

Memorial: Dan F. Henke (1924–2009)*

¶1 On September 8, 2009, Dan Henke died after a lingering and debilitating illness, and on that date a beloved friend and highly esteemed colleague was lost to us. Fortunately, there is an excellent biography of Dan, wonderfully researched and written by Jenni Parrish,¹ full of rich information about a life well lived and a professional career carried out with glory.

¶2 I knew Dan's mother and father before Dan became a law librarian. His mother, Frances, was the law librarian at St. Mary's University in San Antonio, and his father, Ferdinand, was an army librarian at Fort Sam Houston in the same city. Together, they would attend AALL Annual Meetings, and that is where I met both of them. Each time you saw Dan, you were reminded of their smiles, friendliness, and optimism. These traits are echoed in Dan's children and added to by Shirley, Dan's energetic and wise wife to whom he was married for fifty-nine years. Son Danferd, a successful lawyer in Seattle, got his name by combining Dan from his father and ferd from his grandfather. Holly, also in Seattle, is thriving as a producer for the *Seattle Times* web site.

¶3 I don't know whether Dan initially wanted to join the law library profession—he first practiced law in San Antonio before deciding to take the trek to Seattle, where he studied under Marian Gallagher and received his degree in law librarianship in 1956. This led to Dan's first assignment, as head of the New Jersey Bureau of Law and Legislative Reference. While there, Dan attended AALL Annual Meetings, and it was at one of those sessions that the two of us met. We got along very well right from the start.

¶4 In 1959, Dan left New Jersey to become head of the law library at the University of California, Berkeley. We kept up to date about each other when meeting annually at the AALL sessions, and our mutual respect and friendship grew. Dan was unusually gifted in interpersonal relations, consistently showing cordiality and sincerity to others, and when someone spoke to him, he listened attentively.

¶5 In the fall of 1964, a search for a law librarian was commenced by the new law school at the University of California, Davis. Dan recommended me, and I was hired early in 1965. My first assignment, even before reporting to Davis, was to review the already-drafted architect's plans for the new law library. These plans were entirely the result of Dan's input. He had incorporated features that solved many of the defects in law library architecture that he had learned about both from his own libraries and while serving on AALS-ABA law school accreditation teams. After reviewing the plans, I asked an expert on library architecture to go over them with me. Neither of us could suggest any changes or revisions, and, thanks to Dan, Davis wound up with an excellent library building.

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1. Jenni Parrish, *A Tribute to Professor Dan Henke*, 48 HASTINGS L.J. 1091 (1997).

¶6 There was much joy personally and professionally for me in moving to Davis. One highlight was driving down to San Francisco for a monthly informal meeting of local law librarians at a lovely restaurant near Fisherman's Wharf. Dan was often in charge of arrangements, and he soon concluded that our group ought to be formalized by becoming an AALL chapter. I accepted his recommendation that I become the founding president and meeting planner of what became the Western Pacific Chapter, AALL. It felt very good to be regarded so highly by Dan, someone who demonstrated qualities that I admired and respected, such as genuineness, humility, unselfishness, and an ability to see the big picture. At no time did Dan seek any personal glory for this project, and he was the same in many other similar situations. Moreover, Dan was a reliable and helpful resource whenever questions about law library processes or procedures confronted us in Davis.

¶6 On a personal level, Dan and I had a mutually nurturing friendship. We would share thoughts about finance, politics, sports, and current issues of the day. Dan and Shirley would come up to Davis to go out for dinner at a favorite steak house or to have dinner at our home and stay overnight with us. Then, with my wife Giovanna, I would travel to the Bay Area to visit with Dan and Shirley, enjoy dinner out or eat home cooking with them, as well as stay with them as their overnight guests.

¶7 It saddened me to learn recently that Dan's health had changed. I telephoned regularly, and, if possible, spoke with Dan. Finally, I decided that I must see my friend. So, on Sunday, August 30, 2009, we drove to Orinda to visit. Dan was in bed. We greeted each other and drank from a bottle of very fine bourbon that I had been saving to share with him.

¶8 Dan was a lively friend to so many of us, living his life in the moment and with gusto. Nothing I've written adequately touches on these priceless qualities or on Dan's exuberant spirit, but those of us who knew Dan well can understand and reminisce. Dan served as a prime example to emulate, both as a decent human being and as a first-rate law librarian. We miss you good friend. May you rest in peace.—*Mortimer Schwartz*²

¶9 Dan Henke's name entered my "people to know" vocabulary during my law school days at St. Mary's University in the late 1950s. I was working as a student assistant in charge of the library on weeknights. The law librarian was none other than Mrs. Francis Henke, Dan's mother. The Henkes were so proud of their son. They spoke frequently about Dan earning his J.D. at Georgetown and his M.L.L. from the University of Washington, under the tutelage of Marian Gallagher, and now serving as law librarian at Berkeley.

¶10 After receiving my J.D. in 1960, I practiced law in San Antonio. One day, out of the blue, I received a call from Earnest Raba, dean of St. Mary's. He invited me to lunch. I had no idea why. As we chatted over lunch, Dean Raba said something like, "Al, Mrs. Henke wants to retire within a year or so. She told me what a good library assistant you had been and how she thought that you had the makings of a

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law librarian.” The dean then made me this offer: “You go off to the University of Washington and get an M.L.L. degree like Mrs. Henke’s son, Dan, and you can be her replacement.” He even told me what salary I would receive if I took him up on the offer. Needless to say, I was shocked, but did take the dean up on his offer. A year later, I returned to San Antonio with my M.L.L. Mrs. Henke retired, and I became an assistant professor of law and law librarian at St. Mary’s.

¶11 At my first AALL meeting at Mackinac Island in 1962, I finally met “the” Dan Henke: decorated WWII hero, attorney, author, scholar, law professor emeritus, law librarian. From that time on, our friendship, which lasted forty-seven years, expanded and included my wife, Joyce, and Dan’s wife, Shirley.

¶12 In the 1970s, many of the law librarians I knew wanted to see changes in AALL. Dan and several friends asked if I would run as a write-in candidate for the AALL presidency. After mulling this proposal over and discussing it with other friends, I decided to put my name in as a write-in candidate. I was elected for the 1977–78 term. During that term, I relied heavily on Dan. He seemed always to have a helpful solution for any dilemma. He was without a doubt the best behind-the-scenes advisor one could have.

¶13 In 1995, I was very pleased to be included as a recipient of the Marian Gould Gallagher Distinguished Service Award along with my two good friends, Dan Henke and Mortimer Schwartz. In fact, I had nominated Dan for the award long before I found out I was also a recipient.

¶14 Dan had a way of flattering his friends. He had nicknames many people he knew. He called me “Lad” for a long time; then, after I became president of AALL, he began calling me “El Presidente.” He even went so far as to honor me by dedicating a room at the Hastings Law School as the Alfred J. Coco room. The plaque on the door had a drawing of a Texas longhorn, with a Louisiana swamp snake wrapped around its horns. The plaque read “Dedicated to Humor and the Principles of Joyous Living.” I am sure this honor came about because of his enjoyment of my Cajun jokes and the fact that he too was a *joie de vivre* type. In 1991, when he left Hastings, he sent me the plaque, which now hangs in my office.

A Few Typical Dan Henke Stories

¶15 During the peak of the hippie movement, in the late 1960s, several law librarians, including Dan and me, received a grant to attend a one-month institute at the New York University School of Law. We resided in Hayden Hall, across from Washington Square Park. A sign on the inside of Hayden Hall warned: “If a riot occurs and you are inside, you are to remain inside. If you are outside, doors will be locked.” One night, Dan and I were returning from dinner. As we crossed Washington Square Park, which was poorly lit and swarming with hippies, yelling and trying to burn tables and benches, two young bearded men approached us slowly, without saying a word. Dan said something to the effect that we may be attacked. He said, “Al, if need be, take the one on the left; I’ll take the one on the right.” As the two men came closer, our minds and bodies quickly reverted back to our military training in self defense. Within a couple of feet from us, one of the

young men shouted, “Either one of you have a light? We want to puff a weed. It’s good stuff. When we light up, you can join us if you want.” I gave them my lighter. They lit two joints and passed them to Dan and me. We politely declined. They thanked us, and we returned to the dorm unscathed.

¶16 Dan loved horse races. When attending functions he would always ferret out local race tracks. Once at a meeting in Chicago, Dan talked me into going to the track with him. At the track, he was interested in a particular race where this super horse was going to run. When the race came up, he told me which horse to bet on. Knowing absolutely zilch about horse races, I followed his advice. When the race began we started yelling for our pick.

¶17 About halfway through the race Dan asked me if I could spot our horse. Being so far away, and not knowing how to distinguish our horse from others, I was of no help. When the horses came into the home stretch, we did not see our horse. About that time we saw the horse ambulance on the other side of the track, and realized where our horse was. Fortunately, some of our picks were better, and the day ended well. Often, when I called Dan, I would ask if he had been to any races lately, and we’d both laugh about our Chicago experience.

¶18 At an AALS winter meeting in Chicago, the weather outdoors was below zero and very icy. Typically there were evening functions at different hotels. Julius Marke, Dan, and I met to go to another hotel on Michigan Avenue to attend a function. As we were leaving the hotel to brave the icy weather, Dan reached in his overcoat and pulled out a shower cap, which he proceeded to put on. That was definitely a camera moment. Outside we spotted a cab. The cabbie was arguing with a family who wanted to go to the airport. He kept telling them that he could barely navigate up and down Michigan Avenue, let alone drive to the airport. As the cabbie argued on, Julius motioned for us to enter the cab, which we did. When the driver looked back at us and asked our destination, he got this strange facial expression when he saw Dan in his shower cap. We all began laughing, including the driver.

¶19 Our destination was only a mile or so down the street, and the driver slowly began the slippery ride. Meanwhile, Dan and Julius wanted to hear my latest Cajun jokes. As I told some of them, the driver began laughing along with Julius and Dan. When we finally got to the hotel, we asked how much the fare was. He replied, “Nothing. I’ve laughed so much I can’t charge you anything.” He agreed to pick us up two hours later. When we came down to the lobby and looked out, there was our driver, waiting. He took us back to our hotel, again laughing at Dan and his head cover and a few more jokes. Often now, when I tell a Cajun joke I have a flashback of Dan wearing his shower cap and the four of us laughing.

¶20 To my fallen hero-friend, Dan, “Laissez les bon temps rouler.”—*Alfred J. Coco*³

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