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TRIBUTE TO WILLBURT D. HAM

A Quarter Century, Not a Raised Voice*

I was a second-year law student, a transfer to the University of Kentucky from Tulane University, when I had my first encounter with "Burt." Twenty-five years ago when I walked into Professor Willburt D. Ham's corporation class, I knew very little about him except that he had law degrees from Illinois and Harvard. As a transfer student, I had no access to the information that always filters down from one generation of law students to another. And yet, on this first day, I could see that there was something special between this man and his students. The next year, as a third-year student, I enrolled in Professor Ham's course again, having divined the nature of that special relationship.

Looking back, with the benefit of my own teaching experiences, I can see that Burt Ham was extremely knowledgeable in his fields of study, knew exactly what he wanted to accomplish in each lecture, had the capacity to organize his thoughts to a point of perfection, and was able to capture and hold the attention of the students. But what I saw back

* Editor's Note: The following is a tribute to Willburt D. Ham written by Professor Robert Lawson upon Professor Ham's retirement in 1986. Professor Lawson's tribute is reprinted verbatim; its words ring true today just as they did almost twenty years ago.

then—the basis of that something special—is far more revealing than anything one can find in performance evaluation forms, computer printouts, and standard deviations. It was really very simple at the core. Burt Ham taught; students learned. He was not just a presider over a class. He was a teacher.

II.

Having later returned to the College of Law to join the faculty, I had a chance to observe him from a different vantage point. After twenty years as a colleague I still marvel at his success in the classroom and would like to patent the formula for his relationship with students. His students have a respect for him that is universal, an affection that is clearly extraordinary. I am still not sure that I understand the chemistry of this relationship, but I believe that I can describe some of the critical ingredients.

Burt Ham has a genuine love for teaching that has survived the wear and tear of four decades in the classroom. Nearly every teacher experiences classroom fatigue at some time, but not Burt Ham. I doubt that he has ever been less than perfectly prepared for an encounter with his students. He thoroughly enjoys what he does and does it with an enthusiasm that has not waned since he taught his first class in 1946. As a result, he creates an atmosphere in the classroom that ought to be emulated by every teacher. Nothing he says is perceived as trivial or irrelevant. Everything has a logical relationship and thus is understood and absorbed.

Another characteristic I have seen in him has a similar effect. It is very easy for a professor, because of his own intellectual interest in the nebula of the law, to neglect or obscure the certainty that exists in the legal universe. Among the ambiguity, controversy, and convolution that exists in the law, there is a massive set of rules that needs to be understood by aspiring lawyers. Professor Ham has been more sensitive to this need than most law teachers. He has succeeded in confronting the perplexity of the law in the classroom without creating the impression that perplexity is the essence of the law. Every day, as the students say, he teaches some law.

And then, of course, in accounting for Burt Ham's success, you come to the personal traits of the man himself. He is exactly what he seems to be—warm, patient, considerate, concerned, dedicated. I have never known a more even-tempered human being; in twenty-five years I have never heard him raise his voice to a single person. He has taught over three thousand students at the University of Kentucky, and to this day I have never heard an unkind word about him from a single one. More than anything else perhaps, it is Burt Ham the person that accounts for the great success of Burt Ham the teacher.

III.

It is easy to wish Burt Ham well in his retirement. He has enjoyed his professional career, will continue to have a proper place in the life of the institution, and has the good health to enjoy a real change in routine. It is not easy, however, for the college to experience this particular retirement without a special sense of loss, for Burt Ham is truly the last of a generation of teachers.

The names of these true teachers are well known to several generations of students. Some in the group I have known only by reputation—Dean Alvin Evans, Professor Frank Murray, Professor Pinky Roberts, and Dean Elvis Stahr. Others I have known better, first as a student and later as a colleague—Dean W.L. Matthews, Professor Paul Oberst, Professor Roy Moreland, Professor James Richardson, Professor Richard Gilliam, Professor Fred Whiteside, and Professor Burt Ham. The group was small, distinguished, and highly dedicated. Its members shared an extraordinary sense of common purpose. Overshadowing individual ambition was a jointly held aspiration for an institution of special quality. These teachers sought excellence for the college of law and turned the pursuit of that goal into a tradition that will persist long past the end of their era.

One thing about the group stands out. They considered it an honor to share their knowledge of the law with the young people who came to Lexington from all over the state and country. To them, teaching was not just an occupation; it was a calling. For many years, long after we became close friends, I could never bring myself to address Burt Ham as anything other than “Professor Ham.” Now, I can see the reason. As much as anyone I have ever known, he deserves the title he holds. We may in our light moments think of him as Burt; but when it matters he will always be Professor Willburt Ham.

*Robert G. Lawson***

He was always the teacher. Notwithstanding all his other accomplishments—as a scholar, a writer, and a drafter of sensible and balanced corporate and securities statutes and regulations—Burt Ham was first and foremost a teacher.

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In my own case, I saw Burt as a teacher over a thirty-five year period. He was the first professor I had in my first class, my first day in law school. It was a contracts class at 8 a.m. on a Wednesday.

I had come from a small liberal arts college that rightfully prided itself in fine teaching, but in less than a week I knew that Professor Ham was as good as any teacher I had ever had. I still think he was the best first year law teacher I ever knew.

I later encountered Burt Ham the teacher when I returned to the law school as a young professor. It was interesting, although humbling, to be Burt's teaching colleague. Until Burt and I squared off against each other teaching competing sections of Business Associations, the rule was that a student could freely select either teacher, when a large course, like Business Associations, was dividend into two sections. The problem for the associate dean was that, under the system of free student choice, I would draw 20 students, while Burt would get 130. So, the new rule: If one section (Burt's) were oversubscribed, the associate dean would arbitrarily move students into the undersubscribed section (mine). To me, the struggling, insecure young professor, this was the worst possible outcome. My ego was bruised terribly by the fact that students didn't want to take my course; I had 50 disgruntled students who were trying desperately to find a way to get out of my class, and I had an additional fifty papers to grade at the end of the term.

So, Burt taught me humility—always a great lesson for a young (or old) professor. But he also showed me collegiality, grace, and the value of mentoring. Burt always had time for me, when I was getting started, and his willingness to share his virtually boundless knowledge of corporate law was a great help to me. But if I'm honest, even that had a bit of a humbling—perhaps even depressing—effect on me. I can remember on numerous occasions leaving Burt's office after he had, with all that legendary Ham patience, spent an hour helping me understand some complicated, obscure point about corporate or securities law, thinking that if I live to be a thousand, I never will know as much about corporate and securities as Burt Ham.

And then there is Burt the teacher after he "retired." Immediately, he was snatched up as a visitor by other law schools. But, even though he was in demand elsewhere, he continued to serve his law school as the great teacher he was. Nearly every other year after he first retired, Burt put aside other plans in order to be an adjunct professor, mostly of his beloved Business Associations course.

To the end of his life, Burt came to the law school, usually late in the afternoon. He always wanted to talk about the law. He wanted to know if

the courts had made any changes in Rule 10b-5, whether the legislature had amended our corporate statutes, and how many people I was attracting in the corporate finance course.

His family told me a wonderful story about his habits when he was at home, grading the mountain of examinations that a professor as popular as Burt faces at the end of every semester. During those many long, laborious hours of grading, Burt imposed a strict household rule on Rosamund and the boys that he was not to be disturbed. There was an exception to Burt's do-not-disturb rule, but only in the case of a matter of the utmost importance. In these exceptional cases, however, the family member needing Burt was to communicate with him only by a note.

I had to laugh when I heard this story. It was so "Burt." He established a rule that ensured order and maximum concentration on the very important job at hand, but at the same time he established a process for orderly flexibility, if the situation required.

One thinks back over the last half of the twentieth century to the great names of our law school—Matthews, Oberst, and Whiteside are examples. Ham is a name that always is included in the list of greats. Personally, no one had a greater influence on me.

Burt Ham was the complete package as a professor, but he will always be remembered most as the great teacher.

*Rutherford B Campbell, Jr.****

It is customary for the graduates to select a professor to address the graduating class, to bid farewell, and to send the graduates off with a few last words of advice. For the class of 1986, the decision was an easy one. By acclamation, we chose Professor Burt Ham to be our graduation speaker.

Professor Ham's participation in our graduation made the event particularly memorable because the year of our graduation was also the year of his retirement. The importance of the moment was not lost on us. The honors he received at the close of one chapter of his truly distinguished career juxtaposed against the hope we felt at the beginning of our careers lent special meaning to our celebration.

As a student, I remember Professor Ham as embodying the very best traits of a teacher and a lawyer. His warm and pleasant personality taught

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us the importance of civility in a professional life. His meticulous preparation and presentation of our classes made clear to us the requirement of organization and clarity in a professional life. His impeccable dress and courtly manner modeled for us the value of a well-ordered life.

For generations students often referred to Professor Ham outside of class as "Uncle Burt." As is true of some nicknames, ours reflected a great affection for its subject. We really did view Professor Ham as an uncle—a role model who exerted his influence over us, not through the discipline of our parents, not through the shared experience of those close in age, but through the respect that demands that one never disappoint.

It was sometimes said that students could never get a wrong answer in his class. He would always find a way to find some kernel of wisdom in the most thoughtless answers. But even though Professor Ham took care never to embarrass an unprepared or errant student, we always strived to find a way to satisfy him.

After my return to the college of law, I always looked forward to his late afternoon visits. Whenever he was in town, he would come to school to look through his mail and read advance sheets, journal articles, and treatises. Though retired, he maintained his professional skill and interest in corporation and contract law. Always dressed for work, I never saw him without a tie and jacket.

During those visits, I learned about Burt Ham the man. We talked about family (he was blessed with a loving family and always inquired about mine), UK athletics (he was a great fan), politics (I was never sure whether he was a Republican or Democrat), and civic life (he was a loyal Rotarian with a record of perfect attendance at club meetings). Inevitably, however, our talks would turn to the college of law. He was always interested in current events at the school, our plans for the future, and particularly the students. For Burt Ham, the students were always the focus. That is why in the seventeen years following his retirement Professor Ham could always be counted on to come to graduation. He may not have personally known the graduates, but it was important for him to share in their celebration.

This year's graduation ceremony will seem a little emptier without Burt. But, like all great teachers, his influence will continue. He was a kind man, a careful and meticulous lawyer, a loving husband and father. For us, however, Burt Ham was our teacher and we are better for it.

*Christopher W. Frost*****

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