

Seattle University School of Law Digital Commons

Faculty Scholarship

1-1-2012

Tribute to Professor Thomas J. Holdych

Annette E. Clark

Follow this and additional works at: <https://digitalcommons.law.seattleu.edu/faculty>



Part of the [Legal Education Commons](#)

Recommended Citation

Annette E. Clark, Tribute to Professor Thomas J. Holdych, 35 *SEATTLE U. L. REV.* v. (2012).
<https://digitalcommons.law.seattleu.edu/faculty/179>

This Article is brought to you for free and open access by Seattle University School of Law Digital Commons. It has been accepted for inclusion in Faculty Scholarship by an authorized administrator of Seattle University School of Law Digital Commons. For more information, please contact coteconor@seattleu.edu.

Tribute to Professor Thomas J. Holdych

*Annette Clark**

Tom Holdych was my teacher, mentor, colleague, and friend.

He was my Contracts professor in my first year of law school, Section A, and we met for Contracts class every Monday, Wednesday, and Friday at 9:00 a.m. At first I thought that Professor Holdych was the University of Puget Sound's (UPS) version of Professor Kingsfield from *The Paper Chase*, but I was only half right. Professor Holdych had Kingsfield's encyclopedic memory and command of the law, and he would fix his students with that same unflinching stare as we stumbled around, trying to find our way through the Socratic thicket of contract law. We all soon learned, however, that unlike the humorless Kingsfield, Professor Holdych had a witty, dry sense of humor. His nickname among his students was "Spike," and although he would never admit it, I think he enjoyed the fact that we didn't always take him too seriously. If you talk to anyone who had Professor Holdych as a teacher, the common refrain is that we all worked harder in his courses than in any other and learned more than we ever thought possible. Professor Holdych was demanding, but he genuinely cared about his students, and none of us wanted to disappoint him. One of the hardest transitions I had to make as I moved from being a student at UPS to being a member of the faculty was learning to call Professor Holdych "Tom." I was eventually able to do it, helped along as we became friends, but he is "Professor" Holdych in my heart because his teaching and mentoring helped set me on my own road to becoming a professor.

Tom was always a bit of a paradox. He eschewed vague notions of generalized fairness and justice in the law, sticking close to the language of the contracts cases and the Uniform Commercial Code, using traditional interpretative and construction methods, and law and economics theory to determine the "correct" results. Similarly, he lived his life within the rules that he laid down for himself, guided by the word of God, always holding himself to the same high expectations that he held for his students and his colleagues. But unlike his unstinting view of how the law should be interpreted and applied, Tom's life and his actions were leavened by notions of justice, fairness, mercy, and forgiveness. The very concepts that he rejected in the law, he applied liberally in his own life. The example that always stands out in my mind is the number of times

* Dean of Saint Louis University School of Law.

over the years that he and his family made the drive from Gig Harbor to the Washington State Penitentiary in Walla Walla to minister to one of the death-row inmates there. Tom never trumpeted his acts of generosity and kindness; he didn't write self-serving law review articles entitled *The Law Professor Goes to Prison*. He just lived his life in service of others.

I was at Mass recently, listening to that particular Sunday's gospel reading, which was Matthew 20:1-16—the parable of the workers in the vineyard. It's the narrative of the landowner who hires workers throughout the day to work in his vineyard. At the conclusion of the day, the workers step forward to receive their pay, and the landowner pays them each the same day-laborer daily wage, regardless of whether they worked the entire day or only began work an hour before the day ended. When the workers who were hired early in the day complained, the landowner responded:

I am not being unfair to you, friend. Didn't you agree to work for a denarius? Take your pay and go. I want to give the one who was hired last the same as I gave you. Don't I have the right to do what I want with my own money? Or are you envious because I am generous?²

The parable then concludes with one of the most well-known verses in the New Testament: “So the last will be first, and the first will be last.”³

Anyone who knew Tom Holdych will understand why this verse made me think of him. It's all there in the landowner: the wisdom, the integrity, the Socratic questioning, the precise analytical reasoning, the confidence in knowing what is right, and the quiet commitment to doing it. Tom's life was far too short and pain-filled. I wish I had told him when he was alive how much I valued his wisdom and guidance as I tried to navigate the course of my own personal and professional life. At his retirement party, I shared that the word that comes to mind when I think of Tom is “constancy.” Tom was constant in the quality and rigor of his teaching and scholarship, constant in his dedication to his students and their learning, constant in his commitment to living a life of faith, constant in his love for Carolyn and his sons, constant in his devotion to his church and friends, and constant in doing God's work on Earth. Mine was but one of thousands of lives he touched, but I am grateful to have known Professor Thomas J. Holdych.

2. *Matthew* 20:1-16 (New International Version).

3. *Id.*