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## FAREWELL, MS. DORE

TALBOT "SANDY" D'ALEMBERTE\* & STEPHEN R. MACNAMARA\*\*

These events are kind of mileposts in the history of an institution. We've suffered a tremendous loss with Pat gone. She contributed greatly to our law school. We are going to miss her. And I'm very sorry we've passed this milepost.<sup>1</sup>

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\* President, American Bar Association; Professor of Law, Florida State University; Partner, Steel Hector & Davis; B.A., 1955, University of the South; LL.B., 1961, University of Florida.

As I read the expressions of grief, I recognize that so many other people feel the way I do about Pat Dore. I add this note to say she was the best colleague I've ever known. There are many occasions in life when circumstances bring people together and make them not only friends but colleagues, people with a shared view of life, a shared mission. In my own experience, I have known shipmates and classmates and legislative colleagues and law partners, all with whom I've shared a collegial relationship, but Pat Dore was a colleague who was very special.

Pat Dore and I knew each other and worked together long before I became dean of FSU's College of Law. She had worked with the Constitution Revision Commission in 1977 and 1978, and she was very much a friend then. When I became dean, our relationship as colleagues blossomed, and it was from Pat Dore that I learned how important collegial relationships can be.

There is in the law, particularly constitutional law, a great potential for a civilizing and unifying influence on society. Pat Dore understood this and enjoyed law, not only its technical rules, which she took pleasure in mastering, but also for developing the law's potential to make society a better place, to help citizens deal with one another, to teach government itself to govern within limits. Her passion for constitutional law and administrative law was contagious. She was a great colleague, in part because of this passion that she had for her subjects.

She brought a quality of openness and interest in others to her teaching through her collegial relationships. Pat Dore not only believed in law, she believed in teaching law. She believed her students were capable of great leadership for the betterment of society, and the roll call of her students who have become successful lawyers and political leaders shows how right she was.

It is often said the politics of law faculties is so petty because there's so little at stake. Pat Dore, who was never petty, felt much was at stake, and she communicated this in her teaching, her scholarship, and her daily commitment to the mission of law professor.

Today, many weeks after her death, I often find myself reminded of the place she occupied as my colleague. I will see one of her former students doing something worthy and I will think—I must remember to tell Pat. I will be faced with a novel question of law, or a new theory, and I will think—I want to talk to Pat about that. On one occasion recently, I was speaking to a group of lawyers and one question about the *Florida Constitution* prompted me to say to the questioner: "There is someone at FSU Law School who can answer that question." But there isn't. Pat Dore was a great colleague, and she answered many questions for me, but the biggest questions she answered were how to live your life as a law teacher, how to act out your beliefs in the law, how to be a colleague.

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1. John F. Yetter, Professor of Law, Florida State University. Professor Yetter spoke at a memorial service for Professor Dore on January 16, 1992.

ON January 16, 1992, the Florida Supreme Court opened its chamber doors for a memorial service to pay tribute to Professor Patricia Ann Dore. This gathering marked the first time the supreme court chambers had ever been used to honor someone other than a former judge or justice. The flags at the First District Court of Appeal and in front of the Florida Supreme Court were at half mast, yet another tribute to an individual who had done so much for the courts during her lifetime. She came to us from Duquesne Law School by way of the Yale graduate program. Tallahassee was her domicile, the Florida State University College of Law was her home, the faculty were her brothers and sisters, and all of her students were her children. We all gathered to pay homage to our friend, Pat Dore.

"Ms. Dore," as she liked to be called, was memorialized at this historic service by her colleagues, opponents, former and current legislators, students, and friends. Words cannot express the feeling that was in the hearts and minds of all in the audience that day. The chambers had never seen such a crowd. To say there was standing room only would imply that there was space for all who wished to attend. There was not. Pat's friends overflowed into the rotunda of our state's highest court. They had come from all over the state and from neighboring states as well. A former student chartered a plane just so he could attend the one-hour service. Those unable to attend sent their regrets. Most of those present could not believe that she was actually gone and comforted themselves by thinking she was just away.

This Article is written in an attempt to capture some of what took place that day and share it with all of Pat's family. This sad but special occasion was a small attempt by those who knew Pat well to tell the world one more time about this woman of great influence, this scholar, this teacher, this friend.

The influence Pat had during the past twenty-one years was evident in both the audience and the speakers. Sitting in the pews facing their bench were all the members of the Florida Supreme Court, as well as judges from throughout the state. State Cabinet members; department heads; agency general counsels; staff directors; legislators; and university presidents, past and present, all came to honor the woman whose wisdom they had benefitted by for decades.

As speakers at the service noted, Pat was publicly referred to as the "mother"<sup>2</sup> of the Florida Administrative Procedure Act (APA),<sup>3</sup> and

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2. See Stephen T. Maher, *The Seventh Administrative Law Conference Chairman's Introduction to the Symposium Issue*, 18 FLA. ST. U. L. REV. 607, 610 n.6 (quoting Drucilla Bell, then-Chair of the Administrative Law Section of the Florida Bar).

3. Ch. 74-310, 1974 Fla. Laws 952 (codified at FLA. STAT. §§ 120.50-.73 (1991)).

the privacy amendment to the *Florida Constitution*<sup>4</sup> will long be associated with her name. The Senate sponsor of the amendment, former Senator Dempsey Barron,<sup>5</sup> called the amendment "Pat's Right to Privacy Act." And, true to her style, she never took credit, even though the privacy amendment was widely praised at the service as her proudest achievement. As speaker Vivian Feist Garfein so properly put it: "Through her efforts, our right to privacy is now guaranteed by the *Florida Constitution*."

One speaker, Martin Dyckman, editorial writer for the *St. Petersburg Times*, noted that members of the Florida Press Corps regularly called Pat about the consequences of pending legislation for help in understanding the decisions that were put forth by Florida courts. He noted that members of the press treasured Pat's insight, which they knew was "profound, instructive, helpful, and objective." Dyckman went on to say that "her unique value to us (the press) was not just her consummate knowledge of the law but her scrupulous objectivity." It was this objectivity that allowed her to form a close friendship with Barron, an arch-conservative. The two battled many times on opposite sides, but her objectivity and her honesty enabled them to successfully join forces on issues of mutual agreement and concern.

Former Representative George Sheldon<sup>6</sup> told the gathering that he could not remember an issue of major impact in the last decade that Pat did not somehow have a hand in. Current Senator S. Curtis Kiser<sup>7</sup> pointed out that in his twenty years in the Legislature nothing was done in the development of the APA without Pat being involved. Speaking as Chair of the Oversight Committee on the Administrative Code, Kiser said: "We just didn't move until we talked to Pat first to find out what the impact would be, to find out what the implications would be." The thousands of hours Pat Dore gave to our state to help improve our laws and constitution can never be documented, but leaders in the executive, legislative, and judicial branches will all attest to the influence she had on them and, in turn, on our society.

Pat Dore will long be remembered for her scholarship<sup>8</sup> and for her contributions to Florida CLE publications, which gave practicing attorneys scholarly insights into technical and complicated matters of

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4. FLA. CONST. art. I, § 23.

5. Dem., Panama City, 1960-1988; House of Representatives, 1956-1960.

6. Dem., Tampa, 1974-1982.

7. Repub., Palm Harbor.

8. See Stephen T. Maher, *Patricia Ann Dore and the Florida Administrative Procedure Act*, 19 FLA. ST. U. L. REV. 951 (1992).

the APA as well as other state statutes. In 1986, Pat published a massive piece, entitled *Access to Florida Administrative Proceedings*, in the *Florida State University Law Review*.<sup>9</sup> From its conception through its completion, and even years later, Pat affectionately referred to it as "The Beast." Indeed it was and still is. The Article will remain for some time the best scholarly work ever done on a state's administrative code. Pat established herself without peer as the authority on the sometimes complicated Act.

Pat served as the scholar of choice for many legislative leaders and state policymakers, not only on Florida administrative procedures but also in areas such as state and federal constitutional law. Additionally, she advised lawmakers on issues of property, privacy, criminal law, and criminal procedure. She understood the technical aspects as well as any academic but had the ability to pass along sound, understandable advice to judges, lawyers, and nonlawyers alike.

As a scholar, Pat was always able to impressively collect historic aspects of laws, document appropriate legal opinions, and devise sound interpretations for many of the state's statutes. Her intensity and attention to detail will be hard to match, and her sound conclusions will live on for many years in helping scholars and judges resolve difficult questions.

Pat Dore was a magnificent teacher. Most of her former students simply described her as "the best." Perhaps one of the reasons she was so enjoyed as a teacher was because, as Dean Donald Weidner pointed out: "She was a joyful teacher." In 1980 Pat received the University President's Teacher of the Year Award, a recognition mostly reserved for teachers of very large classes in disciplines much different from law.

The Supreme Court Role-Playing Seminar that Pat developed was clearly considered the most prestigious course offered at the college. Many of her former students who spoke at her tribute were picked to be in that course, and all of them agreed it was the most influential course they took in their higher education. When talking with those select few who were able to experience this unique opportunity during their days at Florida State, each of them will tell you that the subject, as well as the teacher, had a profound effect on them personally and professionally.

Thomas B. Gaines, Jr., a former student of Pat's, spoke of his inability to state the amount of respect and admiration her students felt for her. He noted: "Anyone who watched her could tell she loved and cared for students. She enjoyed watching students grow from first-

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9. Patricia A. Dore, *Access to Florida Administrative Proceedings*, 13 FLA. ST. U. L. REV. 965 (1986).

year ignorance to third-year budding lawyers thinking they knew what the practice of law was all about." Vivian Feist Garfein gave a brilliant snapshot of Pat's teaching when she said: "She taught with intensity, the pitch of her voice rising and rising as she became more excited about the point she wanted to make. Her hands and arms would be involved and all over the place, and it seemed as though her whole body were making the point." Pat inspired many of her own students to teach, taking with them the intensity and fervor she felt for all the subjects she taught.

Pat's role as a teacher did not stop with her students. As Martin Dyckman said about the fourth estate: "We in the press were her students, though we didn't have to pass the LSAT or pay tuition for the privilege." He pointed out that she had not only a gift to interpret theories of law but the ability to help others understand in terms they were familiar with. While Pat in recent years taught no required courses at the law school, her fame as a teacher propelled almost everyone who graduated since 1970 into her classes to witness her wit and her wisdom, making her one of the "must take" professors in our relatively young institution.

When we remember Pat as a teacher, most of us will recall how she helped us avoid confusion or embarrassment by teaching us how to chart correct paths in the proper way. During the service, Dempsey Barron recited a poem by Allen Dromgoole about an old person traveling along a highway who, when safely on the other side of the deep and wide chasm, stopped to build a bridge. When questioned why he would build a structure to span the tide, it being evident that he would never pass that way again, the old one said:

My good friend, in the path I have come . . . there followed after me  
today a youth, who too must pass this way. While this chasm has  
been as naught to me, to that fair-haired, youth it may a pitfall be.  
He too must pass in the twilight dim. My friend, I am building this  
bridge for him.<sup>10</sup>

Most of what teacher Pat Dore did all her life was for others, all of whom will not soon forget.

Finally, Pat was a friend. Toward the end of the memorial service, it became apparent that while she was different things to all the speakers and to all the audience, she was first and foremost a friend. She was a friend to everyone present at her tribute and to countless others

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10. W.A. DROMGOOLE, *THE HEART OF OLD HICKORY AND OTHER STORIES OF TENNESSEE* 21 (2d. ed. c. 1895).

who were unable to attend. Dean Weidner pointed out that she was a powerful person in the development of our law school, and so she was a friend to the FSU College of Law. She was a friend to our state and its citizens in her tireless efforts to provide each of us access to government as well as what she felt was a sacred right of privacy. She was a friend to her colleagues, as John Yetter said, a "wonderful, vivacious, active, popular law professor." Those of us fortunate enough to serve with her also agree with John Yetter's observation that, notwithstanding her poor health, we never heard her complain. "She had just a quiet courage and strength that were truly remarkable," Yetter went on to say. "Even in spite of great distress and pain I know she was in, she was always in good humor. She always laughed at your jokes and didn't bother you with hers. She was always, always genuinely curious about what you were doing."

This woman of incredible strength and courage was a friend to her family. Her mother, whom she shared with us for years, her sister and her nieces, all were friends first.

Her good friend, Tom Gaines, said: "I think there are several opportunities in life to make good acquaintances. I think there are precious few opportunities to meet true friends." Pat was a true friend to everyone whose life she touched. George Sheldon noted: "Pat Dore adopted every law student she had as her child, and she will live on in her children." In his closing comments, he challenged us to be as much like Pat Dore as we can be—a friend to all, an enemy to none, a truly good person of remarkable strength and beauty. Perhaps former student Tom Thomas said it best when he concluded his remarks by saying: "I will miss my friend, miss knowing that I, like so many others, could just pick up the phone and she'd have time for me. And for that I'll grieve, but I'll forever, as long as I'm here, carry her spirit with me as I'm sure you will. Thank you Pat, you are my hero."