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In Memoriam: John M. Sheffey, Jr. 1946-1985

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[T]hat best portion of a good man's life,
His little, nameless, unremembered, acts of
Kindness and of love.

—William Wordsworth

*Lines: Composed a Few Miles Above
Tintern Abbey*

In Memoriam

John M. Sheffey, Jr.

1946-1985

John Sheffey, Professor of Law and Associate Dean of the Law School, died on December 18, 1985. A review of John's record in terms of professional background and accomplishments reveals clearly the severe blow the Law School suffered from his premature passing. Those of us who had the opportunity to know him well — to appreciate him as a teacher, scholar, colleague and friend — realize that the formal record reveals only the tip of the iceberg of a unique and valuable man.

John was reared in Westfield, New Jersey, near New York City. His mother still lives in Westfield. His father practiced law in New York for many years, and John Sr.'s career as a lawyer probably influenced his son in that direction.

A fact unknown to many of us until recently is that John was an excellent actor in high school. He played the lead in several productions, and was president of Mask and Mime, the high school drama club. He was advised that he had sufficient talent that he could pursue a professional acting career. As things turned out, of course, some would say (thinking that all law professors are part "ham") that he came rather close to an acting career in his actual choice of professions.

John's most valuable nonacademic activity while in high school, however, must have been the Methodist youth group, of which he also was president. There, at the age of sixteen, he met a fifteen-year-old girl named Kathryn McGregor. For all practical purposes, neither of them ever dated anyone else, and seven years later, after John's first year of law school, they added "Sheffey" to her name.

John attended undergraduate school at Randolph-Macon College in Ashland, Virginia, where he compiled an excellent academic record while serving as president of Phi Delta Theta social fraternity. In Little Rock, each fall witnessed a small bet between John and Max Brantley, husband of Professor Ellen Brantley and an alumnus of Randolph-Ma-

con's nearby rival, Washington & Lee. Both couples gathered in Little Rock to enjoy the game, and one year I was invited as well. It turned out to be a most civilized way to follow a football game. Since ABC had spurned the Randolph-Macon/Washington & Lee showdown in favor of some trivial contest such as Texas/Oklahoma, and since science had yet to develop the radio which could pick up the broadcast of the R-M/W & L game in Arkansas, we sat on the Sheffey's deck and drank beer, and every half hour or so placed a long distance call to the press box in Ashland to check on the progress of the game. None of us criticized a referee's call all afternoon.

John's legal education and law practice took place in Chicago. He was a *cum laude* graduate of Northwestern Law School, and served as a member of the editorial board of the *Law Review*. He then was associated with the prestigious firm of Lord, Bissell & Brook, where he specialized in the regulatory problems of insurance companies. (Lloyd's was the most glamorous client, and officials frequently flew in from London for consultation with their American lawyers.) John's years in Chicago served him well in Arkansas. He brought not only excellent legal education and experience, but a keen appreciation for Arkansas weather. In fact, he confessed to a degree of perverse pleasure in hearing reports of a new snowstorm hitting Chicago on a day when Little Rock's temperature was about sixty degrees.

John joined the Law School faculty in 1978. Even as a beginning law teacher John was "a natural," according to Bob Walsh, who was then Dean. He was well liked by students notwithstanding his demanding standards, and even though he specialized in courses such as Securities Regulation, Corporations and Insurance. Usually employing the Socratic method, he was noted for his dry wit in the classroom.

He certainly did not forget his wit when he left the classroom. His sense of humor, and his enjoyment of the humor in other people, were part of his enormous charm, and part of the reason his company was so pleasurable. I remember Professor Fred Peel explaining to John and me that sweat bees would sometimes be stuck on the surface of the water in his swimming pool, and that if he happened to notice he would sometimes let them dry off on the tip of his finger, enabling them to fly away. Since the insects did not understand what had happened, Fred continued, as to them it must have seemed an act of God. John turned to me and said: "I knew Fred had a big ego, but I didn't realize it had gone this far." I never recall John telling a joke as such, yet he continually animated any gathering, from a faculty meeting to a poker game, with his rich sense of humor.

John had the self-confidence to do things he did not do well. He was a perfect tennis opponent for me, because we were at the same (low) level of ability, one at which few grown men would own a racket, let alone play during daylight hours. He loved to go to Lake Ouachita on water skiing expeditions, even after he had decided that his personal forte lay in driving the boat rather than skiing.

John's first cancer operation was in early 1983, and from late 1983 to his death he was regularly receiving treatment. It was inspiring, and also very sad, to see him courageously continue to discharge his duties, almost to the end. Indeed, much of John's best work came after the onset of his illness. Always a prolific writer, before 1983 he produced scholarly articles for the *Florida State University Law Review*, *Forum* and the *Notre Dame Lawyer* in addition to his practice-oriented "A Securities Law Primer for the General Practitioner," which appeared in the *Arkansas Lawyer*. In 1983, John not only started his fight against cancer but took on the demanding position of Associate Dean. Already tenured, he could afford not to write, and either his health or his new administrative responsibilities could have served as justification for letting his other duties slide. Yet he not only continued his excellent teaching and a more than full portion of committee work, but authored two sections of the "Annual Review of Federal Securities Regulation," which appeared in *Business Lawyer*, and in 1985 published what was probably the best received of all his articles, "The Constitutionality of State Insurance Takeover Statutes: An Unfortunate But Not Necessarily Final Result." Originally appearing in the *Minnesota Law Review*, the latter article was reprinted in the *National Insurance Law Review* and selected for publication in full text by Westlaw. He was already quite ill when he started his final article, "Judicial Activism in the Enforcement and Interpretation of the Federal Securities Laws," which is published posthumously in this issue of the *UALR Law Journal*.

Throughout 1984 and 1985, he donated one Saturday morning each month for presentations to prospective businessmen under the auspices of the UALR Small Business Development Center.

In the last three years of his life, John became a driving force in the Pulaski County Humane Society. He was a member of the Board of Directors and chairman of the legal advisory and financial committees. He appeared before the Pulaski County Quorum Court and obtained public financial support for the organization. He arranged a program under which, for the first time, a large number of local veterinarians donated services to the Humane Society. Most important, he chaired the Shelter Committee, which required supervision of Hu-

mane Society employees and other involvement in Society activities on a daily, if not hourly, basis. In the words of Julie Bumpas, the Society's president, "John ran the organization." In 1984, the Society recognized John with the Humanitarian Award, the only such award it had given in its forty-year history.

Throughout his painful illness, John never complained, never wavered in his unfailing courtesy, never even lost his sense of humor. And, despite his tremendous professional accomplishments, John always had time for others — time for his son Danny's football games, for the continual stream of students (whom he treated fairly and courteously, even if he denied their petitions), for problems at the Humane Society shelter, and (most important for me) for friends who dropped by to talk about problems or ideas, or just to talk.

John has enormously enriched his family, friends, community, colleagues, students and this Law School. He will be sorely missed.

Philip D. Oliver
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