

# Washington Law Review

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Volume 69  
Number 2 *Dedicated to Cornelius J. Peck*

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4-1-1994

## Professor Cornelius J. Peck: Outstanding Legal Scholar

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### Recommended Citation

William H. Rodgers Jr., Dedication, *Professor Cornelius J. Peck: Outstanding Legal Scholar*, 69 Wash. L. Rev. 329 (1994).

Available at: <https://digitalcommons.law.uw.edu/wlr/vol69/iss2/3>

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## PROFESSOR CORNELIUS J. PECK: OUTSTANDING LEGAL SCHOLAR

William H. Rodgers, Jr.\*

It is an honor to be asked to write the introduction to an edition of the Law Review dedicated to Professor Cornelius Peck. To most members of the bar in Washington State, Professor Peck needs no introduction. Perhaps half of them have been his students, in torts and other courses that he taught, and in a very real sense they are his special graduates who will carry on the lessons of integrity, vigor, and social concern that he has practiced throughout his professional life.

Less well known are Professor Peck's considerable influences throughout the legal academic community, and especially within the faculty at the University of Washington School of Law. Already, his retirement has left a void—in collegiality, in leadership, in matters intellectual—that will be difficult if not impossible to fill.

Throughout his career, Professor Peck has been an innovator and pathbreaker who got there first on techniques and methods of law teaching. It is fashionable among legal educators today to encourage interdisciplinary investigations in the study of law. Professor Peck showed how some 30 years ago in his collaborative work at the University of Washington School of Medicine in investigating the phenomenon of pain,<sup>1</sup> which is of enormous social importance and of obvious interest to professionals in the fields of law and medicine. Thus, Peck was there first on something we might describe today as Law and Medicine, Law and Psychology, or Law and Human Biology.

It is fashionable among legal educators today to raise questions about the proper scope of the litigation model of dispute resolution and to inquire into another vast world called alternative dispute resolution. Professor Peck has been going down these newly discovered paths for an entire career. He taught the first course on "Negotiations" ever offered at any U.S. law school,<sup>2</sup> and his standard pedagogical techniques

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1. See Cornelius J. Peck, *The Effect of the Pendency of Claims for Compensation Upon Behavior Indicative of Pain*, 53 Wash. L. Rev. 251 (1978); Cornelius J. Peck, *Compensation for Pain: A Reappraisal in Light of New Evidence*, 72 Mich. L. Rev. 1355 (1974).

2. See Cornelius J. Peck, *Cases and Materials on Negotiation*, (1972 and 2d ed. 1980); Cornelius J. Peck and Robert Fletcher, *Cases and Materials on Negotiation Aspects of Dispute Settlement*,

(simulations, role-playing, gaming) are now familiar fare in clinics at virtually all law schools. Moreover, his teaching has been steadily informed by regular service as a labor arbitrator and mediator. This accounts for Professor Peck's unusual reputation as an academic who knows of what he speaks.

It is fashionable among legal educators today to encourage community service and real-world contributions that can take some of the shine off the ivory tower. Again, Professor Peck has made a career of soiling his academic brain with the plausible, imperfect, and decidedly nonhypothetical realities of the legal world. He knows and understands labor-management conflict in all of its dimensions. He has contributed immensely to a living law of employment relations in his ongoing work as an arbitrator. In the torts field, he has had a hand in most of the major policy fits and starts that have taken place in the Washington Legislature over the last 40 years. Most conspicuously, Professor Peck chaired a commission on tort reform that picked its way through the conflicts of the early 1980s and made recommendations that were considered with care, if not fully embraced, by the Legislature.<sup>3</sup>

It is fashionable among legal educators today to bemoan the specialization among practitioners and academics who know more and more about less and less. The breadth and depth of Cornelius Peck's publications and experience show that this is a man who has resisted the diminishment of perspective that is the frequent consequence of increasing complexities. His teaching, scholarship and public service establish him as an outstanding legal scholar who did it right and who sets examples for the rest of us that are quite out of reach.

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(1967) (unpublished manuscript); Cornelius J. Peck, *Reading the Tea Leaves: The Future of Negotiations for Tort Claimants Free from Fault*, 15 U. Puget Sound L. Rev. 335 (1992).

3. Cornelius J. Peck, *Constitutional Challenges to the Partial Rejection and Modification of the Common Law Rule of Joint and Several Liability Made By the 1986 Washington Tort Reform Act*, 62 Wash. L. Rev. 681 (1987); Cornelius J. Peck, *Washington's Partial Rejection and Modification of the Common Law Rule of Joint and Several Liability*, 62 Wash. L. Rev. 233 (1987).