Recollections of Bernie Becker

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RECOLLECTIONS OF BERNIE BECKER

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Bernie Becker and I served together as United States Magistrates in the United States District Courthouse in St. Paul. Before that, we crossed paths from time to time on legal issues in the criminal justice area. I recall especially an encounter over proposed child abuse legislation, and his firm grasp of juvenile law. Before that, we had associations at William Mitchell College of Law where, in 1973, Bernie Becker was beginning his career as a faculty member and I, mine as a law student. From these eighteen years of contact with him, it was impossible not to know Bernie Becker, and even less possible not to love and respect him.

Bernie provokes vivid recollections as I consider the part of his life that I knew. He stands as a colorful collage of judicial personage, scholar, family man and friend. Each aspect of the collage, even in his own mind, was indispensable to the other. There was nothing singular about Bernie.

Bernie Becker lived his job as United States Magistrate. His academic depth in the areas of civil procedure and federal jurisdiction showed itself as he queried lawyers from the bench, wrote opinions and analyzed cases in chambers. His years in Indian law and juvenile rights were demonstrated as Bernie showed his experience in taking legal principles to fashion his own just result. I venture that he never made a mechanical decision, and never countenanced the thought that the disposition of a case lay in the right book, somewhere.

As a Magistrate, Bernie accorded much dignity to disabled persons as he decided his caseload of social security matters. Each case he struggled with, until he satisfied himself that he had in mind a real picture of the individual’s disability, and its impact on his or her ability to work.

He did the same in another area where he had a special interest—mental disabilities of prisoners. In the substantively difficult tangle of constitutional privacy and due process,

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mixed with habeas corpus, Bernie dedicated himself to adjudicating in an area in which few are expert. This earned him a foothold in the fascinating area of psychiatry under the tutelage of skilled Mayo clinical specialists who were assigned to the federal prison in Rochester.

Bernie's skills shone not only in these niches of special interest, but in the standard, challenging fare of serving as a Magistrate. His ability to appreciate the dynamics and relative merits in a civil lawsuit—coupled with his exquisite sense of human interaction and personality—made Bernie a credible, valued settlement master. It was here that we revelled together, absolutely enjoying and sharing the constructive role to be played in the resolution of disputes.

In listening to Bernie's colleagues, friends and family at his memorial service, I was struck by the numbers who Bernie had come to appreciate and befriend. In retrospect, it is clear that his varied career took Bernie to many, many persons, and that he made an unbridled investment in their well-being.

The richness, compassion and wisdom which resulted from that investment made Bernie a unique force in our legal community. While his loss is sad, his spirit is recognized and modelled by the many he has worked with. In that way, then, we have a living tribute to Bernie Becker as we carry on with one another, continuing our work to use the legal process for just end.