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A Teacher, Mentor, Scholar, Christian, and Friend: Professor James M. McGoldrick

Maureen A. Weston*

Professor James M. “Jim” McGoldrick. The one and only. A lawyer, teacher, mentor, scholar, Christian, treasured friend, and certainly beloved by his family and generations of students, colleagues, staff, custodial workers, and all who were privileged to know him. Pepperdine University and the Caruso School of Law are forever profoundly impacted and blessed by one of their longest-serving faculty members and student advocates.

Nearly five decades of students who have matriculated at the Pepperdine School of Law regard Professor McGoldrick as one of their favorite teachers whose intellect, wit, and care for students were unparalleled. His office door was always open and intentionally situated across from the faculty support staff, whom he greeted daily, often bringing treats or flowers in appreciation of their dedicated and sometimes-unrecognized diligent work. Jim was an advocate for students, staff, truth, and justice. Jim cared about, and acted upon, what was right. Like his office door, his heart too was always open. He and his lovely wife Jan generously hosted scores of students and faculty to their home and to happy hours at the Malibu Inn.

Professor McGoldrick is deservedly renowned in the classroom for his astute expertise in teaching Constitutional Law. His intellect, combined with exceptional dry wit and genuine interest in students, captivated and touched the lives of thousands in his nearly five decades at Pepperdine. One cannot speak of Professor McGoldrick without noting his legendary Graduation Breakfast speeches that left many of us speechless, in awe, and in laughter. Cringe-worthy, hilarious, and true all at the same time. Once again, only Jim.

Many know that Professor McGoldrick was a legendary and award-

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winning teacher. He was also an impactful scholar. Jim's wry tone and scathing honesty also came through in his scholarship, even while discussing complex topics. Reflecting on his service and experience as Associate Dean, Jim's early writings in the *Christian Legal Society Quarterly* included: *Confessions From a Former Dean* (1987), which coincidentally came out one year *after* he had written *Encounter with Jesus*, and one year *prior* to writing *A Lesson in Faith*. Truth was Jim's signature.

Professor McGoldrick was particularly prolific in the five years prior to his passing. He again gets to the point in his recent scholarship with provocative titles, posing *Why Does Justice Thomas Hate the Commerce Clause?* (2019), and *Why is the Rational Basis Test so Irrational?* (2018).

Professor McGoldrick's Constitutional Law scholarship certainly examines serious issues gripping our society, including critiquing *de jure* desegregation in his article, *Two Shades of Brown: The Failure of Desegregation in America: Why It Is Irremediable (and a Modest Proposal)*.¹ He astutely observes the limitation of judicial remedies that *de jure* but not *de facto* outlaw racial segregation. He persuasively argues that "the failure to require equal funding for education made *de facto* racial segregation *de facto* substandard schools."² His analysis concludes with a proposal for a federal spending program to encourage integration innovation and to encourage all states and interested private parties to gradually increase integration and equality in education and outcome.³

In March 2020, Professor McGoldrick's colleagues had nominated him for the prestigious "Dean's Award for Excellence in Scholarship" that is usually presented at the Law School Dinner, which was canceled, like much of everything in 2020, due to the COVID-19 pandemic. The pandemic did not stop Professor McGoldrick from finishing his last semester of teaching, for the first time online and to the end before his going Home in May 2020. In August 2020, posthumously, Dean Paul Caron aptly and ironically awarded the "Waves of Excellence in Scholarship" to Professor McGoldrick before an adoring and grieving faculty. A wink to Jim. The one and only.

In *Rebuilding: Joy After Tears*, Jim wrote that "[f]ew things are harder than rebuilding. . . . [T]he first lesson for successful rebuilding is to

1. James M. McGoldrick, *Two Shades of Brown: The Failure of Desegregation in America: Why it is Irremediable (and a Modest Proposal)*, 24 CARDOZO J. EQUAL RTS. & SOC. JUST. 271 (2018).

2. *Id.* at 272.

3. *Id.*

appreciate the new creation on its own merits [O]ne crucial element for rebuilding is the support that comes from a community.”⁴ Tears, appreciation, community, rebuilding. Tears certainly represent our love and appreciation for the divine experience of knowing Professor McGoldrick, our lawyer, teacher, colleague, and friend. Jim asks us to remember to live in joy and to rebuild, in community. Now in his memory and legacy.

Professor McGoldrick is firmly ensconced as a part of Pepperdine Caruso School of Law, and in making it what it is and can become. His legacy lives on in the students he inspired and taught. Jim, your kindness, generosity, and genuine spirit continue to envelope all of us who were privileged to know you. Your extraordinary wit, kindness, generosity, commitment, and integrity will always be remembered. Rest in peace my friend. We miss, honor, and remember you.

4. James M. McGoldrick, Jr., *Rebuilding: Joy After Tears*, 9 CHRISTIAN LEGAL SOC’Y Q. 4, 4–5 (1988).

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