on board, that you may elect to embrace respect for the law and the legal profession for relatively narrow reasons: The nation's independent judiciary, committed to the rule of law, is one of the greatest assets that American business has. Look at the poor state of business and the economy in many other countries, and you will often see that it corresponds with a hamstrung judiciary, one dependent on those otherwise in power.

In any event, at the end of the day, it is essential that the legal profession or the justice system have respect in order for our society to flourish or even survive. I am confident that, as an American, I would feel that way even if I had never set foot in a law school.

Here is my third and final opening point: You should be proud of your own current study and the work toward which you are pointing. In that regard, permit me to go back to the college of commerce name. One can scarcely overstate the importance of business—of commerce—to our society. We don't lionize it, the way some of us do the law. In fact, we heavily regulate it—and when I say “we,” I don't mean just lawyers but, of course, political forces and the larger society.

But commerce is fundamental: Recall that it is perhaps the most basic reason that we created the Constitution of the United States and the federal government in the first place. The Articles of Confederation were not conducive to economic growth—to a national *market* for commerce. Commerce is how people “make a

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living”—quite an elemental phrase, if you think about it. Commerce is their means of going from day to day, supporting their own families and those of others. You should engage in commerce legally and ethically, but you should also very much do it unapologetically. You should be proud of your business education and degrees, and you should embrace the opportunities for which they will position you.

Now I appreciate that a law school dean has particular reason to look not just benignly but even favorably on business or commerce. Only one involved in a business—owning capital, as the legal profession does not much at all—makes very big money. So you may be sure that, more than a half century later, I was very glad that one of our alumni, from our Class of 1949, found himself without enough law to practice in the 1950s, in his small hometown of Cassville, in southwestern Wisconsin, along the Mississippi River.

Ray Eckstein, with time on his hands in the afternoon, would go for walks along the riverfront, and he concluded that he could design a better system to transport coal to the local power plant on the river. Out of his imagination and efforts grew the Marquette Transportation Company—a barge-and-tug empire on the Mississippi, eventually (and still today) located in Paducah, Kentucky. (If you want a barge-and-tug empire, how much better to set yourself up at the confluence of

the Mississippi and Ohio Rivers than on the upper Mississippi.) And out of that, in 2007, grew a \$51 million gift—one of the very largest ever to any law school—to support the construction of Eckstein Hall, home of Marquette Law School and nothing less than the best law school building in the country. I tell people that one becomes a law school dean because he or she very much believes in the legal profession—but then quickly develops an incentive to see some of his or her alumni go out and make “real money.”

But I haven't forgotten what final point I'm making, and I'm not naive or cynical or unrealistic about it. I don't expect that most of you will become *wealthy* or that a desire to be so is your primary motivator. Yet your work can be important, even beyond your own making a living. This is one of the reasons that, along with noting to our students that the work of lawyers is to help people right their wrongs and defend their freedoms, I include, in the same breath, the purpose of enabling people to “do their deals.” Good luck with your own future work in commerce or, if you prefer, business.

So, against that backdrop, including my basis for wearing the maroon and gold, my promotion of not just law school but the legal profession more generally, and my paean to the importance of business in our society, let's talk. ■