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Tribute to Professor Mel Goldberg: A Tribute to Mel Goldberg

George Beck

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A TRIBUTE TO MEL GOLDBERG

The Honorable George Beck†

Mel Goldberg passed away on August 30, 1998, at the age of 56. He had struggled with cancer for the past year. He was one of the best friends the Administrative Law Section has ever had. Some fifteen years ago he recognized the importance of a professional newsletter to the section. He volunteered to serve as editor of the publication, which he did throughout this year. He regularly produced three well-conceived issues each year. Mel served as an ex officio member of the Executive Council of the section, and his breadth of experience and willingness to suggest new ways to solve old problems served the Council well.

Mel was the leading authority on Minnesota administrative law. He taught the subject, of course, at William Mitchell College of Law, where he also mentored an administrative law clinical program. The clinic places law students at the Office of Administrative Hearings (OAH) to work with administrative law judges. His students loved him. Earlier this year one of the clinic students told me that the reason he selected William Mitchell College of Law was the opportunity to have Mel Goldberg as a professor. Mel’s teaching style was polished and effective. He had a unique ability to stimulate discussion and enthusiasm in his students.

When legislators needed general background information about rulemaking or administrative law, or when they were considering important changes to the Administrative Procedure Act, they would turn to Mel to provide guidance. When University of Iowa College of Law Professor Arthur Bonfield came to town to point out the deficiencies of Minnesota’s rulemaking system, Mel engaged him in a lively debate at the legislature that, in my judgment at least, was won by Mel. At any rate, the legislative changes followed Mel’s position. Administrative law is largely a matter of procedure and due process. Mel believed in due process in adminis-

† Administrative Law Judge, Minnesota Office of Administrative Hearings. Judge Beck prepared this tribute for the Administrative Law Newsletter that Professor Goldberg edited.
trative proceedings for the simple reason that he believed anyone affected by action of the government was entitled to a meaningful opportunity to respond to the government.

Mel served as contract administrative law judge with the Office of Administrative Hearings for about twenty years. He handled a number of significant contested cases for the office as his schedule permitted. His decisions were characterized by compassion and good judgment. Administrative law judges conduct rulemaking hearings for state agencies. When the OAH wanted to adopt rules, we turned to Mel to conduct the hearing because of his expertise and reputation for fairness. No one ever claimed that Mel couldn't be impartial. In fact, he was a little bit too impartial—he ruled against one of our proposed rules.

Mel had an impact on a lot of administrative law judges through his teaching at the National Judicial College in Reno, which was another of his uncompensated activities. He taught there about ten years and was the author of Goldberg's Deskbook on Evidence for Administrative Law Judges, which is published and sold by the college.

Mel's life outside of administrative law was full. He was a husband and father first and foremost. He also served as president of his synagogue. He spent a number of years litigating on behalf of people without the means to retain an attorney through the LAMP project and had a number of important precedents. He continued to represent those who could not afford an attorney over the years. He liked guitar music and didn't mind good food.

I will miss working with Mel. He was invariably cheerful and enthusiastic about change. He was tolerant of human foibles and ready to forgive. He was steadily supportive of my office and was always ready to help to accomplish what needed to be done to advance improvements in administrative law. Mel's friends, students, and colleagues will always remember him and the support and encouragement he provided to us.