

Iconic lawyer passes torch Harvey voice of civil litigation for decades.

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Jennifer Mehalik - jmehalik@ibj.com

IL Staff

It's not often that someone in the legal community would be referred to as a rock star, but in William Harvey's case, the comparison is appropriate.

The retired professor and dean of the Indiana University School of Law – Indianapolis has cemented a highly respected and revered reputation in the Indiana legal community. Numerous recognizable names in the state and throughout the country have taken a class taught by Harvey – former vice president Dan Quayle and his wife, Marilyn, ambassador Daniel Coats, and U.S. Congressman Mike Pence, just to name a few. While many know him as a professor and former dean, his greatest impact on the Indiana legal world may be from his authorship of the Indiana Civil Procedure and Evidence volumes.

Harvey has written a total of 25 volumes, starting in 1968, shortly after he relocated to the state to teach at the IU School of Law – Indianapolis. For nearly 30 years, Harvey has been the voice of civil procedure in Indiana until he decided to retire from writing the volumes in 2003 because of health issues.

“Professor Harvey is an icon. He's a rock star to lawyers,” said Stephen Arthur, partner at Harrison & Moberly in Indianapolis and former student of Harvey who has taken over the task of authoring the volumes.

Harvey has had a huge impact in civil litigation. He is scholarly in the way he approaches the rules and is almost a perfectionist in understanding the history and how they will operate in the civil procedure area, he said.

“Harvey was a legend in Indiana. There is no other way to put it,” said Jim Parks, principal attorney editor for Indiana at Thomson/West. “He'd turn out a fine quality book.”

Harvey said his publisher once told him that around the time the second edition of the volumes came out in the 1980s, they had been cited by the state and federal courts nearly 3,000 times and about 10 times more in briefs submitted.

“The first edition came out in 1968 in Indiana and was awfully well received and used by lawyers and judges,” Harvey said.

It's not every day an author of a law volume will have his or her work cited by the courts, said Parks.

“I've handled a number of jurisdictions for Thomson/West and only a handful of books like this are cited by courts. That is a tribute to the care and the depth and the richness of his scholarly analysis,” he said.

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A second edition came out in the 1980s, with a third edition coming out in the late 1990s and early 2000s. The time to write each book varied for the specific rule and research required, but Harvey estimated it took him on average a year and a half to write each volume. He wrote while teaching full time, acting as dean, and while writing other columns and law reviews. He was able to balance his time with great difficulty by being very efficient.

“I worked terribly hard 24/7. In essence, I never stopped working,” he said, except when he would take time to spend with his wife and children.

Writing is something professor Harvey has always enjoyed. He wrote briefs for important cases in the U.S. Supreme Court, Indiana Supreme Court, Indiana Court of Appeals, and the 7th Circuit Court of Appeals.

“I worked for three federal judges in law school and studied the way they wrote. I learned from them and really enjoyed

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Jim Parks, attorney
editor, Thomson/West

all forms of legal writing," Harvey said, a graduate of Georgetown University Law Center.

Harvey actually had experience writing volumes like the Indiana Civil Procedure and Evidence because he had completed a similar volume for Kansas while he was teaching at Washburn University in Topeka. In Kansas, though, he had an experience that he never had while writing the Indiana volumes. In the summer of 1966 he had just completed an entire volume, which was sitting in his office on campus to be shipped to the publisher.

"That evening, an enormous tornado hit Topeka, Kansas, and hit the law school dead center," he said. "It sucked everything out of the office, and I never found a piece of it. There was no duplicate so I had to do it all over again."

That experience made Harvey greatly appreciative of electronic recording and word processing, he said. Harvey always took great pride in being timely in turning in his volumes and believes that was one of the reasons he had a great relationship with the publisher.

As author of the volumes and former professor, Harvey made himself accessible to students and attorneys to ask questions anytime they needed.

"I always said to students, 'if you ever have a problem any time in your career, I'll be available.' I said that and I meant that," he said.

He used to receive five calls a week from students, but now he will have about one or two a month from people seeking advice from their former professor.

After taking over writing the volumes, Arthur has started to receive some of those calls from attorneys with questions about a specific rule or procedure.

Harvey retired from writing the volumes four years ago but still continues to write, including a history about the IU School of Law – Indianapolis, as well as working with the Legal Aid Society. He made sure to tell the Thomson/West that Arthur would be a great successor to take over authorship.

"Steve has done books on his own and is a good attorney," Harvey said.

Parks said he is very pleased with the work Arthur has done on the Indiana Civil Procedure and Evidence books. For the past three years, Arthur has been the author of the pocket supplement Thomson/West puts out yearly for updates to the hardback volumes. In addition to the annual pocket parts, Arthur will begin revising the volumes in the next couple of years.

"It's a daunting task to read eight volumes and try to continue the legacy and quality of Harvey," Arthur said.

It's a task Thomson/West believes Arthur is capable of completing with the same excellence as Harvey. Not only is Arthur a managing partner at his firm, he is actively practicing law as well as writing the Indiana Civil Trial Practice and Procedure and Indiana Procedure Forms.

"I can tell you that I could not be more pleased with Steve Arthur as replacement for Harvey. Steve has proven himself up for the job," Parks said. "The people in Indiana can be very, very grateful for the fact they had Harvey and they are now getting Steve Arthur."

So does Arthur see himself as the next rock star of Indiana attorneys?

He describes himself as in the same league the Indianapolis Indians, whereas Harvey is like the New York Yankees.

Harvey thinks Arthur needs to give himself a little more credit.

"Steve is a bit higher than the Indians," he said. "He should say he's at least the St. Louis Cardinals." •