

EULOGY FOR STAN HERR*

KAREN H. ROTHENBERG†

I have the honor and privilege on behalf of the entire law school community with us today to share with you Stan Herr's professional legacy — of course, these achievements would not have been possible without his cheerleading section — his wife, Raquel, children David, Ilana, and Deborah and his sister Judy — who sustained his love and his passion for life.

Stan Herr devoted a lifetime of extraordinary talent and boundless energy to helping those who most often did not even know his name. Stan decided early in his legal career to focus on protecting the rights of children who he once described as one of society's voiceless groups. In 1972, two years after he started his pro bono practice of children's law, he would take the lead in the landmark decision of *Mills v. Board of Education* securing the constitutional right to access to education for all children, regardless of their physical, mental or emotional disabilities. The Supreme Court and Congress later relied on *Mills* as providing the legal and political foundation for the 1975 Education for All Handicapped Children Act that required special education for every child with disabilities.

Stan became a pioneer in securing civil rights for groups that had been largely ignored in the past — children, the elderly, the homeless and the developmentally disabled. He testified before the United Nations, in both houses of Congress, and before the Maryland State legislature. He traveled the globe lobbying for changes in the law, lecturing in public forums, and litigating in court. He is a hero in the state of Israel, where he was the force behind their efforts to pass model disability legislation.

A prolific and eloquent writer, Stan produced over one hundred articles, and five books, and chapters that were published in both the popular and professional press. But Stan was never one to be satisfied sitting in an ivory tower and waxing poetic about social injustices. Instead he took his scholarship and put it into action. Public service was in his heart and Stan embraced dozens of organizations, serving on boards, spearheading committees and leading groups with his persistence — some might describe it as unrelenting — but always with

* Editor's Note: This eulogy was delivered at Stanley S. Herr's funeral on September 25, 2001.

† Dean & Marjorie Cook Professor of Law, University of Maryland School of Law.

limitless enthusiasm.

In recognition of his extraordinary contributions to social justice, Stan was often honored with prestigious awards too long to list here, including recent honors from the American Bar Association and the Association of Retarded Citizens. Next month Stan will be honored by the University of Maryland for his significant contributions to public service. Only one outstanding member of our campus receives this honor each year.

Professionally, Stan may have been most proud of his work with students where he shared with them his passion and drive for helping others. Ironically, when Stan was recruited by Clinton Bamberger, our former clinic director, to the Law School almost 20 years ago — in fact Stan and I started at Maryland on the same day — Stan was not sure he would like teaching, but he soon discovered a profound love for his students and they responded back to him with commitment and devotion. This is the best flattery a law professor can receive. In fact, I have gotten to know many members of what I have come to call The Stan Herr Fan Club. One of his students Patricia Williams, who graduated almost a decade ago recently wrote a song for Stan appropriately entitled “Pursuing Justice.” Her words and her voice gave Stan so much pride and comfort as we listened together when I visited Stan in the hospital last week. David Mitchell, the head honcho for the Maryland State police shared with me, with tears in his eyes, his feelings that Stan had changed his life. David now chairs the Special Olympics for the State of Maryland.

Stan insisted his students see the human face of their advocacy work. He inspired countless numbers of young lawyers, many who are with us today, to take up the cause, to get personally involved in the community and to make time for pro bono service.

The grace and courage with which Stan faced his final illness was a further example of the way he lived his life. To the very end, he was arranging conferences and programs — taking control to make sure they were done just right. Yesterday we held a workshop at the law school on Stan’s most recent work on reforming disability non-discrimination laws. It was Stan’s goal to participate but, as fate would have it, Stan was not with us in person, but his presence was very much felt as his professional colleagues and friends spent the day praising and critiquing his work.

Though his time with us was far too short, Stan accomplished more in his 56 years than most people could in two lifetimes. Stan’s lasting legacy to the School of Law is a new generation of lawyers inspired by a man who never gave up fighting for those who could not be heard. While we are deeply saddened by our loss, we can be grate-

ful that our way will continue to be guided by his ideas and his commitment to social justice.

Let me conclude with the words of Rabbi Harold S. Kushner, from his recent book "Living a Life That Matters." Perhaps his words will help us to better understand Stan's drive and passion. "It is not the prospect of death that frightens most people. People can accept the inescapable fact of mortality. What frightens them more is the dread of insignificance, the notion that we will be born and live and one day die and none of it will matter. People understand that the story of their lives has to have a beginning, a middle, and an end. But what they desperately want is to live long enough to get it right, to feel that they have done something worthwhile with their lives, however long." Stan Herr got it right.