I first met John Regan at the Everson Museum in Syracuse, New York in 1975. Then teaching at the Syracuse University College of Law, I had received a grant from the New York State Office for the Aging to hold a series of conferences to train social workers and other human services personnel on the Rights of the Elderly. I had invited John to speak at the conferences, the first of which was held in Syracuse. John's presentation displayed his gift for clarity of thinking and expression, his respect for his audience and their work, and ultimately his desire to share knowledge for the betterment of those less fortunate than ourselves.

One of the last times I saw John was at a conference on Assisted Suicide I organized in Detroit in November, 1994. He spoke with his customary clarity, insight, and grace on the complex tangle of legal and ethical issues surrounding this important topic.

In the approximately 20 years between these two conferences, it was my honor and privilege to know John and to work with him. Ours was friendship separated by distance, but sustained by mutual interests. We didn't see one another often, but at conferences and professional meetings, through service on committees, and in correspondence and conversations, I came to know John well. John's is not a life summarized in a few brief paragraphs, but I will try to highlight John's contributions to "elder law," the field which he chose to devote much of his professional life, and to convey why those of us working in the field feel such a loss at his passing.

John was an engaged scholar. All of his work—his writing, teaching, lecturing, bar and other professional activities, law reform initiatives—were aspects of his effort to understand and improve the complex legal and social institutions that profoundly affect older persons.
and their families. In particular, John worked to improve the lives of the frailest and most vulnerable in our society by seeking to reform the law and practice of guardian and conservatorship, adult protective services, long-term care, and medical treatment.

**Author.** Most people met John as I did—through his writing. Beginning in the early 1970’s, continuing through the summer of his final illness, John wrote constantly. Four books, contributions to many others, more than a score of articles, in excess of 100 papers delivered at conferences and professional meetings, reports, testimony, and draft legislation at the state and Federal level, and more. For many this was their only contact with John. And of course, the true audience of John’s writing never met him, heard him speak, or even read John’s words. The human beings whose lives John’s writings were designed to improve—prospective wards, nursing homes residents, clients of lawyers, and human services professionals whose practices John’s writings influenced—were the real beneficiaries of his work.

John’s earliest influence resulted from a series of articles and a United States Senate report he wrote in the 1970’s.¹ In this work, John described, analyzed, and critiqued the complex social institutions that affect the lives of many older persons. The articles address vexingly complex questions in which important values of autonomy, beneficence, and community intersect and clash, where the lines between consent and coercion, volition and dementia are difficult to discern. John’s treatment of these issues is thorough, comprehensive, sensitive, sensible, acutely conscious of the actual effects of law and practice on the lives of fragile, vulnerable adults. The articles have a prophetic quality—in them one finds the roots of much modern legislation and all have provided the foundation for subsequent scholarship.

Of course when one thinks of John Regan as a writer, it is his monumental *Tax, Estate & Financial Planning for the Elderly* that comes most readily to mind. Published in 1985, more than 1,000 pages in length, and supplemented nineteen times in a decade, the book is rightly viewed as John’s most remarkable accomplishment and most important contribution to elder law. In it he describes and analyzes the bewildering.

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ingly broad and complex range of legal subjects that affect the lives of older clients and their families—private and public programs providing income support and financing medical care, laws governing incapacity, nursing homes, consumer concerns as well as estate planning, income and estate tax matters, and more. The late Henry Friendly once described the Medicaid portions of the Social Security Act as “almost unintelligible to the uninitiated.”\(^2\) John’s great gift and enduring contribution to lawyers serving older clients and their families was this book in which he rendered the unintelligible clear and brought understanding to the bewildered. Many “elder lawyers” practice alone or in small firms. To represent their clients adequately they need the sophisticated counsel of a senior partner—a role that John fulfilled through his book. The book’s comprehensiveness, the clarity of John’s writing (one reader compared him to John Steinbeck), the lucidity of his thinking, its combination of theoretical insights and sensible and sensitive practice suggestions make the book unique and uniquely valuable. Many have expressed their gratitude that whenever a question or problem arose they could turn to John for help.

**Founder of Elder Law.** In the preface to his book, John wrote:

> The approach of old age sometimes causes an individual to fear that he or she is losing control . . . . The individual feels at the mercy of impersonal government agencies, institutions and strangers. The practitioner can alleviate that fear of dependence and help restore self-confidence through a knowledgeable and sensitive representation of the client’s interests.\(^3\)

More than any other person, John is responsible for the existence of a large, vibrant bar providing “knowledgeable and sensitive representation” and counsel to older persons and their families. In 1975, he was appointed to the board of the recently established, federally-funded National Senior Citizens Law Center. In 1979, he was a founder and Vice Chair of the American Bar Association Commission on Legal Problems of the Elderly. In 1985, he helped organize the Aging and the Law section of the Association of American Law Schools, which he later chaired. And in the late 1980’s he began working with the National Academy of Elder Law Attorneys, later joining the Academy’s board. Of course John also was a leader of many other organizations at the state level.

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\(^2\) Friedman v. Berger, 547 F.2d 724, 727 n.7 (2d. Cir. 1976).

\(^3\) JOHN J. REGAN, Preface to TAX, ESTATE & FINANCIAL PLANNING FOR THE ELDERLY at xv (1985).
and national level, including other ABA commissions, committees of the Association of the Bar of the City of New York, and New York’s Task Force on Life and the Law.

In all of these roles, John worked tirelessly, selflessly, and effectively. Leaders of these groups remember how John consistently contributed ideas to further their work, ever available to discuss issues, to be a resource, always eager to contribute in any way. They also remember the joy he derived from this work and his remarkable openness—how in policy discussions he learned as well as taught, changing his own mind as well influencing the opinions of others. Not surprisingly, he was honored for this work, receiving the Arthur S. Flemming Award from the American Bar Association and being named a Fellow of the National Academy. The gratitude of these groups for John’s contributions was expressed well by a leader of the Academy who remarked that when John expressed his thanks to the Academy for naming him a Fellow, it was the Academy, not John Regan, that really was being honored.

Educator. John’s influence on elder law as a teacher and educator was profound. Just as he always wrote, John always taught. His performance twenty years ago in that Syracuse auditorium filled with human services professionals was repeated more than 100 times as he traveled the country speaking to social workers, doctors, nurses, judges, lawyers, and others. Aware of influence of these groups on the well-being of older persons, John discussed with them principles he believed critical—autonomy, procedural protection, and alternatives to involuntary intervention—and urged his audiences to work for changes in law and professional practice which would improve the lives of vulnerable older persons. John’s effectiveness in this work is illustrated by the comment of a participant in one of these sessions who since has become an elder lawyer, “I was so very impressed by the way he interacted with the audience, involving them in . . . problem solving while also instructing in law and policy.”

John also was an important early advocate of introducing issues resulting from an aging society into legal education. He helped organize the Aging and the Law section of the Association of American Law Schools and encouraged and assisted others to offer courses at law schools around the country. Largely due to his efforts, nearly fifty law schools now offer such courses and clinics. Sadly, John’s death has deprived us of what would have been his most lasting contribution to legal education. He, Howard Eglit (Chicago-Kent), Joan Krauskopf (Ohio State), and I had begun work on teaching materials to be published by
West Publishing Company. When he called last June to inform me of his illness, he expressed his regret that he would be unable to complete the casebook. The regret, of course, is ours. The book that will result will be diminished by not having John as a full participant.

John Regan was my friend. As important as his professional contributions, what I (and many others who knew him) remember most and shall most miss are the personal contributions he made to our lives: His delight in and devotion to his wife Maureen and his daughter Alycia; his humility and humor (his sly description of the aged as “chronologically advantaged”), his generosity, genuineness and gentleness, his optimism, the respect and courtesy he showed all with whom he came in contact. By who he was, by the way he lived and even the way he died, he touched and taught us all.

Many have commented that we lost John too early, of the sad irony that this champion of the elderly was deprived of the opportunity to experience old age. I think of the void left by his death. Of not having his wisdom and leadership in the mounting national debate on the future of Medicare and Medicaid and intergenerational equity, of the book we were unable to complete, of conversations not shared. Most of all, of lacking the pleasure of his company.

I was blessed to know John Regan well. As we who had this privilege mourn his passing, we can take comfort in what he left us, well expressed by one whose life he influenced:

I did not have the good fortune to have a personal relationship with Professor Regan . . . However, his work impacted the choices I made as I studied law and now as I practice. . . . [We] lost him too soon. But, . . . he left many disciples who will continue the work he pioneered.

Goodbye John and thank you.