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TRIBUTE TO PROFESSOR JOHN J. REGAN

Michael Gilfix, Esq.

I have long believed that learning and leadership are inseparable, that mastery of one’s subject is a necessary prerequisite to the wielding of true influence. Professor John J. Regan, if asked, would have agreed.

Professor Regan was the most learned national leader in the field of law and aging. His commitment to excellence was unceasing, his curiosity unbounded, his eagerness to tackle new issues inexhaustible. He was one step ahead, seeing beyond the horizon of current understanding as routinely as others accepted that horizon.

When stirred by epiphany, of which he had many, he would reflect, do the hard labor of scholarship to confirm and refine his views, and hasten to share them with the world. A new article—or perhaps a book—would spring from his prolific pen.

Indeed, his first comprehensive book on this subject was published in 1985 at a time when others were only beginning to discover the field of law and aging. Entitled *Tax, Estate & Financial Planning for the Elderly*, it addressed virtually every potentially relevant subject, including many ignored, avoided, or skirted by other, then-extant publications. It addressed tax, housing, Supplementary Security Income, trusts, health care decision-making, and other issues of unique importance to elders.

When he authored this book, he was the first. He was the first to recognize the need of practicing lawyers for useful, well-organized materials about legal issues affecting older Americans. Across this nation, there are literally thousands of attorneys who looked, and who still look to Professor Regan’s book as their primary source of information about everyday legal problems of this population. In a very real sense, there are tens or hundreds of thousands of real people—grandparents, parents, children of the “sandwich generation”—who receive quality, reliable legal advice because Professor Regan made it accessible to attorneys who had neither the time nor the resources to conduct their own research.

A true highlight of my life was that fateful day in 1990 when I received a telephone call from Professor Regan. He invited me to co-author a forms and practice book that would be a companion volume to
Tax, Estate & Financial Planning for the Elderly. I hastened to accept. When I did, I flew to New York to meet with him and the editors at Matthew Bender. Professor Regan treated me to a walking tour of Manhattan and regaled me with tales of his childhood romps through those same streets so many years before. His personal good humor and warmth were in grand form.

Working with Professor Regan was simply a wonderful experience. I was well aware of his standards, so I had no choice but to commit to excellence. I was aware of his work ethic, so I also had to commit serious time to the fulfillment of my writing obligations. I was aware of his knowledge, so I had to devote untold research hours to issues about which I was often viewed as a national expert. Without uttering a critical word, he elevated my work to the highest levels. Nothing less was acceptable.

In the five years of our collaboration, there were times when my work schedule did not allow me to finish in a timely manner. His calls were never to chasten or complain, only to ask if he could help.

I entered the field of law and aging in 1973 when, in Palo Alto, California, I founded one of the first two legal aid programs for elders in the nation. I remember looking around for books, articles, treatises, anything pertinent to my chosen field. There was but a wasteland; virtually nothing existed.

What was the exception? A law professor I never heard of, someone named John J. Regan, published an article in a 1972 issue of the William and Mary Law Review. It was entitled "Protective Services for the Elderly: Commitment, Guardianship, and Alternatives." Its mere existence—and that typically sexy title—energized me. Little did I know that this obscure author would emerge as the giant of the field of elder law.

Over the years, his contributions to the understanding of legal problems of elders have made the critical difference more than once. No one has presented more keynote speeches, papers, seminars, testimony before State and Congressional committees than Professor Regan. His publications have been as diverse as they have been abundant.

His myriad contributions were acknowledged by the National Academy of Elder Law Attorneys ("NAELA"), which elected him as one of the early Fellows of that fine Academy. He was the first law professor

to receive this honorific.

He personified personal responsibility. His participation on a public policy committee at the NAELA meant that the committee would have more information, seasoned knowledge, and energy than any other comparable committee. His perception of nascent issues meant that they would be explored, prodded, and considered until they were understood. Such issues would be developed and analyzed. Professor Regan simply saw to it.

There are countless reasons why his death was untimely. His love and commitment to his wife, Maureen, and his daughter, Alycia, lead that list. His unfinished business is also on that list.

Some two years ago, Professor Regan identified managed care and HMO’s as issues of great consequence for the older American population. He expressed concern about the economic, public policy, and quality of care issues that are now so obvious. He began his work on these perceived problems. Again, and quietly, he led us. His work would have taken months to complete.

We are all deprived of this contribution by our friend and colleague, John J. Regan. We are deprived of his intellect, his sensitive sense of humor, his impeccable brand of scholarship, and his reassuring presence.

His influence on our lives and on the lives of America’s elders is nevertheless permanent. On behalf of this population, to which he was utterly committed, I thank and acknowledge him.