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## The Distinguished and Exemplary Career of Our Colleague and Friend, Professor Laurel Terry

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# The Distinguished and Exemplary Career of Our Colleague and Friend, Professor Laurel Terry

Gary S. Gildin & Peter G. Glenn\*

The editors of our *Law Review* have appropriately dedicated this issue of the *Dickinson Law Review* to Professor Laurel Terry on her retirement from teaching. This tribute is exceptionally well-deserved.

As two of the deans of our law school, and after working with Professor Terry for many years, we are privileged to add a brief statement of the Penn State Dickinson Law community's appreciation of her distinguished and exemplary career.

Professor Terry has been a complete law professor. She has excelled in each of the three areas in which professors typically are measured: teaching, scholarship, and service. Her work has been integrated so that her teaching, her research, and her service to the profession have been mutually reinforcing. Professor Terry's career repudiates the higher education trope that one cannot both be a superb classroom teacher and an excellent scholar; her contributions as both a teacher and a scholar rightfully earned her the title of *H. Laddie Montague Jr. Chair in Law*.<sup>1</sup> And she has been a great colleague and friend to fellow law teachers, students, and professional colleagues around the world.

We note three of the several substantive areas in which Professor Terry's scholarship and service have been especially impactful:

- The field of academic study of and professional attention to issues involved in international cross-border law practice, including the treatment of those issues in international

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1. For a complete list of Professor Terry's professional accomplishments, which can be found in her *curriculum vitae*, see *Laurel S. Terry*, PENN STATE DICK. L., <https://bit.ly/36zRJvu> [perma.cc/K757-WVG8] (last visited Aug. 11, 2021).

trade agreements, which is a field that Professor Terry helped introduce;

- Academic and professional discussions of new ways to think about regulating the legal profession, including the identification of objectives for regulation and the increasing acceptance of proactive management-based regulation of law practice; and
- The importance of anti-money laundering (“AML”) initiatives in law practice.

Professor Terry opened the field of study of international cross-border law practice. She was one of the first to focus on the work of the European lawyers’ group known as the Council of Bars and Law Societies of Europe (“CCBE”),<sup>2</sup> and she has been a recognized leader in writing about international developments, including the effect of the GATS (General Agreement on Trade in Services) on the regulation of lawyers.<sup>3</sup> In her work on the GATS and other cross-border regulation issues, Professor Terry brought global developments in professional regulation to the attention of the academic, regulatory, and practice branches of the American legal profession, resulting in useful and productive discussions. As a result of her scholarship, she has been invited to join state, national, and international committees that focus on international legal services trade issues, as well as other regulatory issues. She has given presentations at the World Trade Organization and United Nations to U.S. and foreign government officials and to U.S. and foreign lawyer regulators, including state supreme court chief justices.

As to more general issues of professional regulation, Professor Terry was an early academic participant in the still ongoing discussion about multi-disciplinary practice by U.S. lawyers and firms.<sup>4</sup> She has published pioneering articles that have been cited in ABA resolutions, including an article about the importance of establishing regulatory objectives for the legal profession<sup>5</sup> and articles that

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2. See, e.g., Laurel Terry, *An Introduction to the European Community’s Legal Ethics Code—Part I: An Analysis of the CCBE Code of Conduct*, 7 GEO. J. LEGAL ETHICS 1 (1993), <https://bit.ly/3hzcyxs> [<https://perma.cc/HBA9-BH62>].

3. See, e.g., Laurel S. Terry, *The Impact of Global Developments on U.S. Legal Ethics During the Past Thirty Years*, 30 GEO. J. LEGAL ETHICS 365 (2017) (invited Symposium contribution); Laurel Terry, *From GATS to APEC: The Impact of Trade Agreements on Legal Services*, 43 AKRON L. REV. 875 (2010) (updating and expanding on a GATS article originally published in 2001).

4. See, e.g., Laurel Terry, *A Primer on MDPS: Should the No Rule Become a New Rule*, 72 TEMP. L. REV. 869 (1999), (including, as an appendix, the “Issue Checklist” Professor Terry submitted to the ABA MDP Commission).

5. See, e.g., ABA Comm’n on the Future of Legal Servs., Resolution 105: ABA Model Regulatory Objectives for the Provision of Legal Services, 2–4

encourage jurisdictions to adopt proactive regulation, which, as she has described it, is a very positive “ounce of prevention” that expands the basis for regulation from the traditional “reactive” system of discipline for past misbehavior to the strong and structured encouragement of good practices and efforts to prevent, rather than merely respond to, ethical violations.<sup>6</sup>

Another area in which Professor Terry has focused her scholarship and service is anti-money laundering (“AML”) initiatives in the legal profession. An “AML resources” guide she prepared for a 2018 U.S.-U.K. Joint Conference shows some of her contributions.<sup>7</sup> One measure of the impact of Professor Terry’s work is the fact that her articles on these and other topics have been downloaded by tens of thousands of people around the world.<sup>8</sup>

The wide range of Professor Terry’s more than 50 academic articles, book chapters, blog posts, and presentations, and her collaboration with regulators and academics from the U. S. and other nations, has resulted in many invitations for her to participate in international and U.S. meetings and symposia.<sup>9</sup> These opportunities for service have permitted her to become acquainted and to work with many domestic and international scholars and regulators of the profession. As a result of these relationships, Professor Terry has

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(adopted Feb. 8, 2016), <https://bit.ly/2XnBoZu> [<https://perma.cc/BKM2-CH3K>] (citing Professor Terry’s regulatory objectives article).

6. See, e.g., Laurel Terry, *When It Comes to Lawyers, Is an Ounce of Prevention Worth a Pound of Cure*, JOTWELL (July 13, 2016) (reviewing Susan Saab Fortney, *Promoting Public Protection Through an “Attorney Integrity” System: Lessons from the Australian Experience with Proactive Regulation System*, 23 PROF. L. 16 (2015)); Laurel S. Terry, *The Power of Lawyer Regulators to Increase Client & Public Protection Through Adoption of a Proactive Regulation System*, 20 LEWIS & CLARK L. REV. 717 (2016) (cited on ABA Pro. Resp. Comm. & Young Law. Div., Resolution 107, 4 (Aug. 2019), <https://bit.ly/3ffrNtR> [<https://perma.cc/H6GF-Z53H>]).

7. See Laurel S. Terry, *Anti-Money Laundering (AML) Legal Profession Related Resource*, PENN STATE DICK. L. (Mar. 2019), <https://bit.ly/3ke9Vmk> [<https://perma.cc/ZHG5-TC76>]. Professor Terry participated in the development of, or was part of a group that provided comments on, many of the documents on this resource list.

8. See *Laurel S. Terry’s Selected Works Dashboard*, PENN STATE DICK. L., <https://bit.ly/2VEqca1> [<https://perma.cc/N225-9ATM>] (last visited Aug. 11, 2021); see also MARIA J. ESTEBAN & JAMES M. KLOTZ, INTERNATIONAL BAR ASSOCIATION PRESIDENT’S TASK FORCE ON THE FUTURE OF LEGAL SERVICE: PHASE 1—EXECUTIVE SUMMARY, p. #057/24 (Oct. 9, 2017), <https://bit.ly/2V3YflV> [<https://perma.cc/W4UQ-9Y4M>] (summarizing a 2017 IBA study on “drivers of change” and including Professor Terry among the most cross-cited authors).

9. See generally Laurel S. Terry, *Selected Presentations*, PENN STATE DICK. L. (Feb. 11, 2019), <https://bit.ly/3AWp0yS> [<https://perma.cc/UBH2-PFV6>]. Professor Terry’s presentations include the delivery of three named lectures—to the ethics centers at Hofstra and Akron law schools and at the University of Saskatchewan.

been able to introduce regulators, judges, practitioners, and law professors from different jurisdictions to other professionals dealing with similar issues in their own jurisdictions. One of the things of which Professor Terry is most proud is the role she has played in creating opportunities for those professionals to collaborate and share ideas, a process that has broadened the perspectives of those involved in discussions about the regulation of the legal profession in a global economy.<sup>10</sup>

We would fail to do justice to her career if we did not comment on Professor Terry's contributions in the classroom. After serving as law clerk for the Hon. A.T. Goodwin of the United States Court of Appeals for the Ninth Circuit and practicing in the litigation department of a large law firm in Portland, Oregon, she joined our faculty in 1985 and, for the past 36 years, has been a first-rate law teacher. While many of us think of Professor Terry as our primary teacher of Professional Responsibility and Civil Procedure, Professor Terry created and taught, in the United States and overseas, many courses and seminars related to law and the legal profession in the international community. Starting in 2015, she designed and taught the course that is currently called *Law Practice II: Contexts and Competencies*. She also has from time-to-time taught Contracts; Securities Regulation; Property; Federal Courts; and Trial Advocacy.

As we have noted, Professor Terry's sophisticated and elegant writings have educated and influenced fellow academics, lawyers, judges, bar associations, and regulatory agencies across the globe. By her own admission, however, students have been a source of Professor Terry's joy; excellent teaching and mentoring have been focal points of her career. Professor Terry deeply cares about her students. Never content to rest on her laurels (pun half-intended), Professor Terry has annually re-evaluated not only how to better convey the substance of her course material, but also how to help students learn how to learn and to acquire the skills that will make them better lawyers. And a note to those former students who have benefitted from her dedication: Professor Terry loves to hear from alumni students about their career experiences.

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10. Many of the introductions Professor Terry made were informal, but she did have a role in helping establish the International Conference of Legal Regulators and the Can-Am Roundtable that takes place at the ABA's annual ethics conference. See, e.g., Laurel S. Terry, *Creating an International Network of Lawyer Regulators: The 2012 International Conference of Legal Regulators*, 82(2) BAR EXAM'R 18 (2013); *Professor Terry Participates in 2021 Can-Am Regulators' Roundtable*, PENN STATE DICK. L. (June 2021), <https://bit.ly/3rOLHAJ> [<https://perma.cc/74PN-N3UX>].

Professor Terry not only has educated her students, she also has been an institutional leader of the implementation of Dickinson Law's mission of Practice Greatness. She has chaired every significant law school faculty committee and has been especially effective with respect to curricular innovations. Despite being on a well-earned sabbatical leave in 2013, Professor Terry fully participated in the faculty's important reimagination of the Dickinson Law curriculum to prepare students for the new demands of the practice of law in the 21st century. Importantly, she successfully advocated for, designed, and taught the required 1L course, *Law Practice II: Contexts and Competencies* that introduces all students to the diverse contexts in which they may choose to apply their legal education and the competencies, beyond the usual coterie of analysis, research, and written and oral communication, students must cultivate if they are to be effective counselors and advocates.

Professor Terry served as Faculty Advisor for this law review, guiding it through multiple complexities of its relaunch following the division of Penn State's law school into two separately accredited law schools and authoring the Foreword to the first issue of the relaunched *Dickinson Law Review*.<sup>11</sup> She finished her career as *Associate Dean for Research and New Faculty Development*, mentoring newer faculty and ensuring that the robust scholarship of the entire Dickinson Law faculty is appropriately shared and accessible in the vast array of electronic databases.

We are honored to call Laurel Terry our dear and valued colleague and friend.

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11. See Laurel Terry, *Foreword: Why Tradition, Innovation, and New Beginnings: Celebrating the History of the Dickinson Law Review Is an Appropriate Title for Volume 122(1)*, 122 DICK. L. REV. 5 (2017).

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