

Duquesne Law Review

Volume 46
Number 1 *A Tribute to the Honorable Carol Los
Mansmann*

Article 7

2007

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Recommended Citation

Cynthia Baldwin, *Carol Los Mansmann: Quintessential Law Professor*, 46 Duq. L. Rev. 51 (2007).
Available at: <https://dsc.duq.edu/dlr/vol46/iss1/7>

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Carol Los Mansmann: Quintessential Law Professor

*Cynthia Baldwin**

Quite simply, I agreed to write this article about Carol Mansmann because I liked her. I liked her from the very first time I entered her Agency class. She was fairly young (I was a thirty-two-year-old first-year law student and she was only a couple of years older) and full of excitement—for the subjects she taught, for her students, for life in general. Although she had been seated where I was only seven years earlier when she first began teaching at Duquesne in 1974, she came to us with a wealth of experience.

From 1968 to 1972, she worked in the appeals division of the district attorney's office. On April 27, 1970, Carol Mary Los argued her first case, *Chambers v. Maroney*,¹ before the United States Supreme Court for the respondent pro hac vice,² becoming the youngest woman to do so. Less than two months later, the case was decided with Justice White delivering the opinion of the Court affirming the Third Circuit's decision. Her first case was won.

Never one to rest on her laurels, Carol argued her second case before the Court on December 17, 1970, this time representing the Commonwealth of Pennsylvania. The Pennsylvania Supreme Court had affirmed a conviction of criminal contempt, but this time the U.S. Supreme Court ruled against her client finding “[b]y reason of the due process clause of the Fourteenth Amendment a defendant in criminal contempt proceedings should be given a public trial before a judge other than the one reviled by the contemnor.”³ The woman whom I came to know as Professor Mansmann had argued two cases before the United States Supreme Court before she was eligible to be admitted to the Supreme Court bar and before she married and became Carol Los Mansmann. She argued her final case before the Court in 1978, again for the

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1. 399 U.S. 42 (1970).

2. Supreme Court Rules required that an attorney be admitted to practice before the highest court of her jurisdiction for three years in order to argue before the Court.

3. *Mayberry v. Pennsylvania*, 400 U.S. 455, 466 (1971).

Commonwealth; however, it was not a criminal law case. The case of *Colautti v. Franklin* dealt with a section of the Pennsylvania Abortion Control Act concerning the determination of when a fetus is viable.⁴ The Court held that the section was unconstitutionally vague.

The years during which Carol taught as an Associate Professor of Law at Duquesne University were indeed busy ones. During approximately the same period, she was employed as a special assistant attorney general and maintained a private practice in a firm that also included her husband. A brilliant and articulate advocate, she was also the consummate professional. She made her opponents feel comfortable and even special while she was beating their socks off.

Professor Mansmann had been teaching for three years when I arrived at Duquesne. Teaching Agency, Constitutional Law, Sex Discrimination, and Criminal Law, she was always prepared for class. She would flash that large-eyed, bright smile and then get down to business.

She spoke so fast sometimes that I got exhausted from listening, but I never tired of listening to her. Not only did she understand the law, she understood and cared about her students. She understood that it was not about her; she was only a catalyst, and therefore her ego stayed in the right place. She always made time to talk. She may have had dozens of other things on her platter, but she always made time for us students. I knew that she was an excellent law professor and a caring person, but it wasn't until my second year of law school that I found out how accomplished she was as an advocate because she never blew her own horn.

A woman ahead of her time, she graduated in the top of her class as one of only two women who graduated from Duquesne University in 1967. It is the stuff of lore that she was granted only one interview by a law firm and not hired by that firm. Carol remembered the experiences and the frustration, but she never carried any grudges. She just worked harder. A wife and a mother, she empathized with my situation as I struggled to get a handle on balancing the time commitments of law school, a husband, and two children and their activities. In fact, Carol was the juggler extraordinaire and encouraged me not only to succeed, but also to excel.

4. 439 U.S. 379 (1979).

[T]he profile of the ideal law school professor from the students' perspective is someone who is an expert in her field, projects confidence about that expertise, respects students, cares that they learn, and has great enthusiasm for teaching. Somewhat surprisingly, characteristics that we [professors] usually presume to be very important to students, such as the teacher learning students' names, the ability to entertain students in class, or socializing with them outside of class, were not as important to students as we often believe.⁵

While this description was not written specifically about Carol Mansmann, it is about Carol Mansmann. Although she definitely knew our names and could be entertaining in class, she recognized what was truly important to law students, as the profile compiled from students surveys showed. Because of this recognition, students truly respected her, and she respected them in return.

I remember when I first learned that Carol had cancer. Of course, I didn't learn it from her. She was undergoing chemotherapy and had lost her hair. She was wearing a wig, and someone had commented about it. That's when another person in the group informed us about Carol's illness.

For those of you who may not have known Carol personally, let me leave no doubt—she was one tough cookie. She battled cancer with the same dignity, preparedness, tenacity, and good humor she displayed in every other segment of her life. She performed her judicial duties and remained active in a variety of legal organizations. I don't believe that she had the word "complain" in her vocabulary. Even in her illness, she continued to teach us. She taught us to live life to the fullest, to know what is truly important in life, and to keep depositing in the bank of life so there will be something for others to draw on.

Former U.S. District Court Chief Judge Donald Ziegler said it best: "She was a teacher in every aspect of her life. She lived her life with truth, kindness and wisdom, as instructed in *Proverbs*. She is now counsel to the angels."

I am so blessed that I got to know Carol Mansmann, first as my law professor and later as my friend. She was the quintessential law professor and the quintessential friend.

5. James B. Levy, *As a Last Resort, Ask the Students: What They Say Makes Someone an Effective Law Teacher*, 58 ME. L. REV. 49, 55 (2006).

