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To conform with changes required by passage last fall of a voter-enacted state constitutional amendment (“Proposal 2”) that forbids higher education institutions from using race as a factor in admissions decisions, the University of Michigan Law School faculty adopted the following admissions policy on March 23, 2007:

Law School faculty adopts new admissions policy

The University of Michigan Law School’s admissions process is designed to assemble an exceptional community of talented and interesting students who will flourish in and out of the classroom and go on to accomplished careers. Two crucial points follow from this goal. One: our assessment is forward-looking, not backward-looking. Two: our evaluation criteria are holistic, in two senses. First, each application features a wide range of relevant considerations that can’t be reduced to any mechanical formula. Second, we are always thinking about the mix of people we are assembling, not merely making a series of discrete decisions on individual applicants. Here we expand on each point.

One: We are not rewarding past performance, but assessing the likelihood of outstanding engagement with the School and with whatever career follows. Past performance is of course the basis of our assessment and we look for a record of impressive accomplishments. But strictly speaking no one deserves or is entitled to admission on the basis of that performance, however impressive. Quantitative measures of academic performance—LSAT and GPA—neither preclude nor guarantee admission. We look for highly intelligent people who welcome challenging experiences, who have demonstrated leadership and community service, who have shown determination and discipline, who are eager to outdo themselves, and who are creative and resilient in dealing with adversity. We pay attention to evidence of academic progress. So, too, we pay attention to considerations—working many hours, coming from an educationally deprived background, having primary care responsibilities for family members, and so on—that may provide a context for the formal record of academic achievement.

Two: The Law School is warmly cooperative and intellectually invigorating. We seek students who relish both working together and engaging in constructive and challenging debate. Our graduates go on to succeed in every imaginable domain of the law and beyond: public interest law, private firms, government service, the bench, solo practice, academia, corporate counsel and leadership, business, politics, and more. We seek students who will continue this tradition of excellence in varied careers. Our commitments to collegiality, to bracing debate, and to enabling our students to pursue a wide range of options explain why the School has long been committed to diversity along many dimensions. In assembling an entering class, then, we look for individuals with intriguingly different backgrounds, experiences, goals, and perspectives. Academic majors, work experience, extracurricular activities, distinctive moral and political outlooks, socioeconomic background, time living or working abroad, and more inform our admissions decisions. We urge applicants to supply whatever information they think will most fully present their qualifications and attributes.

The dean of admissions regularly consults with the Law School’s dean and the faculty admissions committee on questions arising in implementing this policy.

Reimann, co-editor, assay the 'state of the art' of comparative law

Mathias W. Reimann, LL.M. '83, and co-editor Reinhard Zimmermann have brought more than 40 scholars from around the world into the 1,430 pages of their new *Oxford Handbook of Comparative Law* to depict the "state of the art" of the field of comparative law in the 21st century.

Divided into three major parts, the *Handbook* (Oxford University Press, 2006) assesses the development of modern comparative law, examines comparative law as an intellectual enterprise, and, finally, focuses on individual branches where comparative studies have borne fruit.

Over the past decade or two, the discipline of comparative law "has faced new tasks and challenges, arising mainly from the Europeanization of law, and more broadly, the globalizing trends in contemporary life," write Reimann, Michigan Law's Hessel E. Yntema Professor of Law, and Zimmermann, director of the Max Planck Institute for Comparative and International Private Law in Hamburg, Germany, and professor of private law, Roman law, and comparative legal history at the University of Regensburg.

The field of comparative law has come in for close scrutiny, especially in Europe and the United States, Reimann and Zimmermann write. "It has lost its methodological innocence as scholars began to ask hard questions about traditional approaches, such as the functional method. It has engaged in interdisciplinary discourse with history, sociology, economics, anthropology, and other fields.

"As a result, comparative law has become a vibrant and intellectually stimulating field of study and research and it has advanced our knowledge in a variety of areas and contexts.

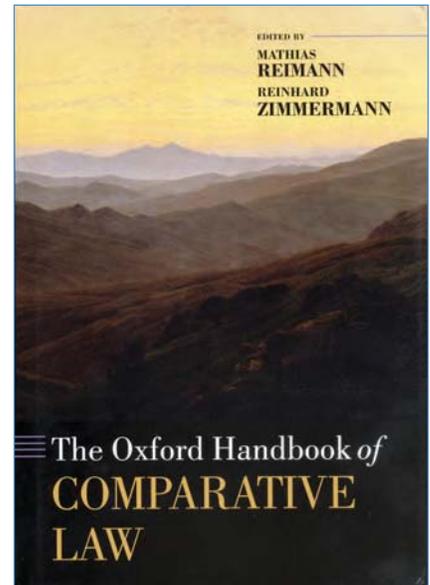
"At the same time, it has often been noted that there is no comprehensive account of the 'state of the art' of the discipline. This book undertakes to provide such an account."



Mathias W. Reimann, LL.M. '83

After the introductory "Comparative Law before the Code Napoléon," by Charles Donahue, the Paul A. Freund Professor of Law at Harvard, the *Handbook* sets to its task with a will:

- **Part I – The Development of Comparative Law in the World**, with its eight chapters detailing the development of comparative law in France, Germany, Switzerland, and Austria, Italy, Great Britain, the United States, central and eastern Europe, east Asia, and Latin America.
- **Part II – Approaches to Comparative Law**, 18 chapters devoted to subjects like "Comparative Law and Comparative Knowledge," "Comparative Law as the Study



of Transplants and Receptions," "Comparative Law and the Islamic (Middle Eastern) Legal Culture," "Comparative Law and African Customary Law," and "Comparative Law and Socio-legal Studies"; and

- **Part III – Subject Areas**, with 16 chapters focusing on topics like "Unjustified Enrichment in Comparative Perspective," and comparative law in contracts, sales, torts, property, succession, family, labor, antitrust, civil procedure, and other fields. Reimann's own chapter in this section is "Comparative Law and Private International Law."

"We hope that the book will give a vivid impression of a legal discipline which is both intellectually exciting and perhaps more practically relevant than ever before," say Reimann and Zimmermann. "At the same time, it is hoped that this volume will bring home to its readers how much interesting work remains to be done."

Santacroce co-authors handbook for local government officials

Clinical Assistant Professor David Santacroce has co-authored a new handbook to help officials of local governments write contracts that improve the odds that companies receiving economic development incentives keep their promises to create jobs and other community benefits—or pay taxpayers back.

The handbook, *The Ideal Deal: How Local Governments Can Get More for Their Economic Development Dollar*, has been released by Good Jobs First, a Washington, D.C.-based nonprofit organization that promotes good state and local economic development practices, and the Center for Urban Economic Development at the University of Illinois at Chicago. Santacroce's co-author is Rachel Weber, an associate professor in the Urban Planning and Policy Program at the University of Illinois-Chicago.

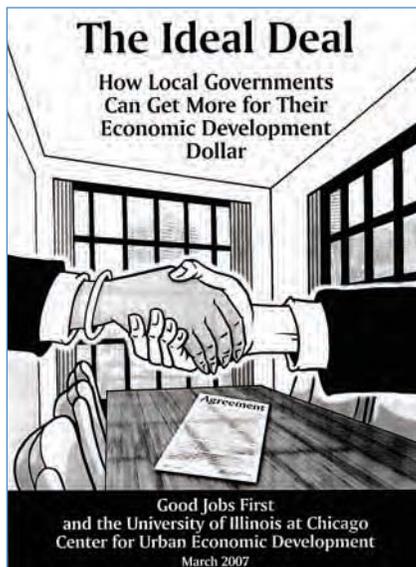
Weber has done extensive surveying of localities and written about best incentive-deal practices;

Santacroce has litigated and written about legal remedies for failed incentive deals. Their handbook provides step-by-step guidance through the elements of contracts that treat a public incentive package as a quid pro quo for public benefits.

“No one likes to spend too much on a deal, and no one

wants to sue if a deal doesn't pan out,” Santacroce explained. “Deliberate procedures and thorough contracts minimize the odds that problems will develop.”

The handbook is available in PDF form via the Good Jobs First Web site: www.goodjobsfirst.org.



Hathaway's *Rights of Refugees* wins ASIL's Certificate of Merit

James C. Hathaway's pioneering look at the rights and plight of refugees, *The Rights of Refugees under International Law* (Cambridge University Press, 2005), has been awarded the Certificate of Merit from the American Society of International Law. The award, first given in 1952, recognizes "the most distinguished work in the field of international law in the current year or in the immediately preceding year."

Hathaway, the James E. and Sarah A. Degan Professor of Law, is director of the Law School's Refugee and Asylum Law Program. Other Michigan Law scholars who have won the award include Harold Jacobson (2004), Christine Chinkin (2001), Steven Ratner (1998), Bruno Simma (1996) and Alex Aleinikoff (1986).

Combining legal and theoretical scholarship with real-world case histories, *The Rights of Refugees* provides the first comprehensive analysis of refugees' human rights under the UN's Refugee Convention. Ten years in the writing, the book appears as many governments around the world are wrestling with the traditional idea of assimilating refugees into their countries' populations, granting refugees freedom of movement, social welfare benefits or other similar rights, or, indeed, whether to take in refugees at all.

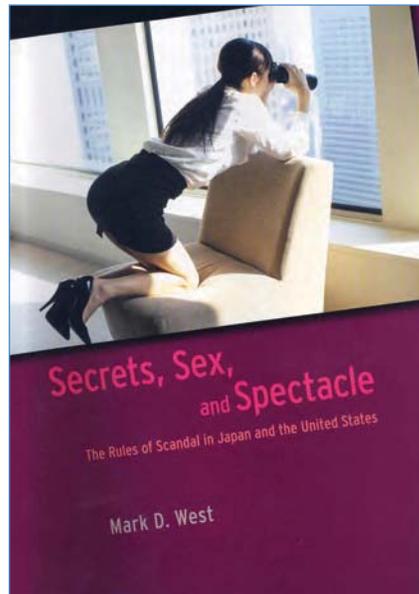
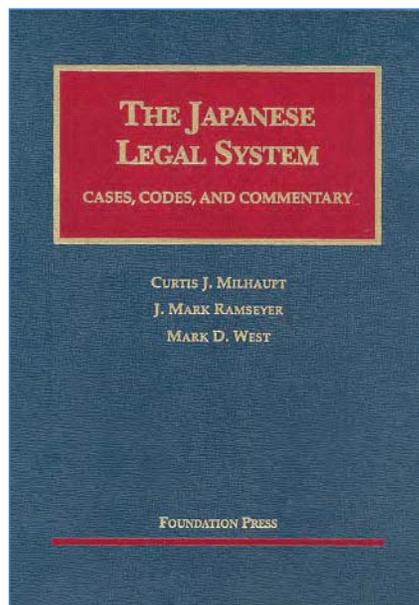
Coupling such questions with the norms of basic international human rights, Hathaway uses the result to examine some of the world's most challenging refugee protection questions.

An excerpt from *The Rights of Refugees* appeared in the Fall/Winter 2007 issue of *Law Quadrangle Notes* as "Refugees' human rights and the challenge of political will," pages 71-72).



James C. Hathaway

West's research leads to casebook and comparative 'scandalogy'



Mark D. West's two most recent books look at two sides of the Japanese legal system. His new casebook, *The Japanese Legal System: Cases, Codes, and Commentary*, co-authored with Curtis Milhaupt and Mark Ramseyer, provides a broad overview and includes several new translations of cases. "Previous textbooks on Japanese law tended to focus mostly on theory, without a lot of attention to the law," says West. "That approach made it seem like the law didn't matter very much in Japan, which couldn't be further from the truth. In this book, we wanted to concentrate more on the cases so that students could get a better understanding of how Japanese judges present facts, apply law, and reason."

West's other book, *Secrets, Sex, and Spectacle: The Rules of Scandal in Japan and the United States*, takes a comparative look at scandal and its connection to the law. "People often ask me to recommend books that discuss how law functions in Japan," West explained. "They don't want to know specific provisions of tort law; they want something they can actually read. I tried to write the book for those readers. I focused on fun, scandalous stories, and tried to create a feel for how things work in Japan."

West, the Nippon Life Professor of Law, faculty director of Michigan Law's Center for International and Comparative Law, and director of the University of Michigan's Center for Japanese Studies, has presented this kind of double-barreled scholarship before: in *Economic Organizations and Corporate Governance in Japan: The Impact of Formal and Informal Rules* (2004), he focused



Mark D. West

on formal legal structures, and in *Law in Everyday Japan: Sex, Sumo, Suicide, and Statues* (2005), he looked at how those structures affect people.

The latter idea motivates *Secrets, Sex, and Spectacle: The Rules of Scandal in Japan and the United States*. His publisher issues this tease: "A leader of a global superpower is betrayed by his mistress, who makes public the sordid details of their secret affair. His wife stands by as he denies the charges. Debates over definitions of moral leadership ensue. Sound familiar? If you guess Clinton and Lewinsky, try again. This incident involved former Japanese Prime Minister Sosuke Uno and a geisha. . . ."

"When Japanese and American scandal stories differ, those rules—rules that define what's public and what's private, rules that protect injuries to dignity and honor, and rules about sex, to name a few—often help explain the differences. In the case of Clinton and Uno, the rules help explain why the media didn't cover Uno's affair, why Uno's wife apologized on her husband's behalf, and why Uno—and not Clinton—resigned."

West hopes that the comparative aspect of his work can bring insights beyond Japan.

An excerpt from *Secrets, Sex and Spectacle* begins on page 89.

Activities

Irwin I. Cohn Professor of Law **Reuven Avi-Yonah** delivered the keynote address, “The Commerce Clause and Federalism: A Comparative Perspective,” at Georgetown University’s state and local tax institute in May; presented the paper “Corporate Social Responsibility” in April at a conference on critical tax at UCLA; made four presentations in March on U.S. international tax at Sao Paulo, Belo Horizonte, and Curitiba, Brazil; and in February presented his paper “Formulary” at the Hamilton Project Author’s Conference in Washington, D.C., and at the University of Pennsylvania Law School. At the ABA tax meeting in Florida in January, he chaired the VAT panel and made presentations at the panels on teaching tax law and international tax law. Late last year, he chaired the panel on international law at a conference in Haifa honoring Israeli Supreme Court Chief Justice Aharon Barak, taught U.S. International Tax at Hebrew University in Jerusalem, presented the paper “Corporate Social Responsibility” at a conference on tax and corporate governance at the Max Planck Institute in Munich; spoke on “A Proposal to Adopt Formulary Apportionment for Corporate Income Tax” at the Hamilton Project Retreat in New York; presented his paper “Corporate Social Responsibility and Strategic Tax Behavior” at Georgetown University Law School; and taught a comparative Controlled Foreign Corporations course at Vienna Economic University.

Professor **Michael S. Barr** served as an advisor on a European Commission project on “Financial Services Provision and Prevention of Financial Exclusion,” and received a Ford Foundation grant to organize a conference (together with Dean Rebecca M. Blank of U-M’s Gerald R. Ford School of Public Policy) on “Access, Assets & Poverty,” to be held in Washington, D.C., in October 2007. Barr’s paper, “Tax Preparation

Services for Low- and Moderate-Income Households: Evidence from a New Survey,” was presented at the annual meeting of the American Law & Economics Association, Harvard Law School, May 2007. During the winter, Barr helped to launch the inaugural issue of the *Harvard Law and Policy Review* with his invited essay, “An Inclusive, Progressive National Savings & Financial Services Policy.”

Omri Ben-Shahar, the Kirkland & Ellis Professor of Law and Economics, was a visiting professor at the University of Chicago Law School late last year and early this year. He also has been elected chair of the Association of American Law School’s section on contracts; is editor of *Boilerplate: Foundations of Market Contracts*, being published this year by Cambridge University Press, and is serving as area organizer for the panel on torts for this year’s annual meeting of the American Law and Economics Association at Harvard. He also lectured recently on “How to Repair Unconscionable Contracts” at Kirkland & Ellis in Chicago as well as law schools at the University of Chicago and Duke University.

Professor **Sherman Clark**, who also is an adjunct professor of kinesiology at the U-M, in March discussed the question of what, if any, special obligations athletes have because of their status as public role models in a forum sponsored by Students for Ethics, part of U-M President Mary Sue Coleman’s Ethics in Public Life Initiative.

James C. Hathaway, the James E. and Sarah A. Degan Professor of Law and director of Michigan Law’s Refugee and Asylum Law Program, delivered the 25th annual Allan Hope Southey Memorial Lecture at the University of Melbourne Law School on the subject “Why Refugee Law Still Matters.” While at Melbourne, he also co-taught a graduate seminar on international refugee law with Melbourne faculty member Michelle Foster, S.J.D. ’06, and gave the opening plenary address to

the Conference on International Law and the Offshore Processing of Refugees. While in Australia, he also led a one-day seminar on refugee research at Australian National University in Canberra and was hosted by High Court of Australia judges in the capital; spoke on “Refugee Solutions, or Solutions to Refugeehood?” and co-led a workshop on human trafficking at Sydney Law School; provided advanced training to members of Australia’s Refugee Review Tribunal; and met with judges of the Federal Court of Australia in Melbourne and Sydney.

Associate Professor of Law **Nicholas Howson** gave a wide-ranging lecture at Northwestern’s Kellogg School of Management entitled “Foreign Capital in China 1979-2006—From FDI to Equity Participation in Corporatized Chinese Enterprises” in February. In March, his article on the post-WTO foreign participation in China’s capital markets and financial services—“China and WTO Liberalization of the Securities Industry: *Le Choc des mondes or l’Empire immobile?*”—was published in *Asia Policy*. The financial services industry in China—and specifically the investment banking and fund management sectors—was also the subject of a presentation he gave at the Johns Hopkins University-SAIS conference “China’s Financial Sector Reforms and Governance” in Washington, D.C., in mid-April. In late April, he gave a paper at Mark Ramseyer’s Asian Law Workshop at Harvard Law School on the recognition and implementation of corporate fiduciary duties by China’s basic level courts prior to 2005, and formal articulation of the concept in China’s new corporate statute.

Professor of Law **Ellen Katz** presented her paper “Reviving the Right to Vote” at the Workshop on Advanced Topics in Election Law at Yale Law School in April and in March presented “Judicial Review and the Voting Rights Act” at the Participatory Democracy Workshop Series at the USC-Caltech Center for the Study of Law and Politics and the University of Southern California Law School in Los Angeles.

Professor Emeritus **Yale Kamisar** and co-authors Jesse Choper, Richard Fallon Jr., and Steve Shiffrin have published the 10th edition of their 1,500-page constitutional law casebook. During the summer this year they are to publish a shorter paperback constitutional law casebook, *Leading Cases in Constitutional Law*. On March 13, Kamisar spoke on Clarence Darrow as “a role model for 21st century lawyers” as a panelist for Santa Clara University School of Law’s commemoration of the 60th anniversary of Darrow’s death.

Richard O. Lempert, ’68, the Eric Stein Distinguished University Professor of Law and Sociology, continues to serve as secretary of the political science, sociology, and economics section of the American Association for the Advancement of Science. Last summer, he participated in the first month-long SHARP summer workshop sponsored by the Office of the Director of National Intelligence, which brought together scholars and people from the intelligence community to examine how to improve intelligence assessments. Last summer, he was guest blogger on the Empirical Legal Studies Website to discuss issues relating to empirical work, and he also testified before the U.S. Commission on Civil Rights regarding affirmative action.

Associate Dean for Clinical Affairs **Bridget M. McCormack** delivered the Windsor Yearbook Access to Justice annual distinguished lecture at the University of Windsor (Ontario) Law School in February. In March, she argued a habeas corpus claim in a murder case before the Sixth Circuit Court of Appeals in Cincinnati and a second murder case before the same court in April.

Clinical Assistant Professor of Law **Mark K. Osbeck** in March successfully presented oral argument to the Colorado Court of Appeals as part of his representation of a company that wishes to develop a private ski development on 6,000 acres near Vail. The issue centered on ownership of the parcel, and involved the applicability

of the Full Faith and Credit clause of the Constitution where the judgments of sister states conflict. The court ruled—only 10 days after oral argument—in favor of Osbeck’s client.

Assistant Professor of Law **John A.E. Pottow** delivered his paper “The Myth (and Realities) of Forum Shopping in Transnational Insolvency” at the symposium Bankruptcy in the Global Village: The Second Decade at Brooklyn Law School last fall. The symposium updated and commemorated the influential conference that brought discussion of cross-border insolvency into academic circles; it also served as a reunion for many of the participants in the original symposium a decade ago.

In early May, Assistant Professor of Law **J. J. Prescott** presented his paper “Empirical Research on the Post-Booker Federal Sentencing System” at the 16th annual Federal Sentencing Guidelines National Seminar in Salt Lake City and also presented his paper “The Effects of Sex Offender Notification Laws” at the meeting of the American Law and Economics Association at Harvard Law School. Last fall, he presented his paper “Empirical Evidence of Prosecutorial Charging Manipulation” at the Conference on Empirical Legal Studies at the University of Texas Law School and at the Junior Empirical Legal Scholars Conference at Cornell University Law School.

In March, Hessel E. Yntema Professor of Law **Mathias W. Reimann, LL.M., ’83**, was a panelist to discuss “The Future of International Litigation” at the annual meeting of the American Society of International Law in Washington, D.C.; in February, he co-organized the second Comparative Law Work in Progress Workshop, which was held at the University of Illinois College of Law this year after the inaugural program at the University of Michigan Law School last year. He also: spoke on “Rules, Regulations, and Individual Liberty: The

United States as the Land of the Free?” at the conference on Legal Cultures and the Atlantic Divide at the Bucerus Law School in Hamburg, Germany, in February; spoke on “The Heritage of the Émigré Jurists for American Legal Education” in January at the Globalization and the U.S. Law School conference at Suffolk University Law School in Boston; and spoke at a workshop on Internationalizing the Curriculum organized by Georgetown Law Center and McGeorge School of Law in January.

Clinical Assistant Professor of Law **Vivek S. Sankaran, ’01**, this spring spoke on “GALs [Guardian ad Litem]: Straws that Stir the Drink” at the Child Welfare League of America National Conference in Washington, D.C., and on “Current Issues in Neglect Law” for Washtenaw County Juvenile Court Training.

Clinical Assistant Professor of Law **David A. Santacroce** has become chair of the Association of American Law Schools’ Section on Clinical Legal Education.

Affiliated Overseas Faculty member **Bruno Simma**, a judge on the International Court of Justice at The Hague, has been awarded an honorary doctorate from the University of Macerata in Italy. In addition, he has acted as president of the arbitral tribunal established within the Lausanne, Switzerland-based Court of Arbitration for Sports in a series of cases which the Gibraltar Football Association has brought against the Union of European Football Associations (UEFA). He also has presented a number of guest lectures at a variety of locations.

James Boyd White, the L. Hart Wright Collegiate Professor of Law, spent 17 days earlier this year at Charles University in Prague on a Fulbright grant teaching American Contract Law to 72 “eager Czech students” who, he says, “quickly adapted to conventional American Socratic teaching.”

In Memoriam

Francis A. Allen

Pioneer criminal procedure scholar Francis A. Allen, dean of the Law School from 1966-71 and an active faculty member until taking emeritus status in 1986, died April 6 in Gainesville, Florida. Born in 1919 in Kansas City, Kansas, Allen graduated from Cornell College, Mount Vernon, Iowa, and Northwestern University Law School, and taught at Northwestern, Harvard, and the University of Chicago before coming to Michigan as dean. After retiring from Michigan Law he joined the University of Florida law faculty, taking emeritus status there in 1994.

Allen clerked for U.S. Supreme Court Chief Justice Fred Vinson; served as president of the Association of American Law Schools; was scholar in residence at the Rockefeller Foundation in Bellagio, Italy; twice was in residence at the Salzburg Seminar of American Studies; was a visiting expert at UNAFEI, the Japan-based UN agency that deals with problems of criminal corrections; and was a Guggenheim Fellow in 1971 and 1973. He was elected to the American Academy of Arts and Sciences in 1975.

Allen was known for his scholarship, eloquent speaking and writing, and open-mindedness as well as his humaneness and collegiality. "He is widely regarded as the nation's leading spokesman for a humanistic conception of legal education," the University of Michigan Board of Regents said in the resolution it passed in 1986 when Allen took emeritus status.

Professor Emeritus Yale Kamisar, himself a pioneer in criminal procedure scholarship, said Allen "did more than anyone in legal scholarship in modern criminal procedure. Wherever I went, he'd been there first. . . . Everybody who wrote about criminal procedure in the

early 1960s and thereafter used Frank a great deal. He was there from the very beginning."

Allen was a prolific author of journal articles and books, added Kamisar, but "what many regard as Allen's very best writing is . . . the 'Allen Report' (as it has come to be called), the 1963 report of the Attorney General's Committee on Poverty and the Administration of Federal Criminal Justice, a committee selected by Attorney General Robert Kennedy and chaired by Allen. No work has more forcefully or more eloquently articulated the need to eliminate, or at least minimize, the influence of poverty in the administration of criminal justice than the Allen Report. . . . [I]t significantly affected our way of thinking about the obligations of 'equal justice' and the problems faced by criminal defendants of limited means."

The report led to passage of the Criminal Justice Act of 1964 and the Bail Reform Act of 1966. Allen also helped write the American Law Institute's Model Penal Code and was instrumental in forging the Illinois Criminal Code of 1961, whose provisions included decriminalizing sexual acts between consenting adults of the same sex.

Former colleagues and students spoke glowingly of Allen as colleague, friend, and teacher. "Frank was undoubtedly one of the foremost scholars of his generation, but he was much more—a wonderful colleague and a wise and generous mentor to many, including myself," said Professor Emeritus Jerold Israel, who also joined the Florida faculty after retiring from Michigan Law.

Michigan Law Professor Douglas Kahn recalled a colleague's comment that Allen "was the only person he knew who spoke in paragraphs." Said Kahn: "Frank never said or wrote anything



foolish or awkward. Every sentence was carefully created, and every thought was the product of a keen mind having given consideration to the issues. He was truly a wise man and a gentleman in the best meaning of that term."

"Frank had a rare combination of intellectual rigor, profound humaneness, and stylistic elegance that made his deanship a golden age for the Michigan Law School," said Professor Emeritus Theodore J. St. Antoine, '54, who also served as Michigan Law's dean. "Under him our instruction became richer and broader through expanded interdisciplinary offerings and more practical through new clinical programs. And he presided over a major outreach to minorities and women."

"Frank was a nonpareil occasional speaker—both witty and meaty," St. Antoine added. "His range of allusions, always apt for his subject matter, would run from the 'Song of Roland' to T.S. Eliot, with generous helpings of 'Peanuts' along the way. He even made faculty meetings something to look forward to!"

Carl E. Schneider, '79, the Chauncey Stillman Professor of Ethics, Morality, and the Practice of Law and currently a visiting professor at the U.S. Air Force Academy in Colorado, described Allen as a teacher whose influence reached far beyond the immediate subject and classroom. "I am one of the thousands of students whose legal education truly

began when Frank Allen asked of the famous necessity killing case, ‘What are the facts of *Regina v. Dudley & Stephens*?’ Frank liked to call himself a son of the manse, and he supposed that teaching and learning were serious things. He would acerbically say that learning was hard work and often little fun. But Frank knew with Holmes that one can live greatly in the law, and he brought everything he had to showing students how to read like a lawyer, think like a lawyer, speak like a lawyer.

“Later, I acquired an office facing his across the courtyard. However early I came in, I would see Frank pacing his long office, class notes in hand, preparing. Today, when I read a case, I enjoy the craft pleasure in lawyer’s work that I began to acquire from Frank. Holmes wished for the ‘subtle rapture of a postponed power’. By his teaching, Frank surely earned it.”

“I knew Frank for more than 50 years, first as my teacher, then as the dean responsible for my decision to join the Michigan faculty, and finally as a colleague and friend,” recalled Professor Emeritus and former dean Terrance Sandalow. “More than anyone I have known during that time, he embodied the intellectual virtues at which a liberal education aims. A consummate teacher and scholar, his efforts in both areas were marked by deep learning, keen insight, and a quality much rarer even among the ablest teachers and scholars—wisdom.

“Although a very private man, Frank was a warm and generous friend—at times, perhaps, generous to a fault, as in his seeming inability to see the failings of his friends. But that is, surely, the most forgivable of faults, one that those of us who were his friends have good reason to prize.”

Olin L. Browder Jr., S.J.D. '41

Olin L. Browder Jr., S.J.D. '41, the James V. Campbell Professor Emeritus of Law, died April 11. Born in 1913, he earned his A.B. and LL.B. at the University of Illinois, and taught at Michigan Law from 1953-84 before taking emeritus status.

Browder practiced law for a time in Chicago, and served as an attorney with the Tennessee Valley Authority in 1942-43 and as a special agent with the F.B.I. from 1943-46. Prior to coming to Michigan, he also had taught at the University of Tennessee and the University of Oklahoma.

A member of Phi Beta Kappa, Phi Kappa Phi, and Order of the COIF, Browder chaired the ABA’s Committee on Rules Against Perpetuities from 1966-71.

Browder wrote or co-authored a number of books, among them *American Law of Property* (1952), *Family Property Transactions* (1965, 3rd edition 1980), *Basic Property Law* (1966, 5th edition 1989), and *Palmer’s Cases on Trusts and Succession* (4th edition 1983).

Lawrence W. Waggoner, '63, Michigan Law’s James M. Simes Professor of Law, described Browder as a students’ favorite among teachers and a highly regarded scholar. “Olin was my teacher, colleague, co-author, and friend,” said Waggoner, with whom Browder co-wrote *Family Property Transactions* and *Palmer’s Cases on Trusts and Succession*. “As a teacher, he was very popular. In and out of the classroom, he was quiet, yet had a lot to say and said it efficiently.”

“He also had a devilishly subtle sense of humor,” Waggoner added. “He made you chuckle, not laugh out loud. As a

scholar, he was very perceptive. His law review articles are still cited today as authoritative, and he is thought of as one of the giants of his generation.

“Above all else, he was a gentleman and a gentle man. He loved Ann Arbor and the Law School. And he loved to have a beer at lunch!”

