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Dedication: R. Gordon Kean, Jr.

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Dedication

This issue of the Louisiana Law Review is dedicated to the memory of R. Gordon Kean, Jr., a well respected Louisiana attorney. Mr. Kean made countless contributions to our community as practitioner, law professor, and public servant.

On August 23, 1919, Mr. Kean was born in Baton Rouge, Louisiana, where he lived until his death on April 9, 1992. He was married for over fifty years to Eilleen Murphy Kean; they had six children and, at his death, had ten grandchildren.

Mr. Kean received his bachelor's degree in government and journalism from Louisiana State University in 1940. He then attended one semester of night classes at George Washington Law School. His legal studies were interrupted, however, when he was called to active duty in the War Department's Bureau of Public Relations in Washington D.C. during World War II. He remained on active duty throughout World War II, serving his last eighteen months in the South Pacific and witnessing General MacArthur's famous return to the Philippines. He retired a Major, having received a Bronze Star in 1945.

Mr. Kean resumed his legal education at Louisiana State University and graduated and was inducted into the Order of the Coif in 1948. During the year following graduation, he taught constitutional law as an adjunct assistant professor at his *alma mater*. He taught courses in trade regulation, local and state taxation, and local government law on a regular basis from 1962 until 1971 and intermittently thereafter. Mr. Kean was an active Life Member of the LSU Law School Alumni Association, serving as secretary, treasurer, vice president, and then as president in 1974.

In addition to teaching at the LSU Law Center upon graduating, Mr. Kean joined the Baton Rouge law firm of Sanders & Miller. Shortly after joining the firm, he began assisting Henry George McMahon, the first City-Parish Attorney for the Parish of East Baton Rouge and the City of Baton Rouge. Two years later, Mr. Kean became the City-Parish Attorney, a position he held until 1969. He continued to serve the City-Parish as Special Counsel from 1978-1981. In 1983, Mr. Kean became one of six founders and the senior partner of Kean, Miller, Hawthorne, D'Armond, McCowan & Jarman, which had grown to forty-five attorneys upon his death.

Mr. Kean also participated in the 1974 Louisiana Constitutional Convention. He was elected as a delegate to the Convention in 1972

and served as the secretary of the Local Government Committee from 1972-1974. The committee drafted Article VI of the 1974 Louisiana Constitution, relying heavily upon the expertise Mr. Kean had acquired during his many years as City-Parish Attorney, professor of local governmental law, and counsel for local governmental entities.

Mr. Kean helped develop many other areas of the law, including public utilities regulation, oil and gas exploration, and environmental law. It is fitting, then, that the articles and comments in this issue, dedicated to his memory, focus on areas of his specialty and on the law as he found and enriched it.

Volume 53, Issue 1 begins with an essay which Professor A.N. Yiannopolous presented at the Annual Tucker Lecture held at the Paul M. Hebert Law Center in spring, 1992. Professor Yiannopolous describes the developments in Louisiana civil law during two critical years—1870 and 1913—which transformed Louisiana civil law shortly before Mr. Kean's birth. The essay is followed by the Louisiana State Law Institute's Legal Advisory Opinion on non-navigable water bottoms, adopted by the Louisiana Legislature this year in Act 998. The opinion reviews the status of Louisiana law in light of the United States Supreme Court decision in *Phillips Petroleum Co. v. Mississippi*,¹ which raised important questions about state and private ownership of mineral rights in tidelands. The advisory opinion is followed by an article on joint oil and gas operations in Louisiana.

Issue 1 contains two comments which look to the Louisiana Constitutional Convention Transcripts. One addresses whether the governor or the attorney general should control litigation involving the State. The other addresses whether the Louisiana Legislature can, pursuant to its suspension power, override environmental laws and agency regulations, without violating the separation of powers doctrine. Two articles and two comments in Issue 1 pertain to environmental law—a rapidly growing field in which Mr. Kean led his firm in developing the largest practice in Louisiana.

While Mr. Kean made outstanding legal contributions during his career and throughout his life, he also set an invaluable example for other lawyers—those who worked for him and those in other firms who had the pleasure of working with him. As one of the attorneys who practiced under Mr. Kean's guidance explained, he was "enthusiastic, almost enchanted with the law," and had an excellent sense of humor.²

Perhaps the most important gift Mr. Kean gave to the legal profession and to his community was his exemplary character. Together,

1. 484 U.S. 469, 108 S.Ct. 791, 88 L.Ed. 877 (1988).

2. Memo to the Law Review from Sandra L. Edwards, partner with Kean, Miller, Hawthorne, D'Armond, McCowan & Jarman.

he and Mrs. Kean were compassionate, charming, and genuine—not at all confined by pomp and circumstance. Mr. Kean treated everyone with utmost respect, regardless of his or her position. He was a kind and interested man who held his fellow citizens, his colleagues, and his employees in high esteem and, by doing so, engendered a loyal following.

In the many letters of condolences sent upon Mr. Kean's death by his colleagues, clients and friends, one particular word describing Mr. Kean appears in almost every letter—the word is “gentleman.” This unanimous compliment is especially inspiring when one considers it was given to a litigator who practiced law for forty-four years and was the counsel of record in 221 reported decisions. His character—replete with integrity, wisdom, modesty, loyalty, and honesty—was an invaluable gift to a profession that is too often cited for less admirable traits. If we are fortunate, his example will guide all of us in the profession to serve honorably our clients and our communities.

For his legal contributions, his exemplary character, and his warm and inspiring leadership, members of the Louisiana Law Review join me in expressing our sincere thanks.

Jane H. Barney
Editor-in-Chief

