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## Midtown with Monroe

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## MIDTOWN WITH MONROE\*

*James Sample\*\**

The second time that I went to law school, the classroom was a car. Campus was a daily grind of gridlock. The professor was my passenger. Professor's curriculum consisted of intellect and integrity; of laughter and love. Curricular entry points were as vast as the globe and entirely at Professor's discretion. Student was Driver. Despite persistent preparation, Student was invariably ill-equipped to be entirely alone on Socratic Island.

And yet, for Student, the education was glorious. Why? Because Professor was Monroe Freedman.

Occasionally, Professor-Student discussions proved so engaging, so engrossing, that our Driver-Passenger goals suffered inadvertent, but highly actual, detours. It is with particular sadness and joy alike that I will always remember one such occasion.

While driving east from Monroe's apartment on 38th Street, we were engaged in such a feverish debate over a judicial recusal question that we actually missed the Midtown Tunnel. Neither Driver nor Passenger realized the error until the classroom was perpendicular to a portion of campus we hadn't previously graced—the East River.

During the consequent series of ninety degree turns by blushing Driver, Professor provided levity and perspective. Laughing as much as speaking (and what a great laugh he had), he observed that while we certainly were not the first to miss a Manhattan turn, he was absolutely certain that we were the first people in New York history to miss the Midtown Tunnel due to an animated judicial recusal discussion. On the spectrum of distracted driving, texting behind the wheel is a trifle relative to driving while discussing with Monroe. I was profoundly privileged to repeatedly commit the offense.

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\* This Tribute was originally posted by Michael C. Dorf. *Midtown with Monroe (Guest Post by James Sample)*, DORF ON LAW (Feb. 28, 2015, 7:56 AM), <http://www.dorfonlaw.org/2015/02/midtown-with-monroe-guest-post-by-james.html?m=1>. The *Hofstra Law Review* has made formatting adjustments for the purposes of journal publication.

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Monroe was particularly fond of pointing out the alarming regularity with which lawyers and reporters sought our respective opinions as to the same judicial ethics controversies, and thereafter publicly memorialized our sometimes opposing conclusions. No matter what the text of such articles actually said, my anxiety-consumed mind read in them the academic analog of a *New York Post* headline: “Lightweight Disagrees with Legend! Crowd boos!”

Over time, I came to realize that Monroe, embodying the best of academe, not only did not resent, but actually relished these awkwardly-public disagreements. He mined them for their teachable potential and fresh material for his good-natured needling. As a scholar, as a lawyer, and as a colleague, Monroe was Mickey Mantle. He didn’t have to acknowledge, much less take interest in, a comparatively light-hitting minor leaguer trying to secure a roster spot. That Monroe nonetheless always took that interest says much about the man. Monroe’s massive contributions to the law have been and will be well-documented by scores of scholars, students, family, and friends.

For today, in this space, I merely say thank you. The second time that I went to law school, it lasted just a year, but the lessons, a lifetime. The professor was a giant and a gentleman. And for the rest of my days, whenever I see the Midtown Tunnel, Monroe Freedman will be on my mind.