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Herbert Ralph Baer

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HERBERT RALPH BAER

When, in late 1945, I returned to Chapel Hill from service in the Navy, I found that a new man had been added to the law faculty—one Herbert Ralph Baer. I suspected that I had theretofore had some minimal acquaintance with him; but, if so, the War years had obscured it. Since the law faculty, before his addition, totaled only eight, this was obviously an important event in my professional life—one at least as important as forming a new partnership in the practice.

In talking with then Dean Robert H. Wettach, I next discovered that, in the Dean's eyes, Herb Baer was better qualified than I to teach our course in Trial Practice, a course I had inherited and had taught before the war. He got the course, and for twenty-five years our students have profited greatly from Dean Wettach's perspicacity.

My third discovery was that the students (then an exceptionally mature, hard plugging lot of combat veterans, including a future Dean of the Law School, a future Chancellor at Chapel Hill, a future President of the University, and a future Governor) were tremendously impressed with Herb's knowledge, with his thorough preparation, and with his skill in the classroom. Ever since then, while appraisals of most of his colleagues have risen and fallen with rapidly changing student generations, he has consistently and rightfully been regarded by the students as a great teacher—one who employs with equal skill a variety of pedagogical techniques and fits them to the nature of the subject matter and the kind of understanding of it that a lawyer must possess. He thinks and reacts primarily as a lawyer thoroughly attuned to the insistent demands of a responsible practice.

For many years, Herb lived by the principle that a law teacher, to avoid becoming becalmed or beblinkered, should periodically take up new and challenging subjects. This led, among other things, to his venture into the teaching of Admiralty—his inclination receiving direction from the knowledge that increasingly the state's lawyers would be compelled to wade in its booby-trapped waters. The end product was his fine book, "Admiralty Law of the Supreme Court," which has justly (if ironically, since he lives where no stevedore may find work and no ship may sail) brought him world-wide renown as an Admiralty scholar.

During the last thirty years at this School, the course in Evidence

has been first mine, then Herb's, then ours, and finally shared by us with others. When in 1964 I went back to teaching Evidence (or at least to holding classes so labeled in the School's official publications), I borrowed Herb's notes and found them really marvelous. (By contrast, when, in 1949, Herb inherited *my* notes he acquired an academic horror for which the best that may be said is that they were too illegible to lead one into error.) His notes reflected a systematic, day-by-day briefing, appraisal and interpretation of all significant new developments—type-written! The notes faithfully reflect the man. He has a more thorough grasp of the principles and problems of Evidence than anyone I have known.

His writing, other than the work on Admiralty, has attracted much attention. It manifests, in a way rarely encountered, an ability to combine human interest and technical precision. And his deep commitment to School and University has been unwavering and superb.

Herb has also been the School's most peripatetic ambassador to the world at large. He is that ideal of urbanity—the experienced world traveler, complete with fluency in German, a working knowledge of French, and Swiss relatives. Wherever you are planning to go, Herb can tell you how to get there, where to stay, where to eat, and what to see. When I receive a postal card with a foreign stamp, the chances are good that it is from Herb, sent from an ABA meeting in London, the slopes of Mount Fuji, or some enchanted isle in God knows which ocean.

As lawyer, teacher, traveler, and man, his career has been aided, his pleasure enhanced, and his warm friendships enriched by the charm, grace and tact of Betty, his wife and companion since his law-student days at Harvard.

If it be true that no man is indispensable, it is not true that every man is replaceable. Though we look forward to his continued (if not continuous) presence in Chapel Hill, in the Law School as an institution Herb Baer's retirement leaves a hole.

HENRY BRANDIS, JR.