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Ohio State Law Journal Dedication to Robert J. Lynn*

JOAN M. KRAUSKOPF**

Robert J. Lynn, the person, the professor, the scholar cannot be separated. They are all one: *Teacher*. The whole Bob Lynn instructs us: "Keep it brief and simple . . . and remember to look at the sky." By learning those two lessons, our professional lives can succeed and our personal lives can be fulfilled. For Professor Lynn, and those who fully emulate him, this says it all. Thus, Bob Lynn would end the dedication.

Most of us mere mortals want a story and an explanation. The story begins with my telling Bob of my concern lest this dedication read like an obituary. Quick as a wink, a gentle chuckle and the response came, "Joan, try not to think of me as dead." Then followed a sincere denial of any personal interest in the honor. "So, Joan, keep it brief and simple. . . . Now, let me ask you something about yourself. . . ." In less than a minute, Professor Lynn demonstrated the teachings of his person, the qualities of "the good person" for whom students and other professors developed a fondness and loyalty continuing many years later. First, a quick and wry sense of humor. It takes a superb sense of humor to get laughs out of decedents' estates! Yet most student parties and alumni gatherings include witty "Lynnisms." Second, modesty, an unpretentious humility that seems to spring from a calm self-confidence. He teaches that one comfortable with oneself has no need of reassurance from applause, honors, lavish office furnishings, public posturing, or competitive jockeying for dominance over either colleagues or students. An unassuming self-confidence welcomes any student question, allows a quiet stare at the ceiling for as long as it takes to think out the correct answer and how to articulate it precisely. His quiet self-assurance is the antithesis of vanity, for he recognizes his own fallibility. He credits two senior colleagues, Charlie Callahan and Vaughn Ball, for teaching him that the ability to question oneself leads to open-mindedness and respect for others' ideas. May Professor Lynn's teaching, in turn, save us from the "Bonfire of our Vanities."¹

The admonition to "keep it brief and simple" reflects Professor Lynn's ability to state the essentials and no more. Others say he "thinks straight," he "sees things as they are," and "he calls things as he sees them." He says, "In dealing with the law, it's dangerous to think. . . . I mean it. It's downright dangerous to think." By

* Professor Lynn is retiring after 38 years of teaching. He graduated from the The Ohio State University College of Law in 1948 and began teaching there in the fall of 1951. In 1952 he received his J.S.D. from Yale Law School. He has been a full professor at the college of Law since 1957 and currently holds the John C. Drinko-Baker & Hostetler Chair.

** Student and junior colleague, 1955-60; colleague, Fall 1987 to present.

1. T. WOLFE, *THE BONFIRE OF THE VANITIES* (1987) (recent novel exploring ideology and tolerance in our present society).

that he means to encourage us to shovel past the emotion and rhetoric to seek the heart of a matter, not the fuzzy overlay. He says a professor's job is to help students become well informed, and, for that, the teacher who knows where he or she "is going" will be effective. Knowing where he "is going" for Professor Lynn means thinking straight in preparing, figuring out the right question to ask, knowing the expected response, and finding the concise way to clarify. Recall him saying, "By that I mean this"

Perhaps his most endearing quality is caring for others. His remarkable ability to remember students and their activities stems from his initial concern for the persons he influences. He lets us know he likes us. We appreciate that; thus, we learn the value of time devoted to individual people. His empathy and skill show in questioning students to "edge them to the correct conclusion" without abuse or intimidation. Numerous outstanding teacher awards evidence that humor, humility, clear thinking, and empathy meld into a great teacher.

For those of us who know the person, but not the scholarship, there is another story to tell. Professor Lynn has dedicated a professional lifetime to prestigious scholarly research in two complex areas: the Rule Against Perpetuities (the Rule) and pension law. In 1952, when leading scholars in this country began to attack the Rule's technicalities,² graduate student Lynn ventured bravely into the morass with his doctoral thesis at Yale University.³ In 1957, in a major American law review article, he stated: "If the Rule Against Perpetuities is to police effectively the devolution of private wealth through several generations, it must be made understandable to lawyers who are not specialists As reformation of the Rule proceeds the goal of simplification of the law ought to be kept paramount."⁴ Thus, the young Bob Lynn was ready, just as well-known scholars had weakened the Rule's sanctity, to monitor and make understandable the reform of the Rule Against Perpetuities. He did so in a series of articles in the leading law reviews of the country from 1960 through 1966,⁵ capping the effort with his 1966 book *The Modern Rule Against Perpetuities*.⁶ A laudatory book review in the *Yale Law Journal* concluded, "So admirable a study as *The Modern Rule Against Perpetuities* deserve [sic] a second volume suggesting where we ought to go from here."⁷ The challenge was picked up—first, in a series

2. See, e.g., Leach, *Perpetuities in Perspective: Ending the Rule's Reign of Terror*, 65 HARV. L. REV. 721 (1952). See also Leach, *Perpetuities Legislation: Hail Pennsylvania!*, 108 U. PA. L. REV. 1124 (1960).

3. R. Lynn, *The Rule Against Perpetuities as an Instrument of Community Policy* (May 1952) (unpublished thesis in Yale Law School Library).

4. Lynn & Ramser, *Applying the Rule Against Perpetuities to Functional Equivalents: Cops Chapel and the Woburn Church Revisited*, 43 IOWA L. REV. 36, 55-56 (1957).

5. Lynn & Van Doren, *Applying the Rule Against Perpetuities to Remainders and Executory Interests: Orthodox Doctrine and Modern Cases*, 27 U. CHI. L. REV. 436 (1960); Lynn, *Reforming the Common Law Rule Against Perpetuities*, 28 U. CHI. L. REV. 488 (1961); Lynn, *The Questionable Testamentary Gift to Charity: A Suggested Approach to Judicial Decision*, 30 U. CHI. L. REV. 450 (1963); Lynn, *A Practical Guide to the Rule Against Perpetuities*, 1964 DUKE L.J. 207; Lynn, *Raising the Perpetuities Question: Conception, Adoption, "Wait and See," and Cy Pres*, 17 VAND. L. REV. 1391 (1964); Lynn & Carpenter, *Applying the Rule Against Perpetuities to Class Gifts: The Influence of Leach*, 43 TEX. L. REV. 37 (1964); Lynn, *Perpetuities Reform: An Analysis of Developments in England and the United States*, 113 U. PA. L. REV. 508 (1965); Lynn, *Perpetuities: The Duration of Charitable Trusts and Foundations*, 13 UCLA L. REV. 1074 (1966).

6. R. LYNN, *THE MODERN RULE AGAINST PERPETUITIES* (1966).

7. Dukeminier, *Book Review*, 77 YALE L.J. 159, 178 (1967).

of articles.⁸ Second, Professor Lynn incorporated his expertise regarding both the Rule Against Perpetuities and estate planning into two books published in the 1970s: *An Introduction to Estate Planning* and *An Introduction to Estate Planning in a Nutshell*.⁹ Professor Lynn not only mastered the intricacies of these complex areas of the law for erudite law reviews, but, with his remarkable ability to pare to the essentials, he also simplified them for the practical use of students and practicing lawyers. As one reads the *Nutshell*, one can almost hear him saying, "I don't mean to mislead you; what I am implicitly saying is this"

For many, the Rule would have filled a scholarly lifetime. Professor Lynn, however, was one of the first in the nation to recognize the potential of "quasi-public benefits" for wealth disposition purposes. He published two articles in the 1950s alerting the legal world to the legal and economic possibilities of pension benefit plans as a new form of inheritance.¹⁰ Professor Lynn's major publications explore private pensions as components of both the income maintenance system and the wealth transmission system. Thus, he was a pioneer in characterizing estate planning not only for death, but also for life. In the year 1981 alone, he published three articles on private pensions in major United States law reviews.¹¹ His book, *The Pension Crisis*,¹² was published in 1983. Characteristically, his preface to this book says "[p]ension systems are commonly misunderstood; thus one purpose of this book is to explain them and to make clear their precarious nature."¹³ Undaunted by the shift to computers and word processors, he continues to make clear the intricacies of estate planning.¹⁴

Rarely, indeed, are we blessed with a scholar whose continued research over a third of a century has made him preeminent in two equally challenging intellectual matters, one originating 300 years ago and the other barely yesterday.

With apologies to Bob Lynn, this dedication is not "brief and simple." May it help each reader appreciate some of the teachings of Professor Lynn's life in the law. And, may we all "remember to look at the sky."

8. Lynn, *The Ohio Perpetuities Reform Statute*, 29 OHIO ST. L.J. 1 (1968); Lynn, *Estate Planning: Good-bye to Wills, Trusts, and Future Interests*, 39 OHIO ST. L.J. 717 (1978).

9. R. LYNN, AN INTRODUCTION TO ESTATE PLANNING (1975); R. LYNN, INTRODUCTION TO ESTATE PLANNING IN A NUTSHELL (2d ed. 1978) (as of 1983, there is also a third edition to the *Nutshell*).

10. Lynn, *Legal and Economic Implications of the Emergence of Quasi-Public Wealth*, 65 YALE L.J. 786 (1956); Lynn, Foreman & Wehr, *The New Inheritance: Employee Benefit Plans as a Wealth Devolution Device*, 11 STAN. L. REV. 242 (1959). See also Lynn, Book Review, 35 IND. L.J. 538 (1960) (reviewing P. HARBRECHT, PENSION FUNDS AND ECONOMIC POWER (1959)).

The Stanford article reflects a generous and unpretentious sharing of publication credit with two students, Jim Foreman and Bill Wehr, who were my classmates and who worked for Professor Lynn as research assistants. Professor Lynn was doing an uncommon act in those days by publically sharing publication credit with them.

11. Lynn, *Private Pensions in Perspective: Problems of the Years Ahead*, 15 GA. L. REV. 269 (1981); Lynn, *Reducing Pension Costs Now: Three Suggestions*, 23 ARIZ. L. REV. 689 (1981); Lynn, *Investing Pension Funds for Social Goals Requires Changing the Law*, 53 COLO. L. REV. 101 (1981).

12. R. LYNN, THE PENSION CRISIS (1983).

13. *Id.* at vii.

14. Lynn, *Problems with Pour-Over Wills*, 47 OHIO ST. L.J. 47 (1986); Lynn, *Will Substitutes, Divorce, and Statutory Assistance for the Unthinking Donor*, 71 MARQ. L. REV. 1 (1987).

