

IN MEMORIAM

Margery F. Gootnick: 1927–2012



Margery Gootnick, President of the Academy in 2005, passed away in Rochester, New York, on April 16, 2012, at the age of 84. Margery was a person of enormous energy and indomitable spirit. She deeply loved the Academy, which she called the most important relationship in her life next to her family. She relished every opportunity to meet members, especially new members, and to connect them with one another. She was the hub of an astonishing number of interpersonal relationships within the Academy, and an extraordinary number of members—and their spouses, partners, and families—counted her as “friend.” She was in touch with the Academy’s soul, and she lived her life as an expression of its heart.

Margery attended her first NAA meeting in 1976 as the guest of Jean McKelvey, who had introduced her to labor arbitration. Upon learning that Jack Dunsford was membership chair, she approached him directly with: “Mr. Dunsford, my name is Margery Gootnick and I’m so impressed with your organization I would like to join immediately. In fact, I have my checkbook here, and I would like to write you a check for my dues.” When she later received the membership standards, she reflected: “I realized I didn’t have any of them.” But in reasonably short order she did.

Admitted in 1978 when the Academy had fewer than a dozen women members, Margery served on and chaired a host of committees, several more than once. She was proud to have been the Academy’s third woman president, preceded by McKelvey (1970) and Eva Robbins (1980). There was no assignment or task she would not accept or to which she would not devote her full energy. Margery loved being president (although she often said she enjoyed being past president more), but her favorite role was as new member orientation chair. She often regaled others with her tales of membership in two Academy “secret” societies: the Short NAA Presidents Association and the Grandmothers of the NAA. She was a Life Fellow of the NAA Research and Education Foundation and a pioneer in establishing a charitable remainder trust for the Foundation.

So visible was Margery in the Academy and in her national labor and employment arbitration practice that it is surprising that she got her start in arbitration relatively late. A native of Rochester, she majored in government at Harvard and then went to law school at Cornell, having no exposure to arbitration or labor law at either. While in law school she met and married the love of her life, Dr. Lester Gootnick, an orthopedic surgeon. After law school, she

joined a local law firm at which, as she later recounted, “my job was to search titles and to repossess refrigerators and television sets.” She then took what she called “my 14-year maternity leave,” raising her three children. As the children entered their adolescent years, Margery heard about and enrolled in a labor arbitrator development course being taught by Jean McKelvey, also a Rochester native, whom she had met on the train from Rochester to Ithaca when she was in law school. The course was love at first sight and the beginning of what she later described, in her multimedia presidential address, as “my love affair with arbitration.”¹

Margery’s arbitration practice included ad hoc labor cases; employment arbitration and mediation; commercial disputes; more than 20 private, public, and federal labor arbitration panels; the U.S. Foreign Service Grievance Board; the U.S. Foreign Service Impasse Disputes Panel; the Court of Arbitration for Sport; and three Presidential Emergency Boards. She chaired the Labor and Employment Law Section of the New York State Bar Association and served on the board of directors of the Society of Federal Labor Relations Professionals. She was a fellow of the College of Labor and Employment Lawyers and served on the board of advisors of the Scheinman Institute on Conflict Resolution at Cornell. Throughout her arbitration career she was active as a mentor, trainer, and symposium speaker.

Margery had a rich and rewarding life outside of arbitration as well. She and Lester, who celebrated their 50th wedding anniversary before his death in 2004, were insatiable international travelers. “Let’s just say,” she recounted, “that I ran out of continents to visit.” An avid golfer from age nine, she was also a U.S. Ski Association Certified Official Timer, an activity she undertook while driving her nationally ranked ski racer sons all over New England. But she was most passionate about sailing. She and Lester regularly sailed their 30-foot sailboat on Lake Ontario and their 20-foot gaff-rigged boat on Lake Canandaigua in the Finger Lakes.

Margery and Lester shared a passion for music and ballet and for the Chautauqua Institution. They summered at Chautauqua each year, hosting family and friends and actively supporting the Institution’s programs and mission. Margery was a leader and scholarship sponsor with the Chautauqua Dance Circle and co-sponsored

¹Margery F. Gootnick, Presidential Address: My Love Affair With Arbitration, in *Arbitration 2006: Taking Stock in a New Century*, Proceedings of the 59th Annual Meeting, National Academy of Arbitrators (Stephen F. Befort & Paul F. Gerhart, eds., DVD rel. 2007).

the Everett Jewish Center's Annual Film Festival. She loved to have fun and was not above poking fun at herself. She once took a conducting workshop at Chautauqua. Thereafter, from her third-floor balcony overlooking the amphitheater, she would mount a stepstool one or two nights a week, tap her baton on the balcony railing and, unseen by the musicians and the audience, conduct the entire performance of the Chautauqua Symphony Orchestra. She particularly enjoyed conducting Tchaikovsky, Schubert, and Mahler, and the Orchestra played magnificently under her direction. In her last two decades, she spent some time every day anticipating her summer at Chautauqua.

The daughter of Jean and Morris Fischbein, M.D., Margery was predeceased by Lester and grandson Nathan Gootnick. Surviving are her sons Jonathan, David and wife Betty Miller, and daughter Amy Gootnick; three grandchildren, Rachael Gootnick and Ruby and Benny Miller-Gootnick; and her treasured legal assistant, Gayle Bates, and Gayle's children, Tyler and Abigail.

Margery's death was sudden and unexpected. The outpouring of tributes from members and friends reflected the love and esteem of those to whom she showed such care. She was a mentor, coach, confidante, rabbi, mother, grandmother, fairy godmother, and indefatigable promoter and public relations agent for her many friends. Margery always reminded others that "no one is promised tomorrow" and invested in her myriad personal relationships every day with phone calls, notes, e-mails, and humorous birthday, special events, and holiday greeting cards. She welcomed each moment as a gift and died, as she wanted, on the eve of her next fascinating case. One can almost hear her summary exultation: "Mine was the best life, ever!" Margery will be deeply missed by her many Academy friends who could offer no better tribute to her example and memory than to continue paying forward her rich gifts of friendship, optimism, committed service, and boundless good humor.

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