IN MEMORIAM
ROBERT O. DAWSON

Professor Robert O. Dawson, holder of the Bryant Smith Chair in Law at The University Of Texas School Of Law, died on February 26, 2005, at the age of 65. This inspiring, beloved, and transformative teacher and scholar passed away at his home in Fentress, Texas, surrounded by family, colleagues, friends, and neighbors who had supported him during a long and gallant fight with cancer over many years. His wife Jan, and daughters Katherine Irene and Julie Ann, of Austin, and an older brother, William, of Mesa, Arizona, survive him.

Bob’s untimely death evoked many spontaneous expressions of grief from staff, students, and faculty. One colleague, Guy Wellborn, gave eloquent expression to the community’s feelings:

He was a man; take him for all in all, I shall not look upon his like again.

Hamlet’s words about his father keep returning in my thoughts as I weep today. Even though Bob was only a few years my senior, my love, admiration, and profound respect for him were always, and remain, like those of a son for a father who also happened to be a great man. I know there are many others who feel the same way. As Bill [Powers] puts it so well, he was the consummate, complete law professor. No one in our profession as far as I know, has been his equal when you add up the whole package. He did it all, so well, so much, so long. Nothing we do as an institution to honor him can ever really match the contributions Bob made to us, the profession, to the state, to his thousands of fortunate students. But it is important that we memorialize Bob as best we can. He was simply the best and we must say so...

I. The Early Years

Bob Dawson was born in St. Louis in 1939, but when he was nine his parents moved him to a farm partly-owned by his mother and located near Vandalia, a small farming town in Northwestern Missouri. Bob was quite open regarding his resentment as a child about being taken from the bright lights of the big city to the rural life which, at that time, held no delights for him. He reflected on the profound changes in his values so that in his later years he was devoted to life on the horse farm he shared with Jan near Fentress despite the lengthy daily commute to Austin. He now found enormous satisfaction in the challenges of farm maintenance and the rewards of close rural friendships and their accompanying interdependence.

But as a young man, Bob eagerly left the farm for college at the University of Missouri-Columbia where he graduated Phi Beta Kappa in 1960. He then attended law school at Washington University in St. Louis where he caught the attention of his first year criminal law teacher who asked him to help with research. This request resulted in a long association which moved him to shift his career goals from becoming a criminal defense lawyer to becoming a law teacher.
He earned an L.L.B from Washington in 1963, where he graduated as a member of the Order of the Coif. He then pursued graduate work at the University of Wisconsin and earned a S.J.D. in 1969. He served as an assistant and then associate professor of law at Washington University from 1964-67.

II. The Years at Texas

A. Transforming the Curriculum
Bob came to UT in 1967 as a visitor. The law school’s great dean, Page Keeton, was engaged in a major criminal law reform effort, a multi-year project of the State Bar of Texas to update the law which culminated in the enactment of the Texas Penal Code in 1973. With Page Keeton’s famous eye for talent, Bob’s visit quickly became a permanent appointment as professor in 1968 followed by service as a reporter on the Penal Code Revision Project from 1969-1973. Significantly, he also served during that same period as the Academic Advisor to the Texas Family Code Project.

In 1969 the law school received a large Ford Foundation grant which was dedicated to the improvement of the teaching of criminal law. Page, much impressed by Bob, asked him to take the lead in designing how best to use the Ford grant. Bob did so and what emerged was The University of Texas Criminal Justice Project which operated for eleven years and which Bob directed for about half of its existence. The project was among the most innovative law school learning experiences ever devised. Students spent a full year in the project. The year began with a spring seminar devoted to doing research on legal doctrines and theories of criminal law and administration. This was followed by a modestly paid summer internship with some component of the criminal justice system located throughout the nation although mainly in Texas. During the summer, the students conducted empirical research on an aspect of their offices’ operations. Members of the criminal law faculty supervised this research through written weekly exchanges of correspondence and one or two personal visits to the interns. Many of these visits were made by Bob at the helm of a small plane, having recently been licensed as a pilot. In the fall, the student would complete a major paper based on the summer research. With his design and direction of the Criminal Justice Project, Bob emerged as a pioneer in recognizing the value of empirical work and its use as an educational tool. Before the grant was exhausted, many faculty participated as supervisors and scores of students served as interns, and it was generally thought an exceptionally rewarding experience for all involved. Bob deserved the lion’s share of the credit. But, in an environment in which primal donas are not unknown, Bob, true to his character, did not seek nor need public recognition for this exceptional achievement.

Bob was the earliest clinician among our tenured faculty. Having never practiced law, he sought and received a year’s leave in 1972–73, which he spent as a staff attorney with the Public Defender Service for the District of Columbia to learn the skills of a trial lawyer. On his return, he created The University of Texas Criminal Defense Clinic, in 1974, which he directed until 1998. That clinic has been the model for a dozen of other clinics that followed, and Bob was undoubtedly the crucial figure in the transformation of our curriculum by encouraging, inspiring, and training a host of other clinicians to prepare students for the challenges of representing real clients facing real legal problems. The Criminal Defense Clinic which he then created remains our premier clinical offering, as measured by student demand for admission.

His curricular innovations continued until almost the very end of his life. After finally leaving as director of the Criminal Defense Clinic, he, together with two long-time clinical colleagues, William P. Allison and David A. Sheppard, founded the Texas Center for Actual Innocence. In addition, they created the Actual Innocence Clinic to give students, under faculty supervision, the opportunity to establish that carefully selected clients had, in fact, been wrongly convicted. The very day of Bob’s passing, one of our largest law student organizations, Texas Law Fellowships, formally named Bob, along with his co-instructors and their students, as recipients of its 2005 Public Interest Award for the groundbreaking work done by the center and clinic. Bob knew of this honor, but again his pleasure came from the enormous improvement in the education available to our students rather than any accolades directed at his giant contributions to this end.
B. Service to the State

Of all of Bob’s exceptional contributions as a member of our faculty, the most distinctive was the role he played for almost three decades in the development of one of our nation’s most advanced and respected systems of juvenile justice. Although the law faculty has been justly-proud of the contributions of many faculty to the ongoing processes of improving the substantive and procedural laws of the state and nation, Bob’s decisive impact on the design and substance of the Texas Juvenile Justice Code was unique. His interest in this area began early in his career, and his expertise had already been recognized by his appointment in 1971 as reporter for the ABA-IJA Juvenile Justice Standards Project, Volume on Adjudication; he retained this position until 1977. He was the principal draftsman of Title 3 of the Texas Family Code (delinquent children and children in need of supervision) which was enacted in 1973 and was the first codification of juvenile law in Texas. This was followed by his serving as the major draftsman of juvenile legislation enacted in 1987, 1995, 1997, 1999, and 2001. The most significant of all of these efforts was the 1995 Juvenile Justice Code revision. Bob was able to achieve enormous improvements in the law because of a close working relationship with Representative Toby Goodman of Arlington who, as chair of the House Committee, authored the bill that was enacted in partial response to the public outcry over a flood of juvenile crime. With regard to Bob’s contributions to the juvenile justice system, Representative Goodman has said:

He is probably the single most important factor in the lives of children in Texas. The Juvenile Code…is patterned across the nation. This created a comprehensive juvenile system addressing causes and prevention, not just punishment.

He’s the mastermind. Any legislation I carried, he wrote.

The good Lord only knows how many kids he saved.

Bob not only drafted the legislation and worked with Representative Goodman on the floor of the House in evaluating proposed amendments, he was tireless in publicizing the significance of new legislation and explicating its meaning to those who actually had to operate the juvenile justice system. He served as editor of the State Bar of Texas Juvenile Law Newsletter from 1987 to his death; spoke at innumerable meetings of judges, probation officers, members of the Youth Commission, prosecutors, and defense attorneys; and tirelessly responded to questions by phone, e-mail, and personal visits from those seeking learned explanations. The extraordinary appreciation with which Bob’s efforts were received was demonstrated in many ways since his death. The Juvenile Justice Law Section of the State Bar has named its annual conference the Robert O. Dawson Juvenile Law Institute. The Texas House and Senate passed resolutions in his memory. However, the most significant and moving tribute was the role played by the Texas Juvenile Probation Commission in the preparation for and participation in his memorial service on April 2, 2005, when hundreds of members of that community attended to pay their last respects to a trusted friend and servant.

C. Scholar and Teacher

Bob was an enormously productive scholar whose work reflected his empirical bent, his great care, and his capacity for creative synthesis. He published the first of his many law review articles in 1964, when he and his former criminal law teacher, Frank Miller, authored a paper on the role of preliminary examination in criminal procedure. This article was based on Bob’s work with the American Bar Foundation’s ambitious empirical study of the actual functioning of the criminal justice system. In 1969, he published his first book, Sentencing: The Decision as to Type, Length, and Conditions of Sentence, which presented and analyzed the study’s research material on criminal sentencing.

In 1971, Bob and three coauthors published an innovative course book, Criminal Justice Administration and Related Processes. These materials were also published in several smaller units dealing specifically with the following topics: police investigation, criminal trial, mental health system, and juvenile court law. The core material of this first course book was revised periodically for six subsequent editions, the last published in 2000.

Bob compiled teaching materials for a new course in Texas Criminal Procedure. With his colleague, George Dix, he published these materials in 1984 as a course book. His initial course developed into two courses on the subject, which are still taught using updated versions of the materials he originally compiled. In addition, Bob
and George Dix published a four-volume text, *Texas Criminal Practice and Procedure* that dealt comprehensively with Texas criminal procedure law. This was succeeded by a second six-volume edition in 2001. Both editions were updated yearly by extensive supplements.

His devotion to the juvenile justice system, and Texas juvenile law in particular, was reflected in his book, *Texas Juvenile Law*. The first edition was published in 1984, and Bob revised it periodically until the sixth edition in 2004.


Relatively late in life, inspired by the special interests of his wife, Jan, a noted equestrienne and trainer and a 1988 graduate of the law school, he developed together with her, a national expertise in equine law. Their much-consulted Web site is hosted by the Tarlton Law Library.

Bob was a devoted teacher who commanded both the respect and affection of his students. He continued to meet his class despite the awful toll his disease took of him almost to the very end. During those final months, he told friends, “I have cancer 23 hours a day but not the hour that I am teaching.” He was a demanding teacher in the best traditions of the Socratic Method, but he was always concerned about communicating to each of his students his own deep commitment to the law and to the importance of its role as the crucial bulwark of the freedoms which help to define our society and nation.

### III. Final Reflections on the Man and Colleague

Bob fulfilled every task set for our faculty more completely than any other colleague we have had the privilege to know. But there is something very special about his career that must be stressed. The University asserts that its core purpose is “to transform lives for the benefit of society.” Bob’s career embodied that goal through thirty seven years of unbroken creativity. He was crucial to the transformation of our curriculum and to the transformation of the juvenile justice system of our state. And, he did this all with such grace, and good humor, and a happy willingness to share credit with all those who also labored at the oars.

Bob lived so fully, achieved so greatly, and fulfilled all that was asked of him. In the end, those of us who were with him during the last years were awed by his courage throughout. His parting became him as much as his life had. He was a model to us all, but it was for much more than his courage; it was the zest with which he seized and used the days remaining.

This memorial resolution was prepared by a special committee consisting of Professors M. Michael Sharlot (chair), George Dix, and Bill Allison.

Distributed to the dean of the School of Law, the executive vice president and provost, and the president on August 26, 2005. Copies are available on request from the Office of the General Faculty, WMB 2.102, F9500. This resolution is posted under "Memorials" at: [http://www.utexas.edu/faculty/council/](http://www.utexas.edu/faculty/council/).