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## Memorial Resolution: Frank Edward Cooper

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*This issue is dedicated to the memory of Frank Edward Cooper*

## **FRANK EDWARD COOPER**

*Memorial Resolution by the Faculty of the  
University of Michigan Law School*

**F**RANK EDWARD COOPER, Professor of Law at the University of Michigan, died at his home in Grosse Point Farms, Michigan, on February 16, 1968, at the age of 57 years. His passing is mourned by his colleagues on the Law Faculty, by his many associates at the Bar, and by the hosts of his fellow workers and friends throughout the land. We on the Law Faculty adopt this resolution to record our deep sympathy for the family, and at the same time, to express our profound respect for our valued colleague and friend.

Frank Cooper was truly a son of Michigan. Born in Detroit on June 3, 1910, he attended Northwest High School where he was graduated in 1927. Attending the University of Michigan he earned his Bachelor of Arts degree in 1931, and a Juris Doctor degree from the Law School in 1934. Recognition for high scholarship came his way by election to Phi Beta Kappa in the College and to the Order of the Coif in the Law School. After graduation he joined the leading Detroit firm of Beaumont, Smith and Harris, and this professional association continued for thirty-four years until his death. Active until the end, he worked at his desk all day on February 15th and on his last day, the 16th, he spent hours dictating to his secretary. From beginning to end he gave unremitting devotion to the multitude of tasks that fully occupied his hours, days and years. His contributions to his profession, his associates, his church and his home were both outstanding and memorable in highest measure.

Frank was married in 1936 to Margaret Hayes, and the Coopers throughout the years enjoyed the great blessing of a happy home life. Three sons, Frank Lee II, Edward and William matured under

their wise direction and are now launched on their own careers—Frank as a Ph.D. candidate in Econometrics at the University of Wisconsin, Edward as an Associate Professor of Law at the University of Minnesota, and William now serving as a Chaplain's Assistant in the United States Army in West Germany. Their home in Grosse Pointe Farms was the center of a life filled with hard work and accomplishment, but with the important supplement of closely knit family activities, vacations, outings and relaxing pleasures, not the least of which was the frequent use of a small but prized sailboat on nearby Lake St. Clair.

In his professional life Frank worked hard and long and he became a master of the corpus juris. He was recognized by his associates as a brilliant legal scholar, especially effective in the areas of his most active interest. He was constantly involved with the legal problems created by the National Labor Relations Act, the Fair Labor Standards Act and other federal and state legislation affecting businesses and industry. He served his clients with a maximum professional skill, and at the same time maintained unfailing courtesy and consideration for opponents and associates alike. In recent years he probably enjoyed most of all his role in the long drawn out and complex defense of General Motors in the federal antitrust suit involving alleged monopolization of the manufacture of motor coaches.

For many years Frank enjoyed close professional relationships with the Michigan Manufacturers Association, by which he frequently was asked to act as industry spokesman in such varied fields as air pollution and personal property taxation of inventories. He served as General Counsel for the Association, and on his death, the Association published a tribute which characterizes ever so well Frank's professional skill as displayed in his services as a lawyer—"He was a master of the written and spoken word—the most complicated and tangled legal problem would be reduced by him to simple, understandable and definitive language—His legal opinions,

pamphlets and bulletins on subjects vital to industry could be followed with complete confidence. There was no doubt as to his expertise on unemployment compensation, labor legislation, taxes and constitutional questions." Frank left behind him an extraordinary reputation for the best in the legal profession, high craftsmanship, unimpeachable integrity, and personal graciousness. He was one of Detroit's most respected attorneys.

Yet, Frank's professional life included far more than his service for clients, as valuable as these were. He also served in many *pro bono publico* activities on federal, state and local levels. At the national level, in 1954 to 1955 he participated as a consultant for the Second Hoover Commission, advising its Task Force on Legal Services and Procedure with reference to the proposed revision of the Federal Administrative Procedure Act. This task was continued in the course of the subsequent sponsoring of the revision by the American Bar Association Special Committee on Administrative Law, and still later with similar work by the ABA Section on Administrative Law. Frank, after serving in many section committee activities, became the 1962 Chairman of the Administrative Law Section, in which office he guided the section in an especially fruitful year.

In addition, at the state level, Frank played an important part. He served as consultant for the Special Committee of the National Conference of Commissioners on Uniform State Laws charged with the revision of the Model State Administrative Procedure Act, which Act has now either been adopted in or materially influenced such legislation in about twenty-five states. He was the prime mover in nursing the Model Act through the Michigan State Legislature. Within the last year as consultant for the Michigan Law Revision Commission, he wrote a cogent study entitled "Administrative Adjudication," which has recently been published as a part of the Commission's second annual report. The principles advocated in this study have been incorporated into House Bill 3454 of the 1968 Session of the Mich-

igan State Legislature, and Frank's service has been noted with especial appreciation in a memorial resolution recently adopted by the House of Representatives in which it was concluded that "This work [with the Law Revision Commission] will remain as a memorial of his service to the State and the Michigan Legislature." Frank was a master of administrative law—federal, state and local. One of the legal reforms most attracting his attention in recent years was the proposal to create the state office of Ombudsman, an independent official who would serve as an overseer of administrative agencies to ensure that they justly and efficiently discharge their duties to the public. He drafted an ombudsman statute suitable for state adoption. Frank was never too busy to participate in worthy causes *pro bono publico*.

The foregoing activities would be enough to constitute a full life for most persons, but Frank added still another—an exceptional career as a law teacher and productive legal scholar. Teaching on a part time basis concurrently with full time professional practice, Frank began by meeting law classes at Wayne University Law School. Later in 1950, he was invited to take a part-time professorship at The University of Michigan Law School, where, year after year, with extraordinary fidelity, he met classes in Administrative Law and Legal Writing, winning the admiration and respect of faculty and students alike. During the last year of his life, he served as Faculty Editor of the new Law School publication, *Prospectus: A Journal of Law Reform*. The energy and wisdom that he devoted to his editorial duties did much to insure the successful future of the new journal. Nor was that all; over a period of more than twenty years, a constant stream of top-level legal literature flowed from his pen. In addition to a long list of articles in legal periodicals, he won the distinguished American Bar Association Ross Essay Award in 1942, submitting an article on the desirability of changes in federal legislation and administrative practices in the then newly developing area of federal

labor relations law. Later, in 1949 he also won the State Administrative Law Essay Contest sponsored by the American Bar Association.

But this was only a beginning of a life of productive scholarship. In 1951 Frank's first book came from the press. It was entitled *Administrative Agencies and the Courts*. This volume was followed by *Effective Legal Writing* (1953); *The Lawyer and Administrative Agencies* (1957); *Cases and Materials on Administrative Tribunals* (jointly with Dean E. Blythe Stason of the University of Michigan Law School, 1957); *Living the Law* (1958); *Writing in Law Practice* (1963); and finally in 1965 a two volume treatise entitled *State Administrative Law*. How was all of this accomplished in conjunction with one of the leading law practices in Detroit? A brilliant and well-stocked mind, a facility at analysis and expression, but, above all, indefatigable industry all contributed to the significant bookshelf. During the long months devoted to the two-volume treatise, Frank regularly dedicated the hours from five to seven o'clock in the morning to the task—which for him was no task at all, but a fascinating form of recreation. No wonder Frank's colleagues and associates were and are filled with admiration! Teaching and writing were an "added career," but even standing alone they would have added lustre to the life of any legal scholar.

But even that is not all. Frank Cooper was an active and devoted member of the Christ Episcopal Church in Grosse Pointe where he served for many years as a lay-reader, a member of the Vestry, as Chancellor and last as Junior Warden. Additionally, he was a member of the American Law Institute, the American Judicature Society, the American Bar Association, the State Bar of Michigan and the Detroit Bar Association. And he was never just a "joiner"; he contributed mightily.

How does one evaluate the life of Frank Edward Cooper? Certainly it constitutes an ideal matched by few. He served with the highest skill those who sought his professional advices; he left a sig-

nificant impact upon the organizations with which he was associated down the years; he helped to educate more than a generation of law students; he left a brilliant imprint on the literature of the law for the enrichment of years to come. His family, in the midst of sorrow, can take great pride in the husband and father; his host of friends and associates, while wishing that he might have lived a longer life, can express their gratitude for the fact that Frank came this way and served so richly during his allotted years.

We, the Faculty of the University of Michigan Law School, adopt this resolution both to record our sense of deep appreciation of so many tasks well done, and at the same time, to express our sorrow for the loss of an esteemed colleague, a respected fellow worker in the vineyard of the law, and a beloved friend.