



**Liberty Hall
Lawrence, KS
A Celebration of Life, Jana Mackey
July 9, 2008
Gail Agrawal
Dean of the KU Law School**

Good afternoon. My name is Gail Agrawal, and I am the dean of KU Law School.

Today, I speak for Jana's classmates, the remaining one hundred fifty-nine (159) members of the Law School Class of 2010, and for her teachers, including favorites, professors Ellen Sward and Jelani Jefferson Exum. I speak for all of us in the KU Law community who grieve the loss of the beautiful woman with the great smile – who also happened to possess the best, the biggest, and the most creative collection of earrings this side of the Mississippi.

If my remarks seem long to you, I hope you will forgive me; I have the memories and the love of so many to convey.

Jana was every law dean's dream candidate. As her criminal law teacher Tom Stacy observed, she brought a "rare combination of intellect, thoughtfulness, and passion." But perhaps even more important to me, she came to us with the power of hope -and selflessness- and optimism in her and our collective capacities to affect the future.

Not for Jana would law school be a means of "keeping her options open." Jana told us from the first, in her personal statement seeking admission to KU Law and in her bio for Professor John Peck: "I want a legal education because it will make me a more effective advocate for the people and the issues that matter to me." Her path – had she been given the time to follow it -- was clear to her, and it was quickly clear to us.

Not for Jana would personal success be measured by the size of the numbers on her paycheck. Her "eyes on the prize-in-the-distance" gazed not toward Wall Street and large law firms with long names for founding partners, but to a clear we-can-do-it vision of "social justice" -- for women, for gays and lesbians-- for all those whose voices were too rarely heard – or listened to -- in the corridors of power. Jana would make a difference, and the large and small steps our society took toward human rights would be the measure of her success.

And so on a hot day in August – Monday, August 13th 2007, to be exact – she began. Her first-semester teachers tell me she liked the seat in the back, near the door. But if she was trying to avoid being called on, she was out of luck. She had a powerful presence; her teachers, like everyone who crossed her path, were drawn in by her warmth--and by that great smile. One teacher sheepishly admits calling on Jana three times in as many days— a serious breach of our students' expectations. But Jana didn't seem to mind. As

Professor Elizabeth Weeks Leonard put it -- with a note of surprise-- “Jana actually enjoyed the process of learning the law.” Those of you who, by chance, remember being first-year law students will know how rare a trait that is.

Her friends --Nate Hill and Sonja Kramer – admit they were grateful for her quick mind, and more for her willingness to speak up when the class sat silent and confused. And, the professor waited to see a spark of intelligence ignite among her students. Jana definitely generated a lot of sparks, and not just during class.

It wasn't long before Jana made her presence in the law school known outside the classroom. Between classes, Dana Watts, Meg Mahoney, and Jennifer Berry remember that Jana could be found in the same spot in the student Commons, talking and laughing, surrounded by her many friends. More than one person described her friends to me as a “very diverse bunch” drawn by her energy across artificial lines of gender, national origin, color, sexual orientation, and age. Jana's circle was drawn large.

After classes ended for the day, Jana and her study group were off to Henry's to argue over fine points of law for their outlines and consume endless cups of dark-roast coffee and lemon bars.

With friend and classmate Ben Coleman, she quickly took a leadership role in the Public Interest Law Society, and with the International Forum, and with Women-in-Law. Jana's mom Christie tells me Jana had some very definite ideas about improving our signature casino night, a fundraiser she helped plan last year. I'll be sharing those ideas with Ben soon.

It was, however, in one of her last undertakings at the Law School that I came to know, without any doubt, that in Jana's passionate lobbyist-soul beat the strong heart of a woman destined for the law. You will know that Jana was always a victim's advocate. She had begun to consider the possibility of a career as a prosecutor, so she could bring wrongdoers to justice. But, as soon as she was eligible, she signed up for the Defender Project, a law school clinic in which students defend the rights of federal prisoners, not their victims. There, under the supervision of teachers Beth Cateforis and Jean Phillips, Jana would represent her first – and as it turns out also her last – client. And, he would be a repeat perpetrator of violence. Because she was to be a lawyer, she would put aside her passions to represent her client and his interests to the very best of her considerable ability. I regret, more than I can say, that we will not come to know the lawyer Jana would have been.

When the sharp edges of our grief have softened, you might think about this observation by Mahatma Gandhi, himself trained in the law. It will always bring Jana to my mind. Gandhi said, “A small body of determined spirits, fired by an unquenchable faith in their mission, can alter the course of history.” Jana was not given enough time to personally alter the course of history. But, in this room, gathered here today, is all the evidence we need – proof beyond any reasonable doubt -- that where Jana Mackey was, determined young spirits gathered—frequently on her famous front porch -- drawn by her passion, by

her powerful and beautiful voice, drawn to her mission by their faith in her causes. Not this day--but soon enough--it will fall to them, to all of us, to take up Jana's causes and carry on. She would have expected – and accepted -- no less.