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FAREWELL, BIG AL

Seymour Moskowitz*

Big Al Meyer. The name itself has the ring of a Damon Runyon character and although, to my knowledge, he spent only two years of his life in the Big Apple, Big Al was a very sophisticated guy. He loved the law and legal education, but he also loved people, literature, fine music, sports, and so much more. It is impossible to capture this larger than life figure in these few words, but I would like to share some personal recollections, particularly of times and history about which many readers have little knowledge. I think these memories illustrate many of Al's most important attributes.

Big Al (this was the name many of us gave him; he typically called me Syrenius or some variant) loved Valparaiso University and especially the Law School. As with all passionate romances, there was fire and there was ice. He was Dean of the Law School several times and was a decisive and caring leader. We in the academy often operate without firm deadlines and tend to push decisions off to another day; debating is after all a professional addiction for lawyers. Al abhorred such procrastination. "What will we know at the next meeting that we don't know now," he would quite correctly observe from the chair. The answer, of course, was almost always nothing, and we would move to a vote.

Al was also a legendary classroom instructor, chiefly in the fields of contracts and commercial law. But these subjects were simply the tools with which he inculcated thinking skills. As many times as he taught these courses he always prepared again for the coming class. He was the consummate teacher, but understood that the teacher is ever a student. If he applied high standards to colleagues and students, he imposed the same high standards upon himself.

When I returned to the Law School in 1984 after a nine-year absence, I began teaching a course called Constitutional Theory. I created this course to give students the (surrogate) experience of high level appellate practice. The focus was on pending cases before the United States Supreme Court. We read as much of the records as was available, the lower court opinions, and the briefs submitted to the High Court. Then students in the course delivered oral arguments and took questions from a panel of judges.

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In order to make this course work, I needed people to act as Supreme Court Justices and approached colleagues and selected legal practitioners to fill these roles. Al was a consistent volunteer and prepared voraciously for the arguments. Talk about a “hot bench”; when Al was on the panel, the interchange was sizzling and most especially so in First Amendment cases. Questions flew from the first moment, arguments were dissected, factual detail demanded, and proposed conclusions analytically queried. Students often confessed that they had never been through such an intellectual ordeal, but when the time came for oral arguments in their later professional careers, they were more than prepared.

Another academic recollection about Big Al. I began my career at the Law School in 1969 as the first Director of the Law School Clinic. The idea that the required number of credit hours for a law degree might include supervised student representation of clients in actual cases was unknown in the law school world at that time, although it had long been an integral part of education in many other professions. I brashly proposed such a program and defended it before the law faculty. Al was at first skeptical of the academic merit of such clinical practice, but after some intense one-on-one conversations, he wound up favoring it. Later, administration of the program and students’ experiences in it turned him into a believer. As Dean, he wholeheartedly supported our clinical offerings. That support was not easy or cost-free at a time when the Clinic was suing local school systems, high elected officials, and powerful corporations. Their protests and pressure were utterly irrelevant to Al; what mattered to him was that students were engaged in an intense legal learning experience which is what he believed was the core mission of the Law School.

A number of years later, Ivan Bodensteiner and I pushed this concept even further. We proposed merging the Clinic experience with traditional classroom learning to create a new course in Federal Courts. In this incarnation, students learned the principles of federal jurisdiction and practice by working on cases we litigated in the federal courts. This offering provided the highest number of credits of any course in the Law School at the time. But despite its nontraditional structure, Al embraced this change and followed this curricular experiment with intense interest. Former students to this day recall the work from that course with pride and amazement.

While often appearing gruff in casual interactions, Al had a great capacity to reach out to people who needed help and to connect with

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them at a most intimate level. In April 1975, while I was in my early years as a teacher, my wife Linda and I experienced tragic and traumatic events during the birth and short life of our third child. Later, I understood clearly that we passed from youth to maturity during that fateful spring. We learned, without warning, that life has dark alleys as well as bright paths, and that all does not always end well. I was profoundly shaken by our experiences with disaster and death—experiences that unalterably changed our lives. Al was Dean at that time and sought me out. We shared many hours and very deep feelings. He became the brace which helped me stand. He canceled my classes and final exams, helped us work through intractable health insurance problems, and most importantly, became a true friend.

After his (graceful) retirement from active teaching, Big Al continued to grow. He found the burgeoning movement for Alternative Dispute Resolution irresistible and began learning and participating in it. He saw the therapeutic and practical possibilities for contentious parties to resolve differences in processes—mediation, negotiation, etc.—far removed from trials in courtrooms in front of strangers. In this work, he saw the potential for the law and lawyers to become ever more deeply involved with the society around them.

As many can attest, Al was often brutally and less than diplomatically honest. I never had to wonder long about what Al thought about an idea or a piece of writing. When my work wasn't quite what he thought it could be, he told me—and in no uncertain terms. He forced us all to be more than we thought we could be. In the end, is there a greater testament to a colleague's legacy?

So friends, let us lift a glass and offer a toast—here's to you, Big Al; it was great knowing you.