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### In Memoriam: Steven P. Frankino

Ralph J. Rohner

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## IN MEMORIAM: STEVEN P. FRANKINO

The Editors of Volume 55 of the *Catholic University Law Review* respectfully dedicate this issue to Dean Steven P. Frankino.

### DEDICATION TO DEAN STEVEN P. FRANKINO

*Ralph J. Rohner<sup>+</sup>*

In the photo archives of the Columbus School of Law is a picture of Steve Frankino, taken in 1994, seven years after he had left the deanship at CUA to become dean of the Villanova Law School. In the photo he is leading the academic procession for the dedication of the new law school building here at CUA. We had asked Steve to take this honorific position to recognize his years of service, and also because we knew he would just plain love to lead the parade. Head back, academic gown flowing over his shoulders, with a controlled smile of delight on his face and a stride one could almost call a strut, he follows Scottish bagpipers and drummer, with representatives of dozens of other law schools trailing behind. This image of Steve is of the man in his element—leading his peers, in an academic setting, with appropriate pomp and circumstance, at a moment of great success and satisfaction for an institution he loved and served for many years.

That picture so perfectly captures the style and personality of Steve Frankino. He was joyous, proud, confident, and tireless in his efforts to provide high quality legal education to the students of the schools where he taught and managed. It is gracious and thoughtful for the Board and Staff of the *Catholic University Law Review* to dedicate this issue in his memory, and I am delighted to be asked to share some thoughts about my long time friend and colleague.

I need to acknowledge the latter point more specifically, for whatever I can say about Steve Frankino the law school dean must be filtered through our personal friendship over almost fifty years. Steve and I were undergraduates together at CUA in the late 1950s. We were fraternity brothers, and roommates, and I followed him as a student to the CUA law school, and then we overlapped as teaching colleagues there in the

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<sup>+</sup> Professor of Law, James Whiteford Chair of Common Law, Columbus School of Law, The Catholic University of America; Dean, 1987-1995.

mid 1960s. In many ways we grew up together, personally and professionally.

On the occasion of his retirement as dean at Villanova, I wrote a reflection describing his style as a law school dean.<sup>1</sup> On rereading it, I would not change a word, and will not repeat or paraphrase it here. The caption of the piece tells the theme. Steve was adept at academic administration, with “the patience and prescience of a chess master.” Some would say he was a magician who could make things happen that you thought were impossible. Others have suggested that he must have been a hypnotist, for how else could he keep a typically fractious faculty happy, productive, and collegial. He “deaned” with style and grace, yet also with vision and tenacity where the academic strength of the school was in issue. Whether my diagnosis of his skills is precisely correct, or not, I was pleased he could read it in his lifetime. Here I would rather reflect briefly on Steve’s relationship to the *Law Review* itself, and then on the broad legacies that he left to the Law School and that help form our character twenty years after his decanal tenure.

Three university law schools called Steve Frankino “Dean”—Creighton (1971-1977), Catholic (1979-1986), and Villanova (1987-1997). But his roots at CUA were longer and deeper than the others. As noted, Steve was an undergraduate and a law student here. In his senior year he was Research Editor for Volume 11 of this *Law Review*, and published twice as a student author.<sup>2</sup> Scarcely a year after his graduation in 1962, a year spent as a Teaching Fellow at Northwestern University Law School, he came back to our campus as a member of the law faculty. Among his assignments was to serve as Faculty Advisor to the *Law Review*, then only a semi-annual publication. His first “professional” article appeared in this *Law Review*.<sup>3</sup> Signaling his later style as dean, Steve saw opportunities for advancing and improving the status of the *Law Review*, and began campaigning his dean, his faculty colleagues, and the University administration to expand the *Law Review* to a quarterly journal that could compete with the best in the country. That effort

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1. Ralph J. Rohner, *The Patience and Prescience of a Chess Master*, 43 VILL. L. REV. 3 (1998).

2. See Steven P. Frankino, *Recent Case*, 10 CATH. U. L. REV. 46 (1961); Steven P. Frankino & Garrett N. Wyss, *Comment, Baker v. Carr: Two Aspects of Apportionment: An End and a Beginning*, 11 CATH. U. L. REV. 96 (1962).

3. See Steven P. Frankino, *The Manacles and the Messenger: A Short Study in Religious Freedom in the Prison Community*, 14 CATH. U. L. REV. 30 (1965).

eventually succeeded,<sup>4</sup> but by then Steve had moved on to his first stint on the Villanova faculty (1965-1971).

When Steve returned to CUA as Dean in 1979, he faced challenges of every kind. The Law School as a whole was outgrowing Leahy Hall, and needed even more space especially for faculty expansion, student activities, library holdings, and programmatic growth. Student enrollments were burgeoning, straining the faculty-student ratio to unhealthy levels. Under Steve's direction, the faculty was enlarged dramatically as distinguished new faculty came on board, including current professors Robert Destro, David Lipton, Rett Ludwikowski, Benjamin Mintz, William Wagner, and Leah Wortham. To create space, Steve added classrooms in McMahon Hall, and relocated most of the Law School administration into a maze of construction trailers on the Leahy Hall lawn. Under continuing pressure from our accrediting agencies for lack of adequate facilities, he began the long process of planning for a whole new law school building. That process ran beyond the years of his deanship, but it produced our current Law School home. If the structure can be called a success, it is due in large part to Steve's earlier insistence on serious exploration of options. This is why the building-dedication photo I described above is so evocative—Steve is celebrating the ultimate fruits of his earlier labors.

During his deanship, Steve served concurrently as the University's general counsel—the first time the University had lawyers in house, but now an established part of University-wide administration. Another piece of Steve's legacy!

On the academic side, the Law School blossomed during his deanship. The *Journal of Contemporary Health Law and Policy* was established—the second of what are now three student-managed scholarly journals. The Brendan Brown Lecture Series was initiated, named for the natural law scholar who was dean of the law school from the late 1940s until 1954; that series has become the forum for extraordinary speakers over the years, including Dean Steven Frankino himself in 1986. Most importantly, he oversaw the creation and nurturing of the School's special academic programs, the Institute for Communications Law Studies, the Law and Religion Program, the Comparative and International Law Institute, and the Law and Public Policy program. To this day, these distinctive features are part of the Law School's identity and character.

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4. The *Law Review* became a quarterly publication in Volume 16 (1966-1967). Ralph J. Rohner, *Retrospective: The 50th Anniversary of the Catholic University Law Review*, 50 CATH. U. L. REV. 267, 278 (2001).

Aside from his objective accomplishments, Steve brought to academic administration a certain style and class that are rare in higher education. He was a deft manager, a shrewd consensus builder, an open and transparent colleague, a tireless cheerleader for his School, and always committed to improving the environment for legal education at CUA. He was a connoisseur of good taste in all things, from food and wine to international travel, from music to politics. Our alumni Christmas party, and the post-graduation reception on the lawn, are two more pieces of Steve's contribution to the Law School life style.

Steve Frankino's legacy is all around us in the people, programs, and professional training that constitute the School of Law. We who were his friends and colleagues will miss him very much. Every member of the Law School community, young or old, can be grateful for his time among us and his permanent markings on our institution.