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A Tribute to Rex Perschbacher: Leader, Scholar, Mentor, Friend

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It is with deep sadness that I write this tribute to Dean and Daniel J. Dykstra Professor of Law Emeritus Rex Perschbacher. The UC Davis School of Law has lost a great leader who helped build a law school exemplified by a unique combination of diversity, excellence, and community. The loss is also deeply personal. I have lost a dear friend (and friend of my family), mentor, and the person to whom I owe my entire academic career.

After a career as a well-known scholar and dedicated teacher, Rex Perschbacher served as Associate Dean and Dean for fifteen years. Just from 2001 to 2008, he oversaw the hiring of fifteen faculty members, including seven minorities and nine women. In transforming the faculty, Rex had a clear vision of the excellent institution that he wanted to make great. Although the improvement and renovation to Martin Luther King, Jr. Hall was one of his enduring legacies (indeed, I have no doubt that the project never would have been without his enthusiasm and hard work in making it happen), his crowning achievement was laying the groundwork for a truly diverse faculty known for excellence and community. It was Rex who as Associate Dean and Dean pushed, and then pushed more, for the faculty to consider seriously women and minority candidates. He appointed me

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as Associate Dean in no small part to work regularly with the faculty appointments committee as well as on the admissions process (another place where diversity and excellence were his highest priorities). In an era when most law school deans in hopes of moving up in the *U.S. News & World Report* rankings sacrificed diversity to increase the median Law School Admissions Test score, Rex's principled stance was a rarity. Because of his efforts, UC Davis School of Law eventually emerged as a majority-minority faculty, an amazing achievement in modern legal education.¹

Rex never pursued diversity simply for diversity's sake. He was a scholar and firmly committed to scholarship.² But Rex knew in his heart of hearts that diversity and excellence go hand-in-hand. As Associate Dean and Dean, he led nothing less than an intellectual renaissance at the law school, promoting faculty workshops, supporting cutting-edge scholarship and conferences,³ offering moral support to scholars, young and senior, and much more. The School of Law's scholarly reputation skyrocketed under his leadership and today the faculty is consistently ranked in the country's top twenty-five.⁴ At the same time, Rex championed students and, for example, told the Board of Regents of the University of California that raising law student fees was contrary to the principles of inclusiveness and access for which a great public university stood.

So far, my focus has been on the loss of an institutional leader, but I cannot underestimate my personal loss with Rex's passing. I have lost a mentor and dear friend. A civil procedure professor beloved by the students, Rex offered invaluable guidance to this new, and inexperienced, civil procedure professor. He chaired my tenure committee. He asked me to serve as Associate Dean. He helped me join the board of directors of Legal Services of Northern California, the

¹ See Kevin R. Johnson, *How We Became a Majority-Minority Faculty*, CHRON. HIGHER ED. (July 24, 2016), <https://www.chronicle.com/article/HowWhy-We-Built-a/237213>.

² See, e.g., Rex R. Perschbacher & Debra Lyn Bassett, *The End of Law*, 84 B.U. L. REV. 1 (2004); Rex R. Perschbacher, *Minimum Contacts Reapplied: Mr. Justice Brennan Has It His Way in Burger King v. Rudzewicz*, 1986 ARIZ. ST. L.J. 585 (1986).

³ See, e.g., Dean Rex Perschbacher, *Welcoming Remarks for LatCrit IV*, 33 UC DAVIS L. REV. 751 (2000); Rex R. Perschbacher, *Foreword: Fifty Years of International Shoe: The Past and Future of Personal Jurisdiction*, 28 U.C. DAVIS L. REV. 513 (1995).

⁴ In the latest *U.S. News & World Report* rankings, UC Davis School of Law was ranked 21 by law faculty and deans. See Paul Caron, *2019 U.S. News Law School Peer Reputation Rankings (And Overall Rankings)*, TAXPROF BLOG (Mar. 20, 2018), http://taxprof.typepad.com/taxprof_blog/2018/03/2019-us-news-law-school-peer-reputation-rankings-and-overall-rankings.html.

largest legal services provider in Northern California. He smoothed the way for me to become a member of the American Bar Association Accreditation Committee, on which he had served. He nominated me for an endowed chair. He had insights that helped my scholarship and understood my first book⁵ like few others did.

Rex became my friend and dedicated mentor, but we were opposites in many respects. He went to Stanford. I went to UC Berkeley. He liked the San Francisco Giants. I grew up listening to Vin Scully and rooting for the Los Angeles Dodgers. He was from the Midwest; I'm from Los Angeles. Rex's deep respect for people and his enduring commitment to social justice, and his just plain goodness, allowed me to overlook the "flaws" of his sports teams and our other differences.

In his last years, we played golf weekly. I only learned to "play" — a word that I use loosely here — golf so that I could be on Rex's team in the annual King Hall Legal Foundation's Steve Boutin Invitational Golf Tournament, which raises money for public interest fellowships for law students.⁶ Rex was a skilled and patient golfer, my exact opposite. Still, the weekly golf gave us a few hours a week to catch up on politics (I quickly learned to avoid any mention of President Trump), sports, the law school, and our families. I will forever cherish those moments.

Rex spent time with my family. For many seasons, my son Tomás enjoyed watching UC Davis Aggie football with Rex at Toomey Field. We also attended some memorable Green Bay Packer/San Francisco 49er games, including one in the pouring rain, at Candlestick Park. My son, now a Cal alum, followed Green Bay Packer quarterback, and former Cal star, Aaron Rodgers. Originally from the Chicago area, Rex had a classic Green Bay Packer pennant that had been his father's. Rex gave that pennant to Tomás and it now can be seen hanging prominently on the wall of the living room in his apartment in Los Angeles.

My daughters, Teresa and Elena, still remember years ago visiting Rex, who enjoyed celebrating Independence Day, and watching the July fourth parade near his home in East Sacramento. In their young eyes, Rex's dog Buster was the star of the day. They remember vividly Rex's kindness as well as his love for Buster. Not that many years later,

⁵ KEVIN R. JOHNSON, *HOW DID YOU GET TO BE MEXICAN? A WHITE/BROWN MAN'S SEARCH FOR IDENTITY* (1999).

⁶ See *2016 Boutin Golf Tournament Benefiting KHLF*, UC DAVIS SCHOOL OF LAW DEAN'S BLOG (Oct. 12, 2016), <https://law.ucdavis.edu/blogs/deans/posts/2016-boutin-golf-tournament-benefitting-khlf.html>.

my daughters prevailed on us to adopt a small, loveable dog. Our family talked about Rex's impacts on us all on the day that he left us.

I planned to visit Rex on the Saturday morning that he passed away. That morning, Debbie Bassett, his devoted wife who cared for Rex as he slowly and painfully declined, called to tell me the news. I instantly regretted all that I had not told him about how he had made all the difference in my life as well as for how he transformed UC Davis School of Law. In these brief words, I have attempted to convey to, among others, his wife Debbie Bassett and daughters Julie and Nancy, just how much he meant to me as well as to *his* Law School. Although I have not done him justice, as Rex would kindly understand, I have done my best.