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TRIBUTES

AN IDEAL COLLEAGUE

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AT the end of the 2009–10 academic year, Professor Lillian BeVier retired after forty years in law teaching, of which thirty-seven were at the University of Virginia School of Law. It makes me nervous to contemplate the Law School faculty without Lillian because there is no one who better embodies what is most admirable about the culture of this wonderful institution: the combination of intellectual toughness with personal warmth and civility; the deep dedication to preparing our students for success in their careers and lives; a belief in research and teaching as a collective mission; the insistence on putting institutional interests before personal preferences. Simply put, Lillian was an ideal colleague.

She is also a remarkable person. The story of Lillian's professional life is one of avoiding the familiar and comfortable at every turn in favor of the challenging and unconventional. Lillian was at the leading edge of the first generation of women to attend law school in more than minimal numbers. After graduating from Smith College, she attended Stanford Law School as one of five women in her class. Lillian was an outstanding student there, serving on the managing board of the law review and being elected to the Order of the Coif.

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After a few years in practice, Lillian asked former professors for career advice and they suggested she try teaching. She took the advice and began her teaching career at the University of Santa Clara Law School. It will surprise none of her former students here to learn that she was a huge hit with the students at Santa Clara. Lillian even makes a cameo appearance as the demanding but kind professor in a biography of one of her former students, B.T. Collins, a disabled Vietnam veteran who later served in the California legislature and in administrative posts under Governor Jerry Brown.¹

The University of Virginia invited Lillian to spend the 1973–74 academic year as a visiting professor, the standard precursor to a permanent move. Despite her strong ties to California, she once again showed her remarkable appetite for new adventures. Lillian relished the challenge of meeting the demanding scholarly standards of one of the nation's top law schools—and meet them she did, receiving and accepting an offer to join the faculty permanently and ultimately becoming the first tenured female professor in the Law School's history.

Lillian promptly established herself as a thoughtful and innovative First Amendment scholar. Her early work ranged over the most hotly contested issues in First Amendment law, including the constitutional status of non-political speech, indirect restraints on religious practice, and press access to criminal trials.² She also became one of the country's foremost experts on the application of the First Amendment to campaign finance regulation. She is a consistent and prominent defender of the proposition that the First Amendment puts substantial restrictions on Congress's ability to

¹ Maureen Collins Baker, *Outrageous Hero: The B.T. Collins Story* (2008).

² See Lillian R. BeVier, *The Free Exercise Clause: A View from the Public Forum*, in *Symposium: Religion and the State*, 27 *Wm. & Mary L. Rev.* 963 (1986); Lillian R. BeVier, *Like Mackerel in the Moonlight: Some Reflections on Richmond Newspapers*, 10 *Hofstra L. Rev.* 311 (1982); Lillian R. BeVier, *An Informed Public, and Informing Press: The Search for a Constitutional Principle*, 68 *Cal. L. Rev.* 482 (1980); Lillian R. BeVier, *The First Amendment and Political Speech: An Inquiry into the Substance and Limits of Principle*, 30 *Stan. L. Rev.* 299 (1978).

regulate campaign finance,³ a view that the Supreme Court has come closer to in the *Citizens United* case.⁴

At the same time, she became one of the Law School's legendary teachers. The extraordinary affection her students have for her is decidedly not the product of a lax, undemanding classroom environment. She had a well-deserved reputation as a demanding cold-caller who pushed students to get beyond the superficial answer. Nevertheless, her teaching was so generous—so clearly focused on making the *student* rather than the professor look good—that her students gladly came back for more.

Lillian's other contributions to the Law School, the Charlottesville community, the Commonwealth, and the nation would almost constitute a full-time job by themselves. Lillian, perhaps more than anyone I've met, lives the idea that our talents are there to be used in the service of the many communities of which we are a part.

Here at the Law School, Lillian offered her time and hospitality to a wide range of student groups. She has been closely connected to the Federalist Society and serves on its national board. She was a mentor to generations of students, advising and assisting them with clerkships, law firm jobs, and public service posts. Lillian also served the Charlottesville community in ways large and small, from reading with students at a local elementary school to serving on the board of Martha Jefferson Hospital and the Martha Jefferson Health Services Corporation and on the board of Piedmont Court-Appointed Special Advocates.

Lillian's talents have been widely recognized outside the Law School. In 1991, President Bush nominated her for a seat on the Fourth Circuit. Unfortunately for the federal judiciary but fortunately for two decades' worth of Virginia students, with an election looming the Senate Judiciary Committee took no action on her nomination. The second President Bush appointed her to the Board of Directors of the Legal Services Corporation, the nation's largest provider of civil legal services for the poor. She served on the board from 2003 until 2009.

³ See Lillian R. BeVier, *Hands Off the Political Process*, 10 Harv. J.L. & Pub. Pol'y 11 (1987); Lillian R. BeVier, *Money and Politics: A Perspective on the First Amendment and Campaign Finance Reform*, 73 Cal. L. Rev. 1045 (1985).

⁴ *Citizens United v. Fed. Election Comm'n*, 558 U.S. 50 (2010).

But as anyone on the Virginia faculty would attest, cataloging Lillian's many accomplishments does not accurately describe what she has meant to the Law School. It is Lillian BeVier the colleague, mentor, advisor, and friend we will miss. She cannot be replaced; we can only do our best to live up to the extraordinary example she set for us.