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Tribute to Julian Conrad Juergensmeyer by James Nicholas

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TRIBUTE TO JULIAN CONRAD JUERGENSMEYER

James Nicholas

This soft spoken gentleman swept out of Appalachia and took land use law like a storm. When Julian began his career, the field of law, in which he is now the acknowledged leader, did not exist. This is a clear indication that he made good use of his time. When Julian arrived on the scene, the first Earth Day was still to occur and the National Environmental Protection Act was not yet written. This young property lawyer with an interest in agricultural law gave the legal profession what we now call Land Use Law. Through his teaching and writing, Julian has brought together disparate and often hostile, ill-defined interests into a body of law that is now a recognized specialization.

After graduating summa cum laude from Duke University, Julian entered Duke Law School where he was Coif and on the editorial board of the Duke Law Journal. Following law school, he practiced at Squire, Sanders and Dempsey in Ohio. He came to Georgia State University as the Ben F. Johnson Jr. Chair in Law, after retiring from a 30-year career at University of Florida and stints at the University of Indiana, Tulane, Duke, Hastings and Haile Selassie I University in Addis Ababa, Ethiopia.

Julian is a son of Appalachia and displays the charm of that region in his speech and mannerisms. The hills and valleys of West Virginia and Kentucky are a part of him. His roots are in the land, and it is to the prudent use of the land that he has devoted his career. Julian has been as a scholar, teacher, mentor and friend to students and colleagues alike. His ideas are to be found in numerous publications, but also in the work of his students, colleagues and in the decisions of many Supreme Courts. It has been rumored that some of their ideas have found their way into his work, too. While Julian is perhaps best known for his work in the area of land use, his interests, teaching and research have literally covered the world. A leading authority on international environmental law, he pioneered many of the international conventions that are now being recognized as means to protect land resources and the environment around the world. He has written extensively on the interface between international trade and environmental protection and has put forward methods of securing natural habitat and means to fund both human-made and natural infrastructure. Julian has taught law at universities in the United States, Ethiopia, Mexico, France, Belgium, Poland, Canada and Denmark. He has lectured in just about all of the places where he did not teach. In these classes and seminars, he instructed the present and next generation of lawyers in what the law is and also in what the law should be.

One of Julian's major contributions has been impact mitigation, specifically mitigating the impact of land development on the human and natural environments. Much to Julian's chagrin, this area of law is frequently referred to as "exactions." Within the context of impact mitigation, "exactions" would be dedications of land or improvements that lessened any deleterious effect new development might have. Within another context, "exactions" are extortion. It is terribly unfortunate that many actions undertaken to prevent public harm have been labeled as extortion. Perhaps the next generation of legal scholars can correct this unfortunate nomenclature.

After 55 years, Julian is retiring. Saying that he will be missed implies that he will be gone, which is highly unlikely. Julian has been and will remain a great presence in the legal profession. He is also a valued colleague and friend to those that he leaves behind as he begins a new phase of his career. We bid farewell to Julian Juergensmeyer with appreciation for all that he has done and with the knowledge that he will remain our colleague and friend.